

# St. Cloud Technical & Community College

## Policies and Procedures

### Chapter S6 – Facilities

6.6.1 Procedure

### S6.6 Animals on Campus

*Update Revision Responsibility: Director of Campus Life*

To maintain the security and well-being of campus constituents, St. Cloud Technical & Community College (SCTCC) regulates animals on college property. There are four basic types of animals that may be found on campus grounds, but not all are permitted within college facilities; service, emotional support, work, and companion.

#### Definitions

##### **Handler**

A person with a disability who a service animal assists or personal care attendant who handles the animal for a person with a disability.

**Service Animals:** Service animals are defined by the Americans with Disabilities Act (ADA) as any dog, or in rare cases, a miniature horse, 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. Service animals are permitted to accompany a person with a disability in all areas where members of the public are permitted such as, but not limited to, offices, classrooms, dining halls, and conference rooms.

SCTCC may not permit service animals when the animal poses a substantial and direct threat to health or safety or when the presence of the animal constitutes a fundamental alteration to the nature of the program or service. SCTCC will make those determinations on a case-by-case basis.

It is not always apparent whether a dog is a service dog, but the ADA regulates what types of inquiries can be made regarding service animals. The ADA permits individuals to ask if the dog is a service animal because of a disability and what work or task the dog has been trained to perform. It is not permissible to inquire about the person's disability or medical documentation, nor is it acceptable to require proof of the dog's certification or ask that the dog execute the trained task.

**Emotional Support Animals:** Emotional Support Animals (ESAs) are also referred to as assistance animals, comfort animals, or therapy animals. They are not considered service animals because they are not required to have special training or perform a specific task. ESAs are often used to provide therapeutic benefit to those dealing with depression, anxiety, phobias, or other conditions in which contact with an animal may improve physical, social, emotional or cognitive functioning.

ESAs are not protected under the ADA, and are not permitted in indoor public areas such as classrooms, dining halls, computer labs, offices, or other campus facilities.

**Work Animals:** Work animals are those brought onto college property for educational or research purposes or to perform a service, such as animals brought in for therapeutic stress relief during finals week. Work animals might also include animals brought onto college property by a third party to perform

a task such as an animal used in pest control or a police dog used in law enforcement efforts. Animals used for education or research are governed by the Research Involving Animal Subjects policy. Animals brought to campus for therapeutic purposes may be arranged by various SCTCC departments, but will only utilize animals that are trained as therapy animals and registered with a reputable animal therapy organization such as Pet Partners.

**Companion Animals:** Companion animals are those animals that are generally referred to as pets and are kept for companionship or leisure time activities. They may not be trained to perform any specific kind of task and they are not owned specifically to assist with a mental or physical impairment or disability. Pets or companion animals are prohibited from indoor public areas such as, but not limited to, classrooms, offices, dining halls, and meeting areas.

Control

Under the ADA, animals must be harnessed, leashed or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or effective controls.

**Denying Access or Animal Removal**

Per ADA regulations, SCTCC reserves the right to deny access to campus properties or require an owner or handler to remove their animal from campus properties if the animal behaves in an unacceptable way. Unacceptable behavior may include, but is not limited to:

- The animal is out of control and the handler does not take effective action to control it.
- Uncontrolled barking, whining, growling or making other distracting noises
- Uncontrolled jumping on, nudging, lunging at, sniffing or licking other people
- Regularly escaping from handler or overpowering the handler
- Regularly begging for or taking food not freely offered by others
- Destroying college property or the property of others on campus
- Urinating or defecating indoors or in inappropriate areas
- Behaviors that pose a direct threat to health or safety of others

SCTCC may also deny access or require an owner or handler to remove their animal if the owner or handler has failed to care properly for their animal and the lack of care becomes a distraction to the point of interfering with normal business or academic activities. For example, if an owner allows their animal to become unclean and the odor prevents the instructor or other students from being able to focus on the lesson.

When a service animal is denied access or removed pursuant to this policy, SCTCC will make efforts to reasonably accommodate the owner or handler such that they may continue to participate in the program or activity without the service animal present.

**Emergency Situations**

In emergency or evacuation situations, SCTCC and/or emergency responders will make every effort to keep the service or therapy animal with its owner or handler. However, priority will be given to the safety of the owner and may necessitate leaving the animal behind in certain emergency situations.

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### Chapter S6 – Facilities

#### S6.6.1 Animals on Campus Procedure

Students with disabilities who use service animals are encouraged to connect with Student Disability Services (SDS) to learn about what other services may be available. Employees should follow normal ADA procedures as found on the Policies & Procedures page of the Human Resources website to request reasonable accommodation including a service animal.

Occasionally, individuals are adversely affected by animals, such as having extreme fear of animals or animal borne illnesses, religious restrictions about proximity to certain animals, heightened sensitivity to animal sounds or odors, or severe allergies to animal dander. Any students with medical concerns, or with general concerns about animals on campus should contact Student Disability Services so that the needs of both individuals can be evaluated and solutions considered. Employees with concerns about service animals in the workplace should contact Human Resources.

##### **Animal Control:**

Service animals permitted on campus must not be left unattended in an office, meeting room, study room, class room, or other public area of the college. All animals in such environments must be under the control of their owner or handler using a harness, leash, or tether unless, in the case of a service animal, these devices interfere with the animal's work or the disability prevents the owner from utilizing such devices. When control devices cannot be applied, the owner or handler must maintain control by vocal or audio command, visual signal, or some other effective control mechanism.

Service animals utilized in classroom, study, dining, or other campus facilities should be trained to have minimal or no behaviors such as barking, whining, growling, sniffing, begging for food, or any other disruptive behavior. They should also not block aisles, passageways, or exit routes.

Owners are expected to understand their animal's temperament and control situations where contact is made with other people or animals. Owners must also ensure their animal does not damage college property or the property of campus constituents. It is required that owners promptly remove and properly dispose of animal waste. For more information about animal regulation and etiquette, refer to the Supporting URLs section below.

##### **Animal Etiquette**

To the extent possible, the handler should ensure that the animal does not:

1. A. Sniff people, dining tables or the personal belongings of others.
2. B. Display any behaviors or noises that are disruptive to others, unless part of the service being provided to the handler.
3. C. Block an aisle or passageway for fire egress

##### **Animal Care:**

Service animal owners or handlers must provide proper care for their animal. This includes, but is not limited to the following:

- o Bathing and grooming as needed
- o Flea, tick, or other pest prevention and control

- o Up to date vaccinations and veterinary care
- o Daily food and water
- o Providing city license, vaccine tags, and any other required identification
- o Provide training sufficient to meet recognized service or therapy standards
- o Not confining the animal for excessive amounts of time
- o House breaking and offering regular opportunities for the animal to relieve itself outdoors

**Complaints**

When complaints arise about animal care or behavior involving a student owner or handler, informal resolution may be sought by contacting either Student Disability Services or The Director of Campus Life as appropriate. Representatives from these offices may address complaints through education about city ordinances, this policy and procedure, and other regulations and expectations related to animal ownership. If a complaint is particularly egregious it may progress directly to a formal complaint process through the Student Code of Conduct. If problems persists after informal resolution efforts, and an animal owner or handler continues to violate this Animals on Campus policy and procedure, these complaints may also progress to the Student Code of Conduct process.

When complaints arise about animal care or behavior involving an employee owner or handler, St. Cloud Technical & Community College Human Resources shall be contacted.

When the presence of an animal on campus poses an immediate health or safety risk, the Department of Safety and Security may be contacted. A concern about an owner or handler who is not an SCTCC student or employee should be directed to the Department of Safety and Security.

**Conflicting Disabilities**

Some people may have allergic reactions to animals that are substantial enough to qualify as disabilities. SCTCC will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities and to resolve the problem as efficiently and expeditiously as possible. Students requesting allergy accommodations should contact the Disability Services and Staff requesting allergy accommodations should contact Human Resources.

**Service Dogs in Training**

A dog being trained has the same rights as a fully trained dog when accompanied by a trainer and identified as such in any place of public accommodation. Handlers of service dogs in training must also adhere to the requirements for service animals and are subject to the removal policies as outlined in this policy.

**Appeals**

Students have the right to appeal when they been notified by Student Disability Services that their specific requested accommodation has been rejected or denied. The appeal should be made in writing to the Vice President for Finance and Administration describing the decision being appealed and the rationale for the appeal.

Employees have the right to appeal when they have been notified by Human Resources about an ADA request using the appeal form found on the Human Resources website.

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