

## **SERVICE ANIMALS FOR PERSONS WITH DISABILITIES – POLICY AND PROCEDURE NORTHERN OKLAHOMA COLLEGE**

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### **GENERAL STATEMENT**

In accordance with Section 504 of the Rehabilitation Act of 1973 (“Rehab Act”), the Americans with Disabilities Act of 1990 (“ADA”), and state law, Northern Oklahoma College may be required to accommodate an otherwise qualified individual with a disability by making a reasonable modification in its services, programs, or activities. The college acknowledges the health and safety interests of its general community. This regulation addresses the use of service animals on campus by qualified individuals with disabilities. Pets and therapy animals are not considered service animals and therefore are not covered by this regulation.

### **DEFINITIONS**

1. Service animal means any guide dog, signal dog, or other animal individually trained to 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 with impaired hearing to intruders or sounds, providing animal protection or rescue work, pulling a wheelchair, or fetching dropped items. If an animal meets this definition, it is considered a service animal for purposes of this regulation even if it has not been licensed or certified by a state or local government, or by a private agency.
2. Pet means a domestic animal kept for pleasure or companionship.
3. Therapy animal means an animal with good temperament and disposition, and who has reliable and predictable behavior. The animal may be incorporated as an integral part of a treatment process. A therapy animal does not assist an individual with a disability in the activities of daily living. The therapy animal does not accompany a person with a disability at all times, unlike a service animal that is always with a person with a disability. A therapy animal is not considered to be a service animal under this regulation or other disability law.
4. Disability means a physical or mental impairment that substantially limits one or more major life activities of an individual.
5. Visitor means a person other than a student, faculty member, or employee of Northern Oklahoma College who is a guest on campus and/or who participates in a university program, service, or activity.

### **RESPONSIBILITIES OF PERSONS USING SERVICE ANIMALS**

1. The care and supervision of a service animal is the responsibility of the person using the animal's services (hereinafter “owner”). The owner must ensure that the animal is in good health and has been vaccinated against diseases common to that type of animal as recommended by the American Veterinary Medical Association. For example, dogs should have routine maintenance for flea and tick prevention, deworming, and have annual examinations.

2. Dogs must wear a rabies vaccination tag. If an animal other than a dog is to be used as a service animal, the Office of Student Services must approve the health requirements regarding that animal. The owner must comply with all laws of the State of Oklahoma and city ordinances concerning animal licensure.
3. The owner must keep the service animal on a leash/lead when the animal is in a public area (i.e. classroom, library, common area of a residence hall, outdoors on campus, etc.), unless the service animal is required to perform a task that it could not accomplish while on a leash/lead or the owner is otherwise unable to maintain the animal on a leash/lead due to a disability; in such case the owner still must be able to maintain control over the animal. The owner does not need to keep the service animal on a leash/lead in private areas assigned to the owner (e.g., the owner's office or residence hall room) or private areas assigned to a third party if the third party consents to the animal being off leash/lead.
4. The owner must be in full control of the animal at all times.
5. The owner is responsible for the cost to repair any damage done by the service animal to college property.
6. If a student plans to live on campus, the owner must notify the Office of Student Services in writing about his/her need to have a service animal in campus housing at least two months prior to the date when prospective housing will be needed. The Office of Student Services, in consultation with the ADA Coordinator, shall process such requests.
7. Any student who violates any provision of this regulation is subject to discipline under the "Student Rights and Responsibilities". Such discipline may include the restriction or removal of the service animal.

## **RESPONSIBILITIES OF THE COLLEGE COMMUNITY**

1. Members of the college community shall:
  - a. Allow a service animal to accompany the owner at all times and everywhere on campus except where specifically accepted by Section 5;
  - b. Not touch or feed a service animal unless invited to do so;
  - c. Not deliberately startle an animal;
  - d. Not deliberately startle an animal;
2. In emergency situations:
  - a. Notify all safety and security personnel of the existence and possible location of service animals on campus;
  - b. Identify places where service animals will be dealt with in cases of emergencies; and
  - c. Provide training to safety and security personnel as to possible service animal responses to smoke, fire, wind, excessive rain, hail or flooding, noise, explosions, and similar emergency situations.

## **AREAS RESTRICTED TO SERVICE ANIMALS**

The college may prohibit the use of service animals in certain locations due to health or safety restrictions, where service animals may be in danger, or where their use may compromise the integrity of certain academic endeavors. Such restricted locations include, but are not limited to, food preparation areas, certain laboratories, mechanical rooms/custodial closets, wood/metal/machine shops, areas where protective clothing is necessary, and/or other areas where the animal's presence may constitute a danger or a fundamental alteration of the program or activity conducted in the area. Access to restricted areas may be granted on a case-by-case basis by contacting the appropriate Division Chair and the ADA Coordinator. The college will pursue an interactive process to determine whether or not admission of the service animal will be granted or denied. The person directing the work in the restricted area will make the final decision regarding access based on the nature of the activities occurring in the area and the best interest of the animal.

## **REMOVAL OF SERVICE ANIMALS**

The college has the authority to remove a service animal from its grounds or facilities if the service animal becomes unruly or disruptive, unclean, and/or unhealthy 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. If such behavior or condition persists, the owner may be directed not to bring the animal into public campus areas until the problem is rectified.

## **CONFLICTING DISABILITIES**

If another person on campus has a covered disability under the ADA and it includes an allergic reaction to animals, and that person has contact with a service animal approved for presence on campus, a request for assistance will be made to the ADA Coordinator who will consider all facts surrounding the contact and make an effort to resolve the issue.

## **APPEAL PROCEDURE**

In the event of a dispute about an accommodation relating to a service animal, or an animal restriction, a complaining party, who is a member of the college community, may file a formal grievance through the established grievance procedure applicable to that classification of individual. All others should contact the Office of Civil Rights to file a complaint at:

U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg  
400 Maryland Avenue, SW  
Washington, DC 20202-1100

Telephone: 800-421-3481  
FAX: 202-453-6012; TDD: 877-521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)