

SERVICE ANIMALS

1 Introduction

- 1.1 Animals, other than authorized service animals which include dogs and miniature horses, are not permitted on campus or at any District property. This policy does not apply to the presence of animals on campus solely for instructional purposes, or to animals present on campus for law enforcement purposes.
- 1.2 Enrolled students with a disability who wish to be accompanied by a service animal as an accommodation in a non-public setting (e.g. the classroom or a lab) shall obtain prior written authorization from the DSPS coordinator or designee as provided below.
- 1.3 1.3 Individuals present on District property who wish to be accompanied by a service animal in a setting open to the general public may, but are not required to, obtain prior written authorization from the DSPS coordinator or designee.
- 1.4 It is unlawful for any person to knowingly and fraudulently represent himself or herself to be the owner, handler or trainer of a service animal/canine. Penal Code § 365.7.
- 1.5 Students who violate this policy may be subject to discipline pursuant to the student code of conduct. Visitors who violate this policy may be denied permission to remain on District property.

2. District Evaluation Procedure

- 2.1 Enrolled students who wish to have a service animal in an instructional setting or other non-public setting as an accommodation may request an evaluation. These students shall be directed to the Disability Support Programs and Services (DSPS) office.
 - a. The student shall provide documentation of his/her disability and a description of the disability related tasks which the animal performs which facilitate access to District programs, services or activities.
 - b. The determination shall be made as to whether the presence of the animal would have a significant negative effect upon the service, program or activity involved such that its presence would pose a direct threat to the health or safety of others, or would be unduly disruptive, which cannot be eliminated by other reasonable means.

- c. The evaluation of the student's request shall also include the criteria set forth below in paragraph 3.
- d. The authorization letter may be limited in time to require subsequent proof of updated licensing, vaccinations, etc.
- e. If the request for accommodation is approved, the student shall sign the DSPTS Service Animal Agreement, and the student shall be issued a service animal sticker for placement on the student's ID card or a tag for their animal's collar as proof of approval of the request to utilize the service animal in a non-public setting.

2.2 Persons who wish to have a service animal in a setting open to the general public may request an evaluation by the ADA coordinator.

The evaluation of this request shall include the determination of:

- a. Is the animal a service animal required because of a disability?
- b. What work or tasks has the animal been trained to perform? For example, for an individual who is blind or has low vision, a service animal would mean a dog that helps him/her with vision, navigation and other tasks; for an individual who is deaf or hard of hearing, a service animal would mean a dog that alerts him/her to the presence of people or sounds; or for an individual with psychiatric or neurological disabilities, a service animal would mean a dog that assists him/her by preventing or interrupting impulsive or destructive behaviors.

2.3 The evaluation as to requests under section 1 and 2 shall also include the determination as to whether:

- a. The service animal is well behaved (e.g. no undue barking, growling, whimpering, or disruptive behavior);
- b. the service animal has all required vaccinations and shall wear at all times a current and valid vaccination tag;
- c. the service animal is on a leash at all times unless infeasible, in which case the animal shall otherwise be under the handler's full control;
- d. the service animal is "house-broken;" the handler ensures that the service animal uses only specific areas for relief as designated by the District; and in any event the handler shall promptly clean up after the service animal; and
- e. the service animal is in good health and well-groomed.

The failure of the handler to comply at all times with the criteria in paragraph 3 shall be cause to revoke any authorization and exclude the service animal from campus, in addition to any other appropriate action.

Prior written authorization to allow the service animal is not mandated as to individuals with service animals in a setting open to the general public, but it is encouraged. No referral to DSPS is required for this type of request. If staff making these inquiries is concerned about this issue, he/she may contact DSPS staff or campus security for assistance.

3. General Provisions

- 3.1 A student or visitor is limited to one approved service animal.
- 3.2 Only dogs or miniature horses may qualify as service animals under this policy.
- 3.3 Neither the perceived crime deterrent effect due to an animal's presence nor the provision of emotional well-being or companionship by the animal is a basis for approval of an animal on campus.
- 3.4 The owner and handler of a service animal shall be responsible for any damage to the premises, facility or to any person caused by the animal.
- 3.5 Enrolled students or visitors who work as service dog trainers may obtain authorization if:
 - a. Proof is provided that the handler is a bona fide trainer of the animal;
 - b. The criteria in paragraph 3 are satisfied; and
 - c. The dog-in-training wears at all times an identifying vest.
- 3.6 All authorizations are subject to immediate revocation if the criteria provided in paragraph 3 are violated, e.g. the dog is no longer licensed, well-behaved, currently vaccinated, etc.
- 3.7 If an authorization is denied to a student, the District shall take the following steps:
 - a. Determine whether modifications to District policies, practices, or procedures can be made to permit the individual with a disability to participate in District services, programs or activities without the service animal;
 - b. Determine whether academic adjustments or auxiliary aids may be used by a student with a disability to permit his/her participation in District services, programs or activities without the service animal.

3.8 An individual with a disability who believes he/she has been unlawfully denied the use of a service animal may file a complaint pursuant to District Policy No. 5530.

Adopted by Board of Trustees: February 4, 2014