

## **Service Animal Policy**

Service animals have become a part of life for many people living with disabilities. Service animals can be trained to perform a variety of tasks to assist people with disabilities and to enable their handlers the opportunity to fully participate in everyday life activities.

The Americans with Disabilities Act (ADA) requires state and local government agencies, business, and non-profit organizations that provides goods or services to the public to make “reasonable modifications” in their policies, practices, or procedures when necessary to accommodate people with disabilities. Rules for service animal fall under this general principal.

### **What is a service animal?**

Under ADA, a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The tasks performed by the dog must be directed related to the person’s disability. In other words, the dog must be trained to handle a specific action when needed to assist the person with a disability. For example, a person with epilepsy may have a dog that is trained to detect the onset of a seizure and then help the person remain safe during the seizure.

A separate provision has been added to include miniature horses that have been individually trained to do work or perform tasks for people with disabilities as service animals. Miniature horses generally range in height from 24 inches to 34 inches and generally weigh between 70 and 100 pounds. Federal regulations outline four assessment factors to assist entities in determining whether miniature horses can be accommodated at their facility.

### **What is not considered a service animal under the ADA?**

Animals for emotional support, therapy, comfort, or companion animals are not qualified as service animals under the ADA because they have not been trained to perform a specific job or task.

### **Identifying a Service Animal**

Although not required by the ADA, some service animals wear a patch, vest or special harness identifying them as service animals. Not all service animals are identified as a service animal. Students who are eligible to receive the accommodation of a service animal are encouraged to register with DSS.

When it is not obvious what service an animals provides, only limited inquiries are allowed. Staff may ask two questions:

- 1. Is the dog a service animal required because of a disability?**
- 2. What work or task has the dog been trained to perform?**

Staff cannot ask about the person’s disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

## **Denying Access**

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

## **Removal of Service Animal**

A person with a disability cannot be asked to remove his service animal from the premises unless:

1. The dog is out of control and the handler does not take effective action to control it.
2. The dog is not housebroken.

When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

## **Important Reminders**

1. The service animals handler is responsible for the care and supervision their service animal.
2. According to the Alabama State law, dogs (including service dogs) must have current vaccinations. (Code of Alabama 1975, Section 3-7A-2)
3. The ADA requires that service animals be under the control of their handler at all times.
4. Service animals must be harnessed, leashed, or tethered while in public places unless these devices interfere with the service animal's work or the person's disability prevents use of these devices. In that case, the person must use voice, signal, or other effective means to maintain control of the animal.
5. Under control means that a service animal should not be allowed to bark repeatedly in a lecture hall, theater, library, or other quiet place. However, if a dog barks just once, or barks because someone has provoked it, this would not mean that the dog is out of control.
6. If a service animal is out of control and the handler does not take effective action to control, staff may request that the animal be removed from the premises.
7. Any person who is found to be in violation of this policy is subject to disciplinary action from college officials.

Please review the Southern Union State Community College handbook for more information about the Campus Pet Policy.

For more information about the ADA, please visit their website or call their toll-free number:

ADA Website: [www.ADA.gov](http://www.ADA.gov)

ADA Information line: 800-514-0301 (Voice) 800-514-0383 (TTY)