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Administrative Regulation

SERVICE ANIMALS AND OTHER ANIMALS ON CAMPUS

The District will allow an individual with a disability to use a service animal in District facilities and on District campuses in compliance with state and federal law. The District will allow an individual with a disability to be accompanied by his/her service animal in all areas of the District's facilities where members of the public, invitees, clients, customers, patrons, or participants in services, programs or activities, as relevant, are allowed to go. These procedures shall also be applicable to an individual who is training a service animal.

Service Animal Defined

A "service animal" for purposes of this procedure means any dog (or miniature horse, as provided herein) 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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

The work or tasks performed by a service animal must be directly related to the handler's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Exceptions

The District may ask an individual with a disability to remove a service animal from the premises if:

- The animal is out of control and the animal's handler does not take effective action to control it; or
- The animal is not housebroken.

If a service animal is excluded under one of these exceptions, the District will give the individual with a disability the opportunity to obtain goods, services, and accommodations, or to participate in the service, program, or activity without having the service animal on the premises.

Exemptions: Biology Division, Child Development Center & Garfield Parent Support Center for Child Development

Animals used under faculty supervision and as part of curriculum enrichment (e.g. lab work and outreach events) are exempt from these provisions. These animals include, but are not limited to, the following: fish, reptiles, insects, worms, and other vertebrates and invertebrates housed inside closed containers.

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Miniature Horses

The District will allow an individual with a disability to use a miniature horse as a service animal in District facilities and on District campuses if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability and the District has determined, based on the assessment factors provided in this procedure, that a reasonable accommodation can be made.

Assessment Factors for Miniature Horses

The District shall consider the following factors:

- The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- Whether the handler has sufficient control of the miniature horse;
- Whether the miniature horse is housebroken; and
- Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

Control

The service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

Care or Supervision

The District is not responsible for the care or supervision of the animal.

Inquiries by the District

The District may make two inquiries to determine whether an animal qualifies as a service animal:

- Whether the animal is required because of a disability; and
- What work or task the animal has been trained to perform.

The District will not make either of these inquiries when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g. the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

An individual may choose to produce a county service dog license or identification tag as proof that the animal is a service animal. Licensure or certification is not required in

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order to meet the definition of service animal under this procedure. There are no licensing or certification requirements for miniature horses.

No Surcharge

The District will not ask or require an individual with a disability to pay a surcharge or require a surcharge for a service animal or to comply with other requirements generally not applicable to people without pets. If the District normally charges individuals for damage caused by pets, an individual with a disability may be charged for damage caused by his or her service animal.

NON-SERVICE ANIMALS AND EDUCATIONAL WORKSHOPS ON CAMPUS

Educational programs involving animals may be conducted on campus in concert with a legitimate organization which, prior to the event, has provided documentation verifying that it is licensed and has liability insurance or the Humane Society staff. Animals may not be brought on campus for general educational purposes to classrooms or for “show and tell,” except under the following conditions:

1. Non-service animals may only be brought onto campus if they are either:
 - a. Associated with a legitimate organization which has been invited to the campus and has provided the College Police Department with documentation of its license and liability insurance prior to the event,
 - or
 - b. Part of a Humane Society rescue fair or adoption fair
 - i. The Humane Society staff must coordinate the rescue or adoption fair with the College Police Dept.
 - ii. The Humane Society staff must be present on campus for the duration of the rescue or adoption fair.
 - iii. Only approved vendors and rescue organizations that are approved by the Humane Society may bring animals onto campus as part of the Humane Society rescue or adoption fair.
 - iv. Students, faculty, and/or staff cannot bring animals onto campus to be included in the Humane Society rescue or adoption fair unless those animals have been previously tested and approved for adoption by the Humane Society and are brought onto campus by Humane Society representatives, approved vendors, or approved rescue organizations.
 - v. Liability and insurance waivers must be signed by all participants to the fair.
 - vi. A fee may be charged for vendors or rescue organizations.

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2. Every animal that is not in a cage must have its own handler and be on a leash.
3. Restrictions may be imposed such as no excessive barking (for dogs), no growling, no lunging, etc.
4. A fee may be charged for vendors or rescue organizations.
5. Events shall last no more than 4 consecutive hours and shall not occur if the temperature is 90-degrees (Fahrenheit) or higher.
6. The College Police Dept. must be notified at least two weeks in advance of the actual adoption fair, to include the name and contact number of the licensed organization member or the Humane Society staff member or officer who is coordinating the event.
7. The campus will be notified by email or other methods in advance/prior to the event (if held outdoors) to allow students and staff who have allergies, asthma or are otherwise immunocompromised to take appropriate actions.

References:

- Civil Code Sections 54 et seq.;
- Penal Code Section 365.5;
- The Americans with Disabilities Act of 1990 -- 42 United States Code Sections 12101 et seq.;
- 28 Code of Federal Regulations Part 35;
- 28 Code of Federal Regulations Part 36;
- 34 Code of Federal Regulations Part 104.44(b)

See Board Policy 3440

Adopted: 04/14/09

Revised: 07/12/16

Renumbered from Administrative Regulation 3535.