

# Policy 655 - Service Animals

Lower Columbia College provides individuals with disabilities, who require the assistance of a service animal, with equal opportunity to access College property, courses, programs, and activities. This policy complies with **Americans with Disabilities Act ( [uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title2-section1311&num=0&edition=prelim](https://www.uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title2-section1311&num=0&edition=prelim) )** (ADA) of 1990 as amended; Section 504 of the Rehabilitation Act of 1973; Washington Law against Discrimination **Chapter 49.60 RCW ( [apps.leg.wa.gov/rcw/default.aspx?cite=49.60](https://apps.leg.wa.gov/rcw/default.aspx?cite=49.60) )** .

## 655.1 Definitions

### Disability

A disability is a physical or mental condition that substantially limits one or more major life activities; or is the presence of a sensory, mental, or physical impairment that is medically cognizable or diagnosable; or exists as a record or history; or is perceived to exist whether or not it exists in fact.

### Service Animal

A Service Animal means any 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. Except as provided below (Section 7) Washington State Law does not restrict the type of animal that can serve as a service animal, as long as the animal is trained to do work or perform tasks for an individual with a disability. The work or tasks performed must be directly related to the handler's disability. Tasks performed can include, among other things, pulling a wheelchair, retrieving dropped items, alerting a person to sound, reminding a person to take medication, or pressing an elevator button. The crime deterrent effects of an animal's presence and the provision of emotional support, wellbeing, comfort or companionship do not constitute work or tasks for the purposes of this definition.

### Service Animal in Training

A Service Animal in Training is an animal that is being trained for the purpose of assisting or accommodating an individual with a disability. Service animals in training may be permitted, but are not entitled to, the same access as service animals under the ADA and should be directed to Disability and Access Services where access will be evaluated similar to any other request for accommodation.

### Emotional Support Animal

An Emotional Support Animal is an animal that can provide therapeutic benefit to those suffering with psychiatric conditions but are not trained to perform a specific job or task to assist or accommodate an individual with a disability. An emotional support animal is not considered a service animal under the ADA and should be directed to Disability

and Access Services where access will be evaluated similar to any other request for accommodation.

## **Pet**

A pet is an animal kept for ordinary use and companionship. A pet is not considered a service animal and is not covered by this policy or allowed on college premises.

## **Handler**

Handler means a qualified individual with a disability that a service animal assists with work or tasks for the benefit of the person with the disability.

## **655.2 Where Service Animals are Allowed**

Generally, handlers of service animals are permitted to be accompanied by their service animal in all areas of the College's facilities and programs where the handler is allowed to go. Such areas include public areas, public events, classrooms, and other areas where the College programs or activities are held. Limited exceptions for service animal access are noted in section 6 below.

## **655.3 Assessing Service Animal Status**

### **Allowable Inquiries**

If the disability which requires the use of a service animal is not readily apparent, LCC staff is permitted to ask the following:

- Is the animal a service animal required because of a disability, and
- What work or task has the animal been trained to perform?

### **Non-allowable Inquiries**

LCC staff will not require documentation or demonstration to prove that the service animal has been certified, trained or licensed as a service animal.

LCC staff will not ask about the nature of the handler's disability or for medical documentation of their disability.

## **Procedure**

If the handler states that the animal is required because of a disability and that the animal has been trained to do work or task for the handler, then the service animal must be admitted.

See Section 655.6 below for areas where a service animal may be excluded.

If there is any doubt that an animal is a service animal, college personnel, should admit the animal then consult with Disability and Access Services regarding future access.

## Registration (Students)

While not required for service animals, students who would like to register as a student with a disability or request reasonable accommodation should contact Disability and Access Services.

DAS can assist the student by providing advance notice to college personnel, such as faculty, advisors, campus services, and security.

Disability and Access Services

- Physical Address: Admission Building 143
- Mailing Address: 1600 Maple St.
- Longview, WA 98632
- [lowercolumbia.edu/disability](http://lowercolumbia.edu/disability)
- (360) 442-2340

## Registration (Employees)

While not required for service animals, employees may request disability accommodations through Human Resource Services.

Human Resources

- Physical Address: Administrative Building, first floor
- Mailing Address: 1600 Maple St.
- Longview, WA 98632
- [hr@lowercolumbia.edu](mailto:hr@lowercolumbia.edu)
- (360) 442-2120

## Advanced Notification (Visitors)

Visitors (excluding student, faculty, staff and employees) to the college who require the use of a service animal are not required to provide advance notice to anyone on campus prior to their visit.

## 655.4 Handler Responsibilities

### Control

The care and supervision of a service animal is the responsibility of the handler. The handler must maintain control of the animal at all times. The ADA also provides that 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 handler must maintain control of the animal through voice, signal, or other effective controls.

## **Cleanliness**

The service animal must be housebroken and the handler is responsible for ensuring the clean-up of all animal waste in a safe and sanitary manner. If the handler is unable to collect and dispose the waste, the handler must contact Disability and Access Services to make arrangements for necessary assistance.

## **Health**

The service animal must comply with local, county, and/or state vaccination and licensing requirements. It is recommended the animal have an ID tag.

## **Ensure**

Ensuring the service animal does not disturb or disrupt normal academic or administrative functions.

## **Damage or Injury**

The handler is responsible for any damage or injury caused by the service animal.

## **655.5 Removal of Service Animals**

College personnel may ask the handler to remove the service animal from college premises in these instances:

### **Disruption**

A handler may be directed to remove an animal that is out of control or disruptive, if the handler is given the opportunity to get the animal under control and the disruption continues.

### **Lack of Cleanliness/Health**

A handler may be directed to move an animal that is not housebroken, is not vaccinated as required by local ordinances, or if the handler fails to collect and properly dispose of the animal's waste.

### **Threatening or Unsafe Behavior**

The College retains the right to immediately remove or suspend the service animal from the grounds and/or facilities if it is a direct threat to the health and safety of others, or if the animal causes substantial damage to college property.

If a service animal is excluded or removed from college premises, LCC will work with the handler to determine reasonable alternative opportunities to participate in the service, program or activity without having the service animal on the premises.

## 655.6 Restrictions on Access

Service animals are allowed to accompany their handler everywhere except for the following locations that would pose health, environmental, or safety risks:

1. Teaching laboratories where the service animal's presence may pose a safety risk
2. Mechanical Rooms
3. Custodial closets
4. Areas where protective clothing is necessary
5. Medically sensitive patient and clinic areas where the service animal's presence may compromise a need for a sterile environment

If a service animal is restricted from certain areas, DAS is available to assist in determining reasonable accommodation for the handler. For example, if a student cannot bring their service animal to a lab class, they may be permitted to take an online lab option.

In accordance with RCW 49.60.218, only service animals that are dogs or miniature horses are permitted in college food establishments.

## 655.7 LCC Responsibilities

1. Allow a service animal to accompany the handler at all times and everywhere on campus, except where service animals are specifically prohibited due to health, environmental, and safety hazards.
2. Refrain from petting, feeding, or deliberately startling the service animal.
3. Immediately report disruptive behavior of a service animal, ill health of a service animal, mistreatment of a service animal, and/or damage or injury caused by a service animal to Campus Security at **(360) 442-2911**. No attempt should be made to separate the handler from his/her service animal.
4. If it is determined this policy has been violated by an owner of a service animal, depending on the seriousness of the animal's conduct or repeated conduct, service animals may be excluded from college property temporarily or permanently. This decision will be made following an investigation. If a service animal is excluded, DAS or HR offices are available to assist in evaluating reasonable accommodations for the owner.
  - Owners who violate this policy or disregard an instruction to remove or exclude a service animal from college property may be subject to additional penalties, including banning from any college property, assessment of the costs of injury or damage caused by the service animal, or other fines or penalties under applicable city, county, or state rules, regulations, or laws.
  - Violations of this policy by an owner who is an LCC student or employee may be referred for corrective or disciplinary action.
5. Any questions regarding service animals and their handlers should be directed to Disability and Access Services at **(360) 442-2340**.

## 655.8 Conflicting Disabilities

An individual who experiences an allergic reaction to a service animal should contact Disability and Access Services (students) or Human Resources (employees) to request accommodations. The needs of both the individual with the service animal and individual with the allergy will be addressed to resolve the conflict as quickly as possible.

## 655.9 Grievance and Appeal Process

### Discrimination Grievance

Any student, applicant, employee, or visitor who believes they have been the subject of discrimination based on disability protected class status may file a grievance with the Title IX/EEO coordinator according to LCC's **Discrimination and Harassment Complaint Procedure** ( [services4.lowercolumbia.edu/info/webResources2/internal/Policy/235.1A-Procedure-Discrimination-Harassment-Complaint-Procedures.pdf](https://services4.lowercolumbia.edu/info/webResources2/internal/Policy/235.1A-Procedure-Discrimination-Harassment-Complaint-Procedures.pdf) ).

### Accommodation Appeal Procedure

If a student believes that Disability and Access Services has not provided appropriate academic accommodations, the student has the right to file an appeal with the 504/ADA coordinator through the **Academic Adjustment and Auxiliary Aids Appeal Procedure**. ( [lowercolumbia.edu/disability/adjustments-aids-appeal-procedure](https://lowercolumbia.edu/disability/adjustments-aids-appeal-procedure) )

### Other Discrimination Complaint Resources

Discrimination complaints may also be filed with the following federal and state agencies:

1. **Washington State Human Rights Commission** ( [www.hum.wa.gov/file-complaint](http://www.hum.wa.gov/file-complaint) )
2. **US Department of Education Office for Civil Rights** ( [www2.ed.gov/about/offices/list/ocr/complaintprocess.html?src=image](http://www2.ed.gov/about/offices/list/ocr/complaintprocess.html?src=image) )
3. **Equal Employment Opportunity Commission** ( [www.eeoc.gov/employees/charge.cfm](http://www.eeoc.gov/employees/charge.cfm) )

## 655.10 Contacts

- Disability and Access Services, Admissions Building **(360) 442-2340**
- Section 504/ADA Coordinator, Administrative Building, **(360) 442-2121**
- Human Resources Manager, Administrative Building, **(360) 442-2124**
- Campus Safety & Security, Student Center, **(360) 442-2911**
- Vice President of Student Services, Admissions, **(360) 442-2301**

## Historic Information

- Reviewed by Executive Leadership Team - August 31, 2020
- Approved by Executive Leadership Team - November 14, 2018
- Campus Review - October 19, 2018 - November 2, 2018
- UMCC - October 16, 2018 & November 19, 2018
- Governance Council - October 3, 2018 & November 7, 2018
- Executive Leadership Team - August 20, 2018

Resource/Reference/ Procedure	Title	Unit Responsibility
<b>Procedure 655.1A ( <a href="https://services4.lowercolumbia.edu/info/webResources2/internal/Policy/655.1A%20Service%20Animals.pdf">services4.lowercolumbia.edu/info/webResources2/internal/Policy/655.1A%20Service%20Animals.pdf</a> )</b>	Service Animals in Training	HR/DAS
<b>WAC 110-300A-5170 ( <a href="http://app.leg.wa.gov/WAC/default.aspx?cite=110-300A-5170">app.leg.wa.gov/WAC/default.aspx?cite=110-300A-5170</a> )</b>	Animals in Child Care Centers	Head Start/ELC