**Animals on College Property**

1. **Purpose**

To establish the appropriate presence of animals on college property including the use of service animals, emotional support animals, pets, and animals used for educational purposes.

1. **Policy**

Students, employees, and third parties will refrain from bringing unauthorized animals to college property. Unauthorized animals are not allowed in any college building, nor are they allowed to be tied to any college structure or confined on or in parked vehicles on college property.

Service animals are permitted anywhere on college property subject to the qualifications in this policy. Emotional support animals (ESAs) are restricted and must be pre-approved before they can enter college property. Animals utilized in the educational curriculum by the instructor are permitted on college property as appropriate.

1. **Procedures**

**Service Animals**

**Students and Third Parties**

Students and third parties who wish to bring a service animal onto college property – including classrooms and college buildings open to the public – may do so without prior approval. However, students are *strongly encouraged* to contact Disability Support Services to ensure that their experience bringing the animal to campus is without issue.

When it is not obvious or apparent what disability-related service an animal provides, college personnel may ask: (1) if the animal is a service animal required because of a disability, and (2) what work or task the animal has been trained to perform. College personnel cannot ask for details about the individual’s disability, require medical documentation, or require proof that the animal has been certified, trained, or licensed as a service animal.

**Employees**

Employees may be permitted to bring service animals to work as a reasonable accommodation. An employee with a disability who desires to use a service animal as a reasonable accommodation in a college office or other areas of college properties that are not open to the general public must make a request for a reasonable accommodation to the Office of Human Resources. The employee will be asked to provide reasonable documentation that includes why the animal is needed, what service it will provide for the employee and what function the animal is trained to perform. This request should be made at least 30 days before the animal is needed and must be approved before the animal is brought on campus

**Service Animals in Training**

Service animals in training are permitted in all public facilities on the same basis as working service animals, provided that the animal is on a leash and is being led or accompanied by a trainer for the purpose of training the animal and the trainer has documentation confirming the trainer is affiliated with a recognized or certified service animal training organization.

**Control of Service Animals**

**A service animal must be under the control of its handler. Service animals must be harnessed, leashed, or tethered, unless the individual’s disability prevents using these devices or these devices interfere with the service animal's safe and effective performance of tasks.** In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

**Emotional Support Animals (ESAs): Student Requests**

Students who wish to bring an ESA onto college property must go through the reasonable accommodation process with Disability Support Services. While accommodation requests will be accepted and considered at any time, requests should be filed at least 30 days before the student intends to bring the animal to the college in order to ensure timely consideration. An ESA will not be allowed until formal approval has been received.

To ensure that the presence of an ESA is not an undue administrative burden or fundamental alteration of a college program or activity, the college will consider each request for an ESA on an individualized basis.

1. Upon receipt of a request for an ESA, Disability Support Services will engage in communication with the student to determine if the use of the animal is a reasonable accommodation.
2. In order for an ESA to be considered as a reasonable accommodation for a student with a disability, supportive documentation should be from a professional healthcare provider (on letterhead) and generally include the following information:
* A current diagnostic statement that identifies the disability, including date of initial and most current diagnosis, any evaluations/testing that support the diagnosis, and a description of the functional limitation of the disability;
* Information regarding the relationship between the disability and the relief the animal provides; and
* Information that demonstrates the animal is necessary in order for the student to utilize and benefit from the college’s programs, services, or activities.

**Emotional Support Animals: Employee Requests**

Employees who wish to bring an ESA onto college property must go through the reasonable accommodation process with the Office of Human Resources. The Office of Human Resources will determine whether approving a particular ESA in the workplace is a reasonable accommodation that will enable the employee to perform the essential functions of the position. What constitutes a reasonable accommodation will vary depending on the circumstances of each case. In evaluating alternatives for accommodations, the preferences of the employee are considered, but the ultimate decision regarding the type of accommodation, if any, is made by the Office of Human Resources.

**Criteria for an Emotional Support Animal (ESA)**

As a part of the approval process, the college considers the following factors in determining whether to approve a specific ESA in its facilities:

* The size of the animal and whether it is too large for the classroom, office, or relevant space;
* Whether the animal’s presence would force another individual from using that space due to health reasons
* Whether the animal’s presence would be disruptive to the academic or work environment;
* Whether the animal is housebroken;
* Whether the animal’s vaccinations are up to date;
* Whether the animal poses or has posed in the past a direct threat to the individual or others, such as injuring or acting aggressively; and
* Whether the animal causes or has caused excessive damage to college facilities.

**General Standards for the Removal of Service Animals or Emotional Support Animals (ESAs)**

Decisions to remove a service animal or an ESA will be made on a case-by-case basis, taking into account all related information and circumstances. The following general standards reflect reasons why an animal may be removed and approval may be revoked:

* The animal poses a direct threat to the health or safety of others.
* The animal causes or would cause substantial physical damage to the property of others.
* The animal poses an undue financial and/or administrative burden.
* The animal would fundamentally alter the nature of the college’s educational or business operations.
* The animal is out-of-control and the handler/owner does not take effective action to control it.
* The animal is not housebroken.

When an animal has been properly removed pursuant to this policy, the college will work with the handler/owner to determine reasonable alternative opportunities to participate in the college’s services, programs, and activities without having the animal on the premises.

**Additional Matters**

**Animal No Longer Necessary:** Disability Support Services or the Office of Human Resources should be notified when an animal covered by this policy will no longer be on campus.

**Conflicting Disabilities:** Some people may have allergic reactions, asthma, respiratory diseases, and other responses to animals that are substantial enough to qualify as disabilities. The college will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities to resolve the problem as efficiently and expeditiously as possible. Students requesting accommodations should contact Disability Support Services; employees should contact the Office of Human Resources.

**Concerns:** Concerns regarding the behavior of animals on college property should be brought to the attention of Safety and Security.

**Grievance Procedure Related to Service Animals and Emotional Support Animals**

If the decision is made to deny a request for or remove an animal covered by this policy, the affected individual may file a formal written grievance with the college director of civil rights and compliance pursuant to the Anti-Harassment, Anti-Discrimination Grievance Procedures.

Those with questions about the use of service animals or emotional support animals should refer to this policy and/or contact the Office of Human Resources or Disability Support Services.

1. **Definitions**

Service Animals are defined under the Americans with Disabilities Act (ADA) as dogs and miniature horses that are individually trained to do work or perform tasks for people with disabilities. Service animals are working animals, not pets. The work or tasks performed must be directly related to the individual’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.

Emotional Support Animal (ESA) is a companion animal which provides therapeutic benefit, such as alleviating or mitigating symptoms of a person’s disability. ESAs are not service animals.

Owner is a student or employee who has an approved ESA or service animal on campus.

Handler is a person with a disability that a service animal assists, a personal care attendant who handles the animal for a person with a disability, or a person training a service animal.

**E. Authority**

This policy and these procedures are maintained under the authority of the vice chancellor for administrative services.

**F. Related Policies**

3.02 [Accommodations in Employment](https://about.otc.edu/policies/3-02-equal-employment-opportunity-policy/)

3.39 Anti-Harassment and Anti-Discrimination

2.75 Student Disability Accommodation

**G. Implementation**

Purpose and Policy approved and adopted by the Board of Trustees on

Procedures, Responsibilities, Definitions, and Authority approved and adopted by the Cabinet on

Set for review 2024 -2025