

# ARC-ISP 641

## Service Animal Policy

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### PURPOSE

To establish guidelines for services animals in programs, classrooms or other campus areas.

### SUMMARY

Clackamas Community College, in compliance with applicable state and federal laws, is committed to reasonably accommodating people with disabilities who require the assistance of a service animal to access college courses, programs, and activities. This policy complies with the [Americans with Disabilities Act](#) (ADA) of 1990 as amended; Section 504 of the Rehabilitation Act of 1973 (P.L. 93-11) and [45 CFR Part 84](#); and ORS 346.610; and ORS 346.640.

A service animal as defined by Oregon Statute is any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or task a dog has been trained to provide must be directly related to the person's disability. Title III of the ADA also permits 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.

A qualified animal that is not trained to perform tasks that mitigate the effects of a disability, including animals that are used purely for emotional support e.g. comfort, therapeutic benefit, companionship, etc. are not service animals and are not permitted access to college courses, programs, or activities.

### STANDARD

As a general rule, Clackamas Community College will modify policies, practices, and procedures to permit the use of a service animal by an individual with a disability within guidance of the following definitions and guidelines;

- a. Service Animal is defined as the following a dog (or miniature horse) that has been individually trained to do work or perform tasks directly related to the disability for the benefit of an individual with a disability.
- b. Other animals, whether wild or domestic, do not qualify as service animals.
- c. Individuals with mental disabilities may use service animals that are individually trained to perform a specific tasks directly related to the disability.
- d. Individuals must keep the service animal under their direct control at all times, such as by a harness, leash, or other tether; however, if the use of a harness, leash, or other tether interferes with the service animal's safe, effective performance of work or tasks, or if the owner's disability prevents the use of such devices, then the service animal must be under the owner's control through voice control, signals, or other effective means.
- e. A "service animal trainee" means any eligible animal undergoing training to assist a person with a physical impairment and has the same rights as a fully trained dog when accompanied by a trainer.

### **1. Conflicting Disabilities**

If an individual with a disability who is accompanied by a service animal is registered in a course or present in a college area and another person arrives with a disability such as a serious allergies to animals, the first person cannot be removed to accommodate the second person. Individuals with conflicting disabilities or conflicting needs for accommodation are encouraged to meet with the Disability Resource Center Coordinator or Human Resources Division to discuss possible solutions to each individual situation.

### **2. Threat to Safety**

If a service animal is determined to be out of control or threatening to others as reported by students, staff, or other members of the college community, the disruption will be referred to Public Safety and the Behavioral Intervention Team (BIT). Consequences may include but not be limited to muzzling a barking dog, refresher and mitigating training for both the animal and individual with a disability, or exclusion of the service animal from college facilities.

The health, care and control of the service animal is the sole responsibility of the handler or owner who is also held accountable to clean and dispose of all animal waste,

### **3. Access to College Premises**

An individual with a disability shall be permitted to be accompanied by a service animal in all areas of the college where members of the public, participants in services, programs, or activities, are allowed to go. The Disability Resource Center Coordinator can be contacted and will review any situations on a case by case basis where there is anticipation of potential risk for the individual with the disability, service animal, other students, etc.

#### 4. Employees

Employees who need to use a service animal must see Human Resources to arrange the appropriate accommodation.

END OF POLICY

#### APPROVALS

Last Reviewed	Date: 11.21.2017
Administered by	Disability Resource Center
Maintained by	Access, Retention, and Completion Committee (ARC)
ISP Committee - if appropriate	Date 04/28/2017
College Council - first reading	Date 05/05/2017
College Council - second reading	Date 06/02/2017
President's Council	Date 11/21/2017

#### References:

[Americans with Disabilities Act](#) (ADA) of 1990 as amended

Section 504 of the Rehabilitation Act of 1973 (P.L. 93-11) and [45 CFR Part 84](#);

Oregon Revised Statute (Education & Culture Code § 346.610 through 346.680)