

I. OVERVIEW

In accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and other applicable federal and state law, the College may be required to accommodate an otherwise qualified individual with a disability by making a reasonable modification in its services, programs or activities. This Policy addresses the use of Service Animals and other animals on campus by qualified individuals with disabilities or individuals authorized to provide training.

II. DEFINITIONS

- A. **Emotional Support Animal** – an animal selected or prescribed to an individual with a disability by a healthcare or mental health professional to play a significant part in a person's treatment process (e.g., in alleviating the symptoms of that individual's disability). An emotional support animal does not assist a person with a disability with activities of daily living and does not accompany a person with a disability at all times. An emotional support animal is not a "Service Animal".
- B. **Law Enforcement Animal** – an animal that is trained and may be used to assist a law enforcement officer in the performance of the officer's official duties.
- C. **Service Animal** – an animal that is 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. The work or tasks performed by a Service Animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. Service Animals may or may not have been licensed by a state or local government or a private agency.

III. ANIMALS ON CAMPUS

Only Law Enforcement Animals and Service Animals are permitted on College property. Emotional Support Animals or any other animals are not permitted on College property and may not be left in vehicles on College property. There are occasions when a student or employee may need to bring an animal onto campus for meeting an educational objective. Such requests should be made to the Disabilities Office prior to the animal being allowed onto campus. Subject to the rules set forth in section IV and V below, Service Animals are permitted in any area of campus where employees or students are permitted with a few exceptions for health and safety reasons.

IV. PROCEDURES AND RESPONSIBILITIES REGARDING SERVICE ANIMALS

A. Responsibilities of the Service Animal Owner/Handler

1. Registration

- a. Students are encouraged to contact the Disability Services Office and employees the Office of Human Resources to register their Service Animal prior to bringing it onto campus. Disability Services and Human Resources supports students and employees with Service Animals by informing appropriate College faculty and staff of the Service Animal's presence, informing first responders and to assist with the Service Animal's access to areas within the College campus.
- b. Visitors with Service Animals are not required to register the animals on campus.

2. Care and Supervision

- a. The care and supervision of a Service Animal is the responsibility of the animal's owner and/or handler. The handler must ensure the animal is in good health and has been inoculated and licensed in accordance with local regulations with the burden of proving licensure and inoculation on the person with a disability. Dogs must wear a rabies tag at all times. The Disability Services Office (students) and Human Resources (employees) will review the expectations of this policy with the handler and owner at the time of registration.
- b. The Service Animal must be under the control of the handler at all times and may not be left alone. A Service Animal must be restrained by a leash or other appropriate device that does not exceed six (6) feet in length or otherwise be under the control of the handler if the leash or tether will interfere with the ability of the Service Animal to perform required tasks.
- c. The owner and handler of the Service Animal is responsible for any damage of personal property or any injuries to an individual caused by the Service Animal.
- d. The handler must ensure the animal is "housebroken" and trained and must clean up and remove all animal waste created by the Service Animal.
- e. The Service Animal may not disrupt the operation of the College or any class.

B. Responsibilities of the College Community

If the need for a Service Animal is obvious, College officials may not question the presence of the animal on campus. If the need for a Service Animal is not obvious, College officials are permitted to ask the handler two questions:

1. Is the animal required because of a disability?
2. What work or task(s) has the animal been individually trained to perform?

At no time may a College official require a Service Animal to demonstrate the tasks for which they have been trained nor may they inquire as to the nature of the individual's disability.

If another person on campus has a covered disability under the Americans with Disabilities Act and it includes an allergic reaction to animals and that person has contact with a Service Animal, a request for accommodation should be made by the individual to the Director of Human Resources (if an employee) or the Disability Services Office (if a student). All facts surrounding the concern will be considered in an effort to resolve the concern and provide reasonable accommodation for both individuals.

C. Removal of Service Animals

The College has the authority to remove a Service Animal from its facilities or properties if the Service Animal becomes unruly or disruptive, unclean and/or unhealthy, and to the extent that the animal's behavior or condition poses a direct threat to the health or safety of others or otherwise causes a fundamental alteration in the College's services, programs, or activities.

It is a Class 3 misdemeanor "to disguise an animal as a service animal or service animal in training". N.C.G.S. § 168-4.5. In other words, it is a crime under North Carolina law to attempt to obtain access for an animal under the false pretense that it is a Service Animal.

Additionally, any employee or student who violates any portion of this procedure is subject to disciplinary action.

Adopted: August 26, 2022