

SERVICE ANIMALS

I. Policy Section

14.0 Risk Management

II. Policy Subsection

14.10 Service Animals

III. Policy Statement

GRCC will abide by applicable state and federal laws related to allowing Service Animals on campus. GRCC will allow Service Animals who meet Service Animal Training Requirements to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. GRCC will appropriately modify any policies, practices, or procedures which may prevent an individual from utilizing a Service Animal, unless to do so would fundamentally alter the nature of the service or program GRCC is providing or would be a violation of a legitimate safety requirement. GRCC will respect the privacy of individuals using Service Animals, and will limit inquiry to the Permissible Questions described below.

IV. Reason for the Policy

This policy is written to provide clear guidance on the use of Service Animals by students, staff or visitors on campus and to comply with Section 504 of the Rehabilitation Act of 1973, Title II and Title III of the Americans with Disabilities Act of 1990 and Michigan Law statutes sections 750.502c, 752.61 and 752.62.

V. Entities Affected by this Policy

All College employees, students and visitors

VI. Who Should Read this Policy

All College employees, students and visitors

VII. Related Documents

Michigan State Law
Americans with Disabilities Act

Section 504 of the Rehabilitation Act of 1973

VIII. Contacts

Policy Owner: Director of Equal Opportunity Compliance
Program Director of Disability Support Services

IX. Definitions

- A. **Service Animal:** The definition of Service Animal may include any dog meeting the requirements herein, or any miniature horse, as defined below. To qualify as a Service Animal, a dog must be individually trained or currently in training to do work or perform tasks for the benefit of an individual with a disability, including but not limited to: guiding, alerting, pulling a wheelchair, fetching, and opening doors is classified as a service animal under the Americans with Disabilities Act. The tasks performed must be directly related to the individual's disability. Examples of a Service Animal include but are not limited to the following: dogs trained to serve as a travel tool for those with visual impairment, dogs trained to alert their handler to distracting, repetitive movements, or dogs trained to alert their handler before a seizure occurs.

In addition, revised ADA regulations have a new, separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities. Miniature horses are defined as those ranging in height from 24 to 34 inches measured to the shoulders and weighing between 70 and 100 pounds. Miniature horses will be permitted where reasonable and in adherence to the following assessment factors which will determine whether a miniature horse can be accommodated within campus facilities:

1. Is the miniature horse housebroken?
2. Is the miniature horse under the owner's control?
3. Can the facility accommodate the horse's type, size and weight? and
4. Will the miniature horse's presence compromise the legitimate safety requirements necessary for safe operation of the facilities?

Determination as to the reasonableness or permissibility of a miniature horse as an on-campus accommodation will be evaluated with the Office of Accessibility as final decision making authority.

- B. **Service Animal Training Requirements:** The Americans with Disabilities Act and the U.S. Department of Justice have established two training requirements for an animal to be considered a service animal. The first is that a service animal must be trained to perform tasks or work for the benefit of an individual with a disability. The second is that a service animal must be trained to behave properly in places of public accommodation. Most animals, including those labeled as companion, comfort, emotional support or therapy animals or pets are NOT service animals under the ADA's definition as they have not been individually trained to perform disability mitigating tasks.

X. Procedures

- A. Registration and Reasonable Accommodations – Service Animals working with an individual with a disability or currently in training to do so must be permitted as a reasonable accommodation under the Americans with Disabilities Act and Michigan State law. Any policies, procedures, or practices prohibiting service animals from assisting an individual on campus will be appropriately modified, unless to do so would fundamentally alter the nature of the services GRCC is providing, or allowing the animal in that specific area would be a violation of a legitimate safety requirement. An individual using a Service Animal does not need to register the animal with the college or submit documentation related to the animal. However, if the student needs any additional accommodation, they would need to register with Disability Support Services. Employees should contact the Director of Equal Opportunity Compliance for accommodation requests. All individuals using a Service Animal must follow the GRCC campus service animal policy. [GRCC's policies](http://www.grcc.edu/generalcounsel/policies) are available at www.grcc.edu/generalcounsel/policies.
- B. Proper Restraint - Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- C. Permissible Questions - In scenarios when it is not obvious what assistance a service animal provides, staff may only ask two questions: (1) is the animal a Service Animal required because of a disability, and (2) what work or task has the animal been trained to perform?

In the event that these questions are not answered or responses are insufficient, those parties accompanied by a Service Animal should be directed to the Office of Accessibility. A Service Animal does not need to be marked in any way or have accompanying certification to be permitted on campus.

GRCC Faculty and Staff cannot ask about an individual's disability, request or require medical documentation, a special identification card or training documentation for the animal, or ask that the animal demonstrate its ability to perform the work or task.

- D. Allergies - Allergies or fear of an animal being in the same room as an individual allergic to animal dander are not a sufficient reason to deny access or refuse individuals using a Service Animal. If a situation such as this arises, where an individual using a service animal and a person allergic to animal dander must spend time in the same room or facility, they should both be accommodated by assigning them to different locations within the room or facility if possible. Individuals with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals.
- E. Criteria for Removal - The only instances where an individual with a disability may be asked to remove a service animal from the premises are: (1) the animal is out of control and the handler does not take effective action to control it or (2) the animal 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.
- F. Food Establishments - Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.
- G. Waste Removal - Individuals utilizing a service animal are required, if physically able, to clean up any waste left behind and properly dispose of it. Individuals unable to do this should use a designated toileting area. This area will be determined based upon the location of the individual on campus (i.e., a student's classes, or an employee's work area). GRCC employees are not required or encouraged to provide care or food for a service animal.

XI. Forms

N/A

XII. Effective Date

December 8, 2004

XIII. Policy History

February 2016 - Revised to clarify “fundamental alteration” exception, modify definitions, clarify when registration of an animal would be appropriate, and changed policy owner to “Director of Equal Opportunity Compliance”.

XIV. Next Review/Revision Date

October, 2017