

This procedure addresses animals utilized for disability-accommodation services.

A. Definitions

1. Service Animal: The newly amended Americans with Disabilities Act, effective September 25, 2008, changes the definition of service animal to “a dog or other domestic animal individually trained to do 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 who are hearing impaired to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.” (ADA)
2. San Diego Ordinance No. 9925 SEC.41.102(n): "Service animal" means a "guide dog," "signal dog", or "service dog", as those terms are defined in Penal Code §365.5. A "service animal" also includes a "guide dog", "signal dog", or "service dog in training" accompanied by a trainer or an individual with a disability who is training the dog.

If an animal meets the definition of a service animal, it is considered a service animal regardless of whether it has been licensed or certified by a state or local government or a training program.

A service animal is not a pet (definition follows). Service animals are limited to dogs and miniature horses and specifically exclude cats, rabbits, farm animals (including any breed of pig or goat), ferrets, rodents, amphibians, reptiles, snakes, and other members of the wild kingdom.

3. Support Animal: Animals individuals with disabilities might utilize for support or assistance, but which do not meet the ADA criteria for service animal. Types of support animals might include emotional-support animals or comfort animals. Support animals are not service animals and are not allowed on campus property, except on a case-by-case basis. An emotional-support animal neither does work nor performs tasks and cannot qualify as a service animal. Animals whose sole function is to provide emotional support, comfort, therapy, companionship, therapeutic benefits, or to service animals from support animals, the regulations authorize an inquiry into whether the animal is “required because of a disability” and “what work or task the animal has been trained to perform.”

4. **Pet:** A domesticated animal that only serves a role in providing leisure companionship to its owner. Pets are not the same as service animals and are not permitted inside campus facilities.
5. **Partner/Requesting Individual:** The individual person with a disability requiring assistance with one or more daily living activities, who utilizes a service or support animal as an accommodation.
6. **Individual with a Disability:** An individual with a disability is a person who (1) has a physical or mental impairment that substantially limits one or more major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment (ADA definition, Title III §36.104).
7. **Accommodation:** Any change in the school or work environment or in the way things are customarily done that would enable a qualified individual with a disability to enjoy equal opportunities and access.

B. General Provisions

1. Types of Service Animals Permitted on Campus

These guidelines have been developed with the understanding that most service animals working on the campus will be dogs. Types of service animals might include:

- a. **Guide Dog:** A dog trained to serve as a travel tool for individuals with severe visual impairments or who are blind.
- b. **Hearing Dog:** A dog trained to alert deaf or hard-of-hearing individuals by signaling the occurrence of important sounds (e.g. door bells, smoke alarms, etc).
- c. **Service Dog:** A dog trained to assist an individual who has a mobility or health impairment. Types of duties the dog may perform include carrying, fetching, opening doors, ringing doorbells, activating elevator buttons, steadying a person while walking, helping a person up after the person falls, etc.
- d. **Seizure-Response Dog:** A dog trained to assist a person with a seizure disorder. The method by which the dog serves the person depends on the individual's needs. Some dogs have learned to predict a seizure and warn the person in advance.
- e. **Sig (Signal) Dog:** A dog trained to assist a person with autism. The dog alerts the partner to distracting repetitive movements that are common among those with autism (such as hand flapping). This intervention allows the person to stop the movement. A person with autism may also have deficits in sensory input and may need the same support services from a dog that one might provide for a person who is blind or deaf.

2. Responsibilities of Persons with Disabilities Using Service Animals on Campus

Individuals with disabilities, including regular visitors who utilize service animals on campus grounds, are encouraged to complete a service animal registration permit form signed by the Campus Police Chief. (Note: support animals must receive prior approval before being brought onto campus. (See Section B.3) Additionally, students are strongly encouraged to affiliate with the Disabled Students Programs and Services Office. Staff and faculty are encouraged to contact the ADA Coordinator in the Risk Management Office. Partners are responsible for any damage caused by their animals and must take appropriate precautions to prevent property damage or injury. The cost of care, arrangements, and responsibilities for the well being of a service animal are the sole responsibility of the partner at all times. Service animals on campus must:

- a. **Meet Animal Health and Well-Being Standards:** All service animals must have all veterinarian-recommended vaccinations to maintain the animal's health and prevent contagious diseases. Documentation of vaccinations is due at time of approval. The college reserves the right to request an updated verification at any time during the animal's use.
- b. **Meet Legal Requirements:** If state or local licenses are required for the service animal, they must be obtained and kept current in compliance with the local jurisdiction (i.e. dog license) requirements. All service animals must wear identification tags with partner's name, phone number, home address, and, if applicable, vaccination information. The district encourages partners with disabilities who use service animals to identify the working status of the animal with a harness and cape that readily identifies its working status. The college reserves the right to request proof of licensing at any time. All requirements for the presence of animals in public places (vaccinations, licensure, ID tags, etc.) mandated by state or local ordinances must be followed, including but not limited to:
 - 1) For dogs only, a San Diego County Animal Services dog license, updated on a multi-year basis.
- c. **Be under Control of Partner:** The partner must be in full control of the service animal at all times. A harness or leash is required if the partner can use one. Reasonable behavior is expected from service animals while on campus. If a service dog, for example, exhibits unacceptable behavior, the partner is expected to employ appropriate training techniques to correct the situation.
- d. **Adhere to Cleanup Rule:** The partner must follow local cleanup ordinances when the animal defecates. Individuals with disabilities who physically cannot clean up after their own service animal may not be required to pick up and dispose of feces. The Facilities

Department must be contacted as soon as possible for accommodation.

- e. Service Animals in Training: Any guide, signal dog, or other animal that is currently undergoing training to learn how to provide assistance to a person with a disability who has at least one or more daily living activities affected by their disability condition. California law allows service animals in training to be admitted to facilities open to the public. Service dogs in training must wear a harness or leash and special cape and the trainer must present credentials for the dog issued by a school for dog training.

3. Support Animals

Support animals, as defined in the General Provisions, Section B, may be permitted on the MiraCosta College campus on a case-by-case basis. Before bringing a support animal onto campus grounds, the requesting individual must submit appropriate documentation. Requests to have a support animal on campus for disability-accommodation purposes will be evaluated by the appropriate office.

Procedures for requesting permission for a support animal include the following:

- a. To make a request, contact the appropriate office—students contact the Disabled Students Programs and Services Office, and staff, faculty, and regular visitors contact the Risk Management Office/ADA Coordinator.

Documentation required must include:

- 1) A letter with the partner's explanation of the need for the animal, the type of animal, a description of the animal, and the animal's name, the date when medical diagnosis prescribed such an animal, the date when the animal was acquired, and the areas of campus where the support animal is needed.
- 2) Medical documentation that meets the disability documentation criteria as maintained by the Disabled Students Programs and Services Office (DSPS). Insufficient documentation that does not meet the criteria may result in accommodation delays or denial. Documentation must also include the clinician's professional opinion regarding the need for a support animal.
- 3) Specified areas of campus where support animal is needed, such as classrooms, offices, laboratories, and grounds. Requesting individuals should explain why the support animal is needed in campus facilities or on the campus grounds at large.

- b. The DSPS Director or ADA Coordinator will notify the requesting individual in writing of the decision within ten business days of the date the required documentation is received. If the request to have a support animal on campus is approved, the partner is expected to abide by all sections of Administrative Procedure 6805, Service Animals.

4. Treatment of Service and Support Animals

The district assumes no responsibility for service/support animals. When interacting with a person who is accompanied by a service animal, individuals need to follow these general guidelines:

- a. Speak to the person first, rather than first petting the animal.
- b. Do not feed or pet service animals when they are on campus.
- c. Do not try to separate the partner from the service animal.
- d. Do not harass or startle a service animal.
- e. Touching or offering treats to the service animal could distract it from its work; ask for permission first and do not feel offended if the person asks that the animal not be touched or fed.
- f. Whistling or other noises directed at the animal may be distracting, as the animal is there to perform a specific job.
- g. Avoid personal questions about the individual's disability or what the animal does for them.
- h. If there is a complaint about an animal being present, explain that federal and state laws protect the rights of individuals with disabilities to be accompanied by a district-approved service animal in public and on district property.
- i. If a person does not like animals or is afraid of certain animals, it is appropriate for the person to move away from the service animal.
- j. If the service animal's behavior is disruptive or destructive, the animal may be excluded from the campus at that particular time.

5. Areas Off Limits to Service and Support Animals

The college must allow a service animal to accompany the individual with a disability at all times and everywhere on campus, except where service animals are specifically prohibited. Support animals are allowed on a case-by-case basis only in preapproved areas of campus, as established in Section B.3. The following areas are generally off limits to service and support animals:

- a. Teaching Laboratories: natural organisms carried by dogs and other animals may negatively affect the outcome of research. At the same time, chemicals and/or organisms used in laboratory environments may be harmful to service and support animals.
- b. Mechanical Rooms/Custodial Closets: mechanical rooms, such as boiler rooms, facility equipment rooms, electrical closets, elevator control rooms, and custodial closets are off limits to service animals. The machinery and/or chemicals in these rooms may be harmful to animals.
- c. Areas Where Protective Clothing is Necessary: any room where protective gear or clothing is worn is off limits to service and support animals. (Examples impacting students include certain facilities used by biotechnology, automotive technology, and surgical technology).
- d. Areas Where There is a Danger to the Service Animal: any room, including a classroom, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface, where there is hot material on the floor (e.g. molten metal or glass), where there is a high level of dust, where there are harmful chemicals or materials, or where there is moving machinery is off limits to service and support animals.
- e. Exceptions to Off-Limits Areas: Exceptions to off-limits areas may be granted on a case-by-case basis in consultation with the DSPS Director or ADA Coordinator, lab director/ instructor, and the individual with a disability. The final decision shall be made based on the nature of the activity or machinery and the best interest of the animal (e.g. the machinery in a classroom may have moving parts at a height such that the tail of a large dog could easily be caught; however, a very small hearing dog may be shorter than any moving part and, therefore, considered for admission to the classroom).

6. Removal/Relocation of Service and Support Animals

Service and Support Animals may be ordered removed by a Campus Police officer for the following reasons:

- a. Disruption: a partner may be directed to remove an animal that is unruly or disruptive (e.g. barking, running around, bringing attention to itself, jumping up on people). If the improper behavior happens repeatedly, the partner may be prohibited from bringing the animal into any college facility until the partner can demonstrate that s/he has taken significant steps to mitigate the behavior. Any animal that exhibits aggressive or unsafe behavior may be prohibited from college facilities.

- b. Ill health: animals that are ill should not be taken into public areas. A partner with a sick animal may be asked to leave college facilities.
- c. Uncleanliness: partners must ensure that their animals are kept clean and well groomed. Partners with animals that are excessively unclean (e.g. flea-infested, foul-smelling, and/or shedding excessively) may be asked to leave college facilities.
- d. Conflicting Disabilities: Service and support animals and partners may be relocated to a different facility or an alternate office location when the presence of an animal conflicts with another student's or co-worker's disability (e.g. severe allergies, phobias, etc.).
- e. Emergency Evacuation: the superintendent/president will designate an exception during regional emergency evacuation periods and working under cooperation with California Mutual Aid agreements, provide adequate space on campus for horses and farm animals in available open fields, with a preferred location for storage of kennel cages of dogs, cats, and other domestic animals.

7. Grievance Procedures

A decision may be appealed, in writing, within fifteen business days of the date of the decision letter.

Please see Board Policy and Administrative Procedure, ADA Grievance Procedure, as published on the college Web site. Appeals must state a specific reason for reconsideration. Decisions on appeal shall be final.

Students' written appeals must be submitted to the DSPS Director.

Staff, faculty and visitors' written appeals must be submitted to the ADA Coordinator.