

# **NORTHEAST COMMUNITY COLLEGE**

**ADMINISTRATIVE PROCEDURE NUMBER: AP-5890.1**

**FOR POLICY NUMBER: N/A**

## **PRESENCE AND USE OF SERVICE AND ASSISTANCE ANIMALS AND PETS**

### **1. PROCEDURE SUMMARY STATEMENT**

Northeast Community College is committed to accommodating individuals with disabilities who require the use of a service or assistance animal while on campus. Individuals with disabilities who require the use of a service or assistance animal while on College grounds are expected to follow a standard of behavior for both animal and the students, faculty, and staff who are in proximity of the animal. These protocols have been established for the presence and use of service and assistance animals and pets on campus.

### **2. DEFINITIONS**

- 2.1 Service Animal – A dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability.
- 2.2 Individual with a Disability – A person who has a physical or mental impairment that substantially limits one or more major life activities, including, but not limited to, walking, talking, seeing, breathing, or hearing.
- 2.3 Partner/Handler – A person with a disability is called a partner; a person without a disability who is assisting the partner or service animal is called a handler.
- 2.4 Team – A person with a disability, or a handler, and their service animal that work as a cohesive team in accomplishing the tasks of everyday living.
- 2.5 Assistance Animals – An animal that provides emotional support, therapy, well-being, or companionship that alleviates or mitigates symptoms of an individual's disability. The animal need not be individually trained. Assistance animals are not limited to dogs and can be other species of animals. Generally does not accompany a person with a disability all the time.
- 2.6 Pet – A domesticated animal (e.g., dog, cat, ferret, snake, bird, etc.) kept for pleasure or companionship.

### **3. PROCEDURE**

- 3.1 Documentation Requirements

- 3.1.1 If requested, the partner/handler of a service or assistance animal must show proof to the Director of Disability Services or the event/program facilitator that the animal has met the following regulations:
- 3.1.1.1 Licensing: The animal must meet the licensing requirement of the city where the campus is located and wear the tags designated by the city. (For nonresidents, home city or state tags will be accepted in lieu of the local city tags if the requirements are met.)
  - 3.1.1.2 Health Records: The animal must have a health statement, including vaccinations, from a licensed veterinarian dated within the past year. Preventative measures must be taken for flea and odor control.
  - 3.1.1.3 Affirmation that the service or assistance animal is required due to disability, and a description of the specific tasks or work the animal has been trained to perform.
  - 3.1.1.4 Service or assistance animals are permitted in College Residence Life facilities per the Fair Housing Act (FHA) when:
    - 3.1.1.4.1 The handler has a mental health condition that rises to the level of a disability as defined by the Americans with Disabilities Act (ADA) and the handler follows procedures to request accommodations, provides Disability Services with verifiable documentation of their disability, and there is an identifiable and documented nexus between the disability and the need for the service or assistance animal.
    - 3.1.1.4.2 Assistance animals must be contained within the privately assigned student living accommodation (room, suite or apartment, etc.).

## 3.2 Behavior of Service and Assistance Animals

- 3.2.1 Control requirements for service and assistance animals:
- 3.2.1.1 The animal must be under the control of the partner/handler at all times.
  - 3.2.1.2 The animal must be as unobtrusive as possible.
  - 3.2.1.3 Injuries to or caused by the service animal must be reported to the appropriate person for the event/program facilitator or the Dean of Student Success and the Director of Physical Plant for all activities.
- 3.2.2 Exclusion from campus: A service and assistance animal may be excluded from campus when that animal's behavior poses a direct threat to the health and safety of others.

- 3.2.3 Under the ADA, an individual with a disability may be asked to remove a service or assistance animal from the premises if (1) the animal is out of control and the animal's handler does not take effective action to control it, or (2) the animal is not housebroken.
- 3.2.4 Under the FHA, an individual with a disability may be asked to remove an service or assistance animal from the premises if it (1) poses a direct threat to the health or safety of others, (2) would cause substantial physical damage to the property of others, or (3) it is not housebroken (or in the case of a support animal that deposits waste in a designated cage or litter box, the owner fails to clean such cage or box such that the cleanliness of the room is not maintained).
- 3.2.5 Infractions will be handled on an individual basis. Consequences may include, but are not limited to, muzzling a barking/biting animal, refresher training for the animal and the partner/handler at the partner/handler's expense, or exclusion of the animal from the College.
- 3.2.6 Areas Off-Limits to Animals: For safety and other reasons, all animals are restricted from certain areas, including maintenance rooms or custodial closets, some laboratories, and areas where protective clothing is required.
- 3.2.6.1 Requests for exceptions to this restriction must be submitted to the Director of Disability Services or the event/program facilitator and will be reviewed and decided on a case-by-case basis.

### 3.3 Service and Assistance Animal Etiquette

- 3.3.1 The animal must not sniff people, food, or the belongings of others.
- 3.3.2 The animal must not initiate contact with others without the partner/handler's permission.
- 3.3.3 The animal must not display any disruptive behaviors such as barking, whining, growling, or rubbing against people.
- 3.3.4 The animal must avoid licking and scratching or other grooming behaviors in public.
- 3.3.5 The animal must not block an aisle or passageway.
- 3.3.6 The animal must never be more than three (3) feet from the partner/handler.
- 3.3.7 The animal must be trained not to be attracted to food that is nearby.

### 3.4 Public Etiquette for Interaction with a Service or Assistance Animal

3.4.1 Do not pet a service animal.

3.4.2 Do not feed a service animal.

3.4.3 Do not deliberately startle a service animal.

3.4.4 Do not separate or attempt to separate a service animal from a partner/handler.

3.4.5 It is fine to offer assistance by asking the partner/handler if assistance is needed.

### 3.5 Relief Areas

3.5.1 Relief areas on the campus include the nearest grassy areas outdoors such as the spaces outside the external doors of any building. The partner/handler is responsible for cleaning up after the animal defecates and for disposing of the feces in an outdoor trash receptacle. Persons with disabilities who physically cannot clean up after their own service animal will not be required to do so. However, these individuals are to notify the appropriate person (Director of Disability Services, Director of Residence Life, or the event/program facilitator) for the event/program/class of this circumstance.

### 3.6 Emergency Situations

3.6.1 In the case of an emergency, emergency and public safety personnel should be made aware that there is a service or assistance animal on the premises. Every effort should be made to keep the animal with its owner.

### 3.7 Abuse or Neglect

3.7.1 Any suspected or observed issues related to animal abuse or neglect will be reported to the proper investigating authorities and may subject the student to disciplinary action as well. If a service or assistance animal accommodation is forfeited due to neglect/abuse of the animal or failure to follow the guidelines, the handler forfeits their right to be considered for another assistance animal accommodation at the College.

### 3.8 Conflicting Disabilities

3.8.1 If a person has a disabling condition that involves an allergic reaction to animals, they may contact the Director of Disability Services, if common sense accommodations are unsatisfactory. The person making the contact must provide medical documentation to support that allergic reaction. Action will be taken to consider the needs of both the complainant and the partner/handler to resolve the problem as efficiently and expeditiously as possible.

### 3.9 On-Campus Housing

3.9.1 Students with disabilities requiring a service or assistance animal who are interested in on-campus housing should refer to the current Residence Life Manual, "Attendants and Service Animals" section.

### 3.10 Pets and Assistant Animals at College Locations and Events

3.10.1 Pets and assistance animals are generally not permitted in College facilities or at College-sponsored events. Support animals are typically limited to privately assigned student living accommodation (room, suite or apartment, etc.). Requests for exceptions to this general rule must be submitted to the Director of Disability Services or the event/program facilitator prior to the event/activity, and will be reviewed and decided on a case-by-case basis.

## 4. APPLICABILITY

N/A

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**DIVISIONS/DEPARTMENT RESPONSIBLE FOR REVIEW & UPDATE:** Student Services

**SPONSORING DIVISION/DEPARTMENT:** Student Services

**RELATED PROCEDURES/ REFERENCE:** none

**PROCEDURE KEY WORDS:** service and assistant animals