1.35 Service Animals

I. Purpose

Establish regulations regarding the presence of Service Animals on campus to ensure that the college complies with current government ADA requirements.

II. Scope

Applies to individuals seeking to bring Service Animals onto any campus or college location.

III. General

Definitions

Disability: An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.

Service Animal: A Service Animal, as defined by Title II and Title III of the ADA, is a dog that has been 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. In certain circumstances, miniature horses may also qualify as Service Animals.

Emotional Support Animal: An Emotional Support Animal (or “ESA”) is an animal that provides emotional support that alleviates one or more identified symptoms or effects of a person’s disability. Unlike a Service Animal an ESA may not accompany a person with a disability at all times and is permitted only in college housing.

Owner: An Owner is the individual utilizing the assistance of a Service Animal on Bucks County Community College campus.

Service Animals on Campus:

As defined above, dogs and miniature horses are Service Animals permitted on campus. Miniature horses will be assessed for their suitability as Service Animals based on: whether the animal is housebroken, is under the owner’s control, can be accommodated by the facility based on type, size and weight, and will not compromise legitimate safety requirements necessary for the safe operation of the college.

Animals whose sole function is to provide comfort or emotional support do not qualify as Service Animals under the ADA. Emotional support animals are not permitted on the college campus as no housing is provided.
Other species of animals, whether wild or domestic, trained or untrained, are not Service Animals for the purposes of this definition.

Permitted Inquiries

When it is not obvious what service an animal provides, college staff may ask two questions:

- Is the Service Animal required because of disability?
- What work or task has the animal been trained to perform?

The college will not make either of these inquiries when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability.

The college may not: ask about the person’s disability, require medical documentation, require a special identification card or training documentation for the animal, or ask that the animal demonstrate its ability to perform the work or task.

General Requirements

Service Animals may travel freely with their Owner throughout the college and most other areas of the college where the Owner would be permitted. Food service establishments must allow Service Animals in public areas even if state or local health codes prohibit animals on the premises. However, the college may prohibit the presence of Service Animals in certain locations due to health and safety concerns.

Service 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 other effective controls.

The college is not responsible for a Service Animal during a fire alarm, fire drill, or natural disaster.

Any violation of this policy may result in immediate removal of the Service Animal from the college.

Responsibilities of the Owner:

- The Owner is requested to notify the college of the presence of a Service Animal on campus. Students should notify the Accessibility Services office and employees should contact Human Resources.

- Care and supervision of the Service Animal are the responsibility of the Owner, who is required to maintain full control of the Service Animal at all times through one of the means described above.
• The Owner is responsible for ensuring that the Service Animal is healthy, well groomed and housebroken.

• The Owner is responsible for ensuring that the Service Animal does not unduly interfere with the routine activities of the college.

• The Owner is responsible for ensuring the cleanup of the Service Animal’s waste and must toilet the Service Animal in outdoor areas designated by the college consistent with the reasonable capacity of the Owner. All animal waste must be placed in a sturdy plastic bag and securely tied up before being disposed of in the appropriately labeled outside containers. All bathing/washing care of Service Animals must take place off campus. If the Owner is unable to ensure cleanup of the Service Animal, please contact the Accessibility Office and a plan will be established.

• The Owner must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the Owner’s responsibility to know and understand these ordinances, laws, and regulations.

• The Owner is financially responsible for the actions of the Service Animal including bodily injury or property damage (e.g., cleaning or replacement of furniture, carpet, window, and wall coverings, etc.).

**Removal of Service Animal**

A person with a disability will not be asked to remove his animal from the premises unless one of the following circumstances occurs.

• The animal is out of control and the handler takes no effective action to control it.

• The animal poses a direct threat to the health or safety of others.

• The health of the animal is in question or will not allow the animal to perform its duties as a Service Animal.

• The animal is not housebroken.

• The animal’s presence results in a fundamental alteration of the college's programming.

• The animal or its presence creates an unreasonable disturbance in or interference with the college community

• The Owner does not comply with this policy.

The owner will first be given an opportunity to get the animal under control. If the problem is not resolved, then the owner will be asked to remove the animal.
Conflicting Health Conditions:

Students with medical condition(s) that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) are asked to contact the Accessibility Office if they have a health or safety related concern about exposure to a Service Animal. Employees with medical condition(s) that are affected by animals are asked to contact the Human Resources Department if they have a health or safety related concern about exposure to a Service Animal. The college will provide reasonable accommodations for individuals with disabilities who will be impacted when in proximity to the Service Animal.

Requirements for Faculty, Staff, Students and Other Members of the College Community

- They are not to inquire regarding the nature of the Owner’s disability, request documentation of the Service Animal, or require the Service Animal to demonstrate its task.
- They are to allow the Service Animal to accompany its Owner at all times and in all places on campus, except where specifically prohibited.
- They are not to touch or pet a Service Animal unless invited to do so.
- They are not to feed a Service Animal.
- They are not to deliberately startle or otherwise taunt a Service Animal.
- They are not to separate or attempt to separate an owner from his or her Service Animal.

IV. Procedure: none

V. Approval: Board of Trustees: April 11, 2019

VI. Responsibility: Executive Director Human Resources/Director Accessibility Services