

## Aims Community College Procedure

### Employee Services

### Service Animals

Aims Community College (college) adopts this procedure to ensure that individuals with disabilities who need the assistance of a service animal can participate in and benefit from college services, programs, and activities in accordance with federal and state law.

#### I. Definition for purposes of this procedure

A “**handler**” is an individual who is responsible for care and supervision of a service animal. Typically, the handler of a service animal will be the individual with a disability. In situations in which the individual with a disability is unable to act as a service animal’s handler, the individual with a disability shall provide a handler for the service animal on college property.

A “service animal” is a dog that has been individually trained to do work or perform tasks for an individual with a disability. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person’s disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

A “**service animal in training**” means a dog that is being trained as a service animal.

#### II. Access

##### A. For Service Animals

Individuals with disabilities shall be permitted to be accompanied by their service animals on college property, except in situations where the presence of a service animal would fundamentally alter the nature of college services, programs, or activities.

A trainer of a service animal, or an individual with a disability accompanied by a service animal in training, also has the right to be accompanied by a service animal in training on college property.

In situations where it is not obvious that the dog is a service animal, college staff may ask only two specific questions: (1) is the dog a service animal required because of a disability?, and (2) what work or task has the dog been trained to perform? College staff shall not request documentation for the dog, require that the dog demonstrate its task, or

inquire about the nature of the person's disability

A service animal must be under the control of its handler at all times. A service animal shall have a harness, leash, or other tether, unless the handler is unable to use one because of a disability or such use would interfere with the animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control by way of voice control, signals, or other effective means.

The handler is responsible for caring for and supervising the service animal, which includes toileting, feeding, and grooming and veterinary care. Aims Community College and college staff are not obligated to supervise or otherwise care for a service animal.

The handler shall comply with applicable local animal control and public health requirements for service animals, including without limitation licensing, registration, and vaccination requirements.

#### B. For Miniature Horses

While not defined as a service animal by the ADA, Aims Community College shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific college facility, Aims Community College shall consider (i) the type, size, and weight of the miniature horse and whether the facility can accommodate those features; (ii) whether the handler has sufficient control of the miniature horse; (iii) whether the miniature horse is housebroken; and (iv) whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

In the event that Aims Community College determines that reasonable modifications to its policies, practices, or procedures can be made to allow a miniature horse into a college facility, such miniature horse shall be treated as a service animal under this policy.

### III. Balancing Competing Needs Related to Service Animals

The presence of a service animal may present competing educational and/or disability rights for other individuals. Individuals having concerns about a person's use of a service animal should direct their concerns to Aims Community College's ADA/504 Coordinator. Such inquiries should not be directed to the individual with the service animal.

The ADA/504 Coordinator may require the individuals involved to meet with appropriate district personnel and to disclose information (such as the breed of the animal or expected travel paths over college property) as necessary for college to balance competing educational and/or disability interests in order to fully integrate the service animal.

The ADA/504 Coordinator, after consulting with relevant staff and the individuals

involved, shall have sole authority to determine the manner in which Aims Community College will balance the competing interests of the individuals involved.

#### IV. Exclusion of Service Animals

A service animal may be excluded from campus if:

- a. The presence of a service animal fundamentally alters the nature of college services, programs, or activities. Examples may include, but are not limited to, research labs, areas requiring protective clothing, medically sensitive patient and clinic areas, and biologically sensitive or hazardous sites.
- b. The service animal is out of control and the handler does not take effective action to control it.
- c. The service animal is not housebroken.
- d. The service animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications.

If a service animal is excluded for one or more of the reasons noted above, the individual with a disability shall be provided the opportunity to participate in college services, programs, and activities without the service animal present.

#### V. Complaints

Any person dissatisfied with a decision concerning a service animal may submit a complaint to the ADA/504 Coordinator.

**Revision Approved: College Council, February 13, 2023**

**December 17, 2012**

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**Responsible Administrator: Chief Human Resources Officer of Employee Services**

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