SERVICE ANIMALS

The South Orange County Community College District Board Policy addresses the colleges’ compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. The following procedures implement Board Policy 5640 with regard to the use of service animals in district facilities and on college campuses.

The purpose of these guidelines and procedures is to ensure that individuals with disabilities who have service animals can participate in and benefit from district-wide services, programs, and activities, and to ensure compliance with Title II of the ADA (28 C.F.R. § 36.104) and state antidiscrimination laws.

I. DEFINITIONS

Access Animal - An animal that does not meet the definition of service animal or pet. The term access animal encompasses companion animals and therapy animals.

Companion Animal - An access animal used for its calming influence, affections, stability, or a feeling of security.

Partner/Handler - A person with a service animal. A person with a disability is called a partner; a person without a disability is called a handler.

Pet - A domestic animal kept for pleasure or companionship. Pets are not permitted in district facilities or on college campuses. Permission may be granted by a professor/instructor, dean or other college administrator/manager for a pet to be in a campus facility for a specific reason at a specific time (e.g., a pet dog is used for a demonstration tool in a zoology class).

Service Animal - A service animal is any guide dog, signal dog, or other animal individually trained to work or perform tasks for the benefit of an individual with a disability, including but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items (Title III of the ADA applicable to private entities). While service animals have been traditionally identified as dogs, it should be noted that a variety of animals are used as service animals. A service animal is sometimes called an assistance animal.

Questions about whether an animal is a service animal should be directed to the college’s Disabled Students Programs and Services (DSP&S) Coordinator.
Service Animal Tasks - A service animal may be trained to perform a variety of services depending on the nature of the disability. Examples include, but not limited to:

- For someone with a visual impairment: obstacle avoidance, signaling changes in elevation, and locating objects.
- For someone with a hearing impairment: alerting to specific sounds and other tasks such as retrieve unheard dropped objects.
- For someone with mobility or other health impairment: retrieving, carrying, tugging, pulling, bracing, and calling for emergency help.
- For someone with a seizure disorder: tasks supporting an individual before, during, and after a seizure.
- For someone with autism: tasks may include alerting the individual of distracting repetitive movements.

Team - A person with a disability, or a handler, and his or her service animal. The twosome works as a cohesive team in accomplishing the tasks of everyday living.

Therapy Animal - An access animal used as therapy for various mental health issues.

Trainee - An animal being trained to become a service animal. It has the same rights as a fully trained dog when accompanied by a trainer and identified as such.

Disability - A disability is a physical or mental impairment that substantially limits one or more major life activities of an individual; a record of having such an impairment, or being regarded as having such an impairment (Title I of the ADA Regulations, 29 C.F.R. § 1630.2 (g)).

II. GENERAL RULE REGARDING SERVICE ANIMALS

Occasional use of a service animal in district facilities and on District college campuses (i.e., attendance at a concert or special event) may not be challenged except if the use of the animal poses a direct threat to the health or safety of other persons, or if the presence of the service animal will result in a fundamental alteration of the service, program or activity involved. (Title II of the ADA Regulations, 28 C.F.R. § 130 [b] [7])

Enrolled students wishing to be accompanied to class by a service animal on a regular basis as an accommodation shall request authorization from the DSP&S Office. Students shall provide current verification of a disability that requires accommodation and be able to demonstrate the function the service animal performs as a disability accommodation. As a general rule, the colleges will modify policies, practices, and procedures to permit the use of a service animal by an individual with a disability. When appropriate, students may be issued documentation verifying that the animal is a service animal to be used at the college.
III. **RESTRICTIONS/AREAS OF SAFETY**

The District imposes some restrictions on service animals for safety reasons. Restrictions may include but are not limited to nursing and health sciences programs, food services programs, rooms with heavy machinery, custodial closets, areas where protective clothing is required, or areas that can pose a safety risk to the animal. Restrictions are considered individually to determine if the animal poses a possible danger or could be in possible danger and to determine if other reasonable accommodations can be provided to assure the student equal access to the activity. Questions about restrictions on service animals should be directed to the college Disabled Students Programs and Services (DSP&S) Coordinator, Vice President for Student Services, or District Human Resources Department.

IV. **RESPONSIBILITIES OF FACULTY, STAFF, AND STUDENTS**

Members of the college community are responsible for the following:

1. Allowing a service animal to accompany the partner/handler at all times and in public area on district property.
2. Not petting a service animal; petting a service animal when the animal is working distracts the animal from the task at hand.
3. Not feeding a service animal.
4. Not deliberately provoking a service animal.
5. Not separating or attempting to separate a partner/handler from his or her service animal.

V. **RESPONSIBILITIES OF PARTNERS/HANDLERS**

An individual with a service or access animal is responsible for the following:

1. Ensuring that the animal meets any licensing requirements of the state of California. (The animal must be immunized against diseases common to that type of animal. Dogs are required to wear an owner identification tag, a current rabies tag, and a dog license tag at all times.)
2. Ensuring that the animal is on a leash at all times.
3. Controlling the animal at all times. The care and supervision of an animal is solely the responsibility of its partner/handler.
4. Ensuring that all city ordinances or other laws regarding cleaning up after the animal defecates are followed. Individuals with disabilities who physically cannot clean up after...
their own service animals are not be required to pick up and dispose of feces. However, these individuals should use marked service animal toileting areas where provided.

5. Ensuring that the animal behaves properly in public settings.

6. Ensuring that the animal is in good health. If the animal becomes ill, the partner/handler must remove it from the area and college staff may require it to leave.

7. Complying with the SOCCCD Code of Student Conduct.

VI. TEMPORARY EXCLUSION OF SERVICE ANIMALS AND ACCESS ANIMALS

A community member may request the exclusion of a service animal or access animal if he or she believes the partner/handler is not complying with the responsibilities listed above. Such a request should be made to the college DSP&S Coordinator, Vice President for Student Services, or District Human Resources Department.

In response to a request, the DSP&S Coordinator, Vice President for Student Services, or District Human Resources Department will:

1. Inform the partner/handler of the reason that the animal is being asked to leave campus or district facility, investigate the appropriateness of the request, and determine whether the animal should be excluded from the campus or district facility.

2. If the DSP&S Coordinator, Vice President for Student Services, or District Human Resources Department determines the animal should be excluded he or she must:
   a. Inform the individual that the Vice President for Student Services or District Human Resources Department must be contacted before the animal may return to campus.
   b. Report the incident in writing to the Vice President for Student Services or District Human Resources Department at the earliest opportunity.
   c. In the event of an emergency involving a student’s service animal or access animal, the Vice President for Student Services and DSP&S Coordinator will consult and work together with the student to resolve the situation.
   d. An individual who does not agree with the resolution may file a complaint or grievance following the district’s grievance procedures (AR 4000.5)

VII. CONFLICTING DISABILITIES

Students or employees with medical issues that are impacted by animals (such as respiratory diseases) should contact the college DSP&S office or District Human Resources Department if they have a concern about exposure to a service animal or access animal. The individual will be asked to provide medical documentation that identifies a disability and the need for an accommodation and must comply with all procedures. In consultation with the Vice President
for Student Services, the DSP&S Coordinator and District Human Resources Department will facilitate a process to resolve the conflict that considers the conflicting needs/accommodations of all persons involved.

VIII. CLARIFYING AN ANIMAL’S STATUS

In many cases it is easy to discern whether or not an animal is a service animal by observing the animal’s harness, cape, or backpack, or the partner’s disability. However, in other cases, an animal may only have a leash or the partner’s disability is not visible. Therefore, it may be appropriate to ask the partner whether or not the animal is a service animal and SOCCCD does not consider a legitimate inquiry about whether an animal is or is not a service animal as a violation of policy. Other questions regarding the status of a service animal should be referred to the DSP&S Coordinator, Vice President for Student Services, or District Human Resources Department.

XI. EMERGENCY SITUATIONS

In the event of an emergency, the colleges’ emergency response personnel should be trained to recognize service animals and to be aware that the animal may be trying to communicate the need for help. The animal may become disoriented from the smell of smoke from a fire or laboratory emergency, from sirens or wind noise, or from shaking and moving ground. The partner and/or animal may be confused by the stressful situation. Emergency response personnel should be aware that the animal is trying to be protective and, in its confusion, is not to be considered harmful. Emergency response personnel should make every effort to keep the animal with its partner. However, an emergency response personnel’s first effort should be toward the partner; this may necessitate leaving an animal behind in certain emergency evacuation situations.

XII. ACCESS ANIMALS

Students seeking authorization shall consult with the DSP&S Coordinator; employees seeking authorization shall consult with the district Office of Human Resources. Decisions will be made in a manner consistent with Section 504, the ADA, and local laws regarding disabled persons. Qualified individuals will be provided with documentation verifying that the animal is an access animal to be used at the college on a semester basis.

Questions pertaining to this Service Animals Regulation should be directed to the college DSP&S Coordinator, or to the District Office of Human Resources.

References: