

## **Policy Governing Service Animals**

### I. Policy Statement

County College of Morris (CCM) generally limits the presence of privately-owned animals on campus. However, the College permits Service Animals on campus when they are doing work or performing tasks required by a disabled student, employee or visitor.

### II. Service Animal Defined

The term Service Animal as used in this Policy means a Service Animal as defined in the regulations implementing the Americans with Disabilities Act (ADA) as promulgated by the U.S. Department of Justice 28 CFR 36.104 and 28 CFR 35.136. Service Animals are working animals, not pets. The work or task that a Service Animal has been trained to provide must be directly related to the person's disability. Animals whose sole function is to provide emotional support, comfort, therapy, companionship, therapeutic benefits or to promote emotional wellbeing do not qualify as Service Animals under the ADA regulations.

### III. Permitted Use of Service Animals

Visible display or documentation of service designation, such as proof that the animal has been certified, trained, or licensed as a Service Animal is not required. Inquiry about a Service Animal shall not be made when it is obvious that the animal is trained to do work or perform a task for an individual with a disability. In those cases when it is not obvious what service an animal provides inquiry shall be limited to the following:

1. Is the Service Animal required because of a disability?
2. What job or task is the dog trained to perform?

Service Animals are not required to be registered with the Office of Accessibility Services, however, the animal must display the proper licensing tags for the town in which the animal's owner resides. The handler of any Service Animal found on campus without proper tags will be asked to remove the Service Animal from the campus immediately. Permission for use of a Service Animal on campus is conditioned upon compliance with the responsibilities of the handler/partner set forth in Section IV.

### IV. Responsibility of Handler/Partner

1. The Service Animal must be leashed and under the control of the handler/partner at all times except when the Service Animal is performing a specific duty that requires it to be unleashed.
2. The Service Animal must be as unobtrusive as possible. Exception is when the Service Animal is performing the task that it is trained to do.
3. The handler/partner is responsible for properly maintaining the Service Animal's hygiene, immediately clean up or solicit the proper assistance for cleaning up if the animal defecates or becomes ill and either vomits and/or becomes incontinent.

4. The handler/partner must be in full control of the Service Animal at all times. The handler/partner may be asked to remove a Service Animal from the campus or program if the Service Animal is out of control and the handler/partner is not able to take effective action to control it. If the Service Animal repeatedly displays unwanted behavior, the College reserves the right to ban the Service Animal from the campus or program until the handler/partner can demonstrate that corrective steps have been taken to mitigate the unwanted behavior. Additionally, a handler/partner may be asked to remove the Service Animal from a designated area or the campus if the Service Animal is deemed to be a direct threat to others or if the Service Animal's presence in a specific facility compromises the legitimate requirements necessary for the safe operation of the facility or appropriate conduct of the program in the facility.
5. The handler/partner must ensure that the Service Animal refrains from behavior that threatens the health or safety of others. The handler/partner of the Service Animal may be responsible for any injuries caused to other persons or any damages caused to property of others or to campus facilities or grounds.

#### V. Conflicting Disabilities

Allergic reactions to animals are common. Allergies or fear of a Service Animal is not a reason for denying or refusing service to a disabled individual. When the user of the Service Animal or a person who is allergic or fearful, are required to be in the same environment, the needs of both persons will be considered in resolving the issue.

Conflicts that arise in an academic setting (classrooms, laboratories, extracurricular functions, etc.) should be brought to the attention of the Office of Accessibility Services. Conflicts in administrative areas should be brought to the attention of the Office of Human Resources and Labor Relations.

#### VI. Grievances Procedure

Students. Grievances are to follow the steps outlined in section 6 of County College of Morris' Policies and Procedures Regarding Students with Disabilities.

Employees. Grievances are to follow the grievance procedures outlined in the contract of the grievant's designated union, or the supervisory chain of command of a non-union employee.

Visitors. Grievances are to be made in writing to the Office of Accessibility Services.