# 500.405 SERVICE ANIMAL POLICY

## A. POLICY

It is the policy of the Wenatchee Valley College to afford individuals with disabilities, who require the assistance of a service animal, with equal opportunity to access college property, courses, programs, activities and employment.

This policy complies with the [Americans with Disabilities Act](https://www.ada.gov/pubs/ada.htm) (ADA) of 1990 as amended; Section 504 of the Rehabilitation Act of 1973 (P.L. 93-11) and [45 CFR Part 84](https://www.ecfr.gov/cgi-bin/text-idx?SID=bcbf6de01c0f3bcedb709aacb6a1131a&mc=true&tpl=/ecfrbrowse/Title45/45cfr84_main_02.tpl); Fair Housing Act of 1968 [42 U.S.C. 3601 et seq.](https://uscode.house.gov/view.xhtml?hl=false&edition=prelim&req=granuleid%3AUSC-prelim-title42-section3601&f=treesort&num=0&saved=%7CKHRpdGxlOjQyIHNlY3Rpb246MzYwMSBlZGl0aW9uOnByZWxpbSkgT1IgKGdyYW51bGVpZDpVU0MtcHJlbGltLXRpdGxlNDItc2VjdGlvbjM2MDEp%7CdHJlZXNvcnQ%3D%7C%7C0%7Cfalse%7Cprelim); and [Chapter 49.60 RCW](https://apps.leg.wa.gov/rcw/default.aspx?cite=49.60).

## B. DEFINITIONS

**Service Animal:** A service animal is a dog or miniature horse that has been formally trained to perform tasks for the benefit of an individual with a disability, including physical, sensory, mental, psychological, intellectual, or other mental disabilities.

**Therapy Animal:** A therapy animal is an animal that provides emotional support or passive comfort that alleviates one or more of the identified symptoms or effects of a disability. A therapy animal (also known as an emotional support animal or comfort animal) is not a service animal under this policy. Access for therapy animals is evaluated similar to any other request for accommodation and should be directed to the student access coordinator office.

**Owner:** Owner means any person having an interest in or right of possession to a service animal, or any person having control, custody, or possession of a service animal.

## C. WHERE SERVICE ANIMALS ARE ALLOWED

Generally, owners of service animals are permitted to be accompanied by their service animal in all areas of the college’s facilities and programs where the owner is allowed to go. Such areas include public areas, public events, classrooms, and other areas where college programs or activities are held. Limited exceptions for service animal access are noted in Section H below.

## D. ASSESSING SERVICE ANIMAL STATUS

### 1. Permitted Inquiries

College personnel must permit service animal access to an event or activity with its owner when it is readily apparent that the animal is trained to do work or perform tasks for its owner. Examples include a dog guiding an individual who is blind or has low vision, pulling an individual's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability.

If the need for the service animal is not apparent, college personnel may only ask the following of service animal owners:

#### a. Is the service animal required because of a disability?

#### b. What work or task has the animal been trained to perform?

If the owner states that the animal is required because of a disability and that the animal has been trained to do work or a task for the owner, then the service animal must be admitted. (See Section H 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 and then consult with the student access coordinator regarding future access.

Misrepresentation of a service animal can incur a penalty up to $500.

Service animal owners must not be asked about the nature of their disability or for medical documentation of it, except as provided in Sections I and J below. Owners may not be asked for a special registration, identification card, license, or other documentation that the animal is a service animal, or to demonstrate the animal's ability to perform work or tasks.

### 2. College Assistance

Service animal owners are not required to register their service animal with the college. Service animal owners, including students and guests, who regularly access college buildings are encouraged to contact the WVC Student Access Office or Human Resources (see Section L). The student access officer or human resources office can then assist the owner by providing advance notice to college personnel, such as faculty, advisers, building coordinators, etc., that the owner and service animal are entitled to access. Employees with service animals should follow the process outlined in Section J.

## E. SERVICE ANIMAL OWNERS’ RESPONSIBILITIES

Service animal owners are responsible for complying with:

### 1. Keeping the service animal under their direct control at all times, such as by a harness, leash, or other tether; however, if the use of a harness, leash, or other tether interferes with the service animal's safe, effective performance of work or tasks, or if the owner's disability prevents the use of such devices, then the service animal must be under the owner's control through voice control, signals, or other effective means.

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

### 3. Immediately cleaning up after the service animal and properly disposing of the service animal's waste or other debris.

### 4. Preventing the service animal from entering any pond or fountain located on college premises.

### 5. Complying with any relevant city, county, and/or state license and leash laws while the service animal is on college premises, including the city of Wenatchee Municipal Code [5.28.150] “All dogs and cats over 6 months of age…shall have current rabies vaccination”; [5.28.015] “Any owner of a dog or cat four months old or older must obtain valid license.”

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

## F. REMOVAL OF SERVICE ANIMALS FROM COLLEGE FACILITIES

College personnel may only ask service animal owners to remove their service animal from college premises or from the immediate area as follows:

### 1. If the service animal is not under the owner's direct control or the service animal is disturbing or disrupting the normal administrative, academic, or programmatic routine, then the owner must first be given an opportunity to get the animal under control. If the disruption or disturbance continues, then the owner may be asked to remove the animal; or

### 2. If the presence, behavior, or actions of the service animal constitutes an immediate risk or danger to people or property, the owner can be asked to immediately remove the animal and campus security or 911 (emergency assistance) may be contacted.

If asked to remove the service animal, the owner must be offered the opportunity to return to the college premises or the immediate area without the service animal and be provided with reasonable assistance at that time to participate in the college service or program.

A service animal may only be excluded for an individual event based on its or the owner's behavior at that event. The service animal or its owner cannot be excluded from future events based on a problem at a past event, except as provided in Section G.

Owners with concerns about the removal of their service animal should contact the student access coordinator or human resources (see Section L).

## G. VIOLATIONS OF POLICY

Depending on the seriousness of the animal's conduct or repeated conduct, service animals may be excluded from college property temporarily or permanently. The safety, security and emergency manager is responsible for conducting the necessary assessments regarding ongoing or permanent removal of a service animal. If a service animal is excluded, the designated disability services 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, or other fines or penalties under applicable city, county, or state rules, regulations, or laws. Violations of this policy by an owner who is a college student or employee may be referred for corrective or disciplinary action.

## H. RESTRICTIONS ON ACCESS FOR SERVICE ANIMALS

A service animal may be restricted from specific areas of the college when consistent with other college policies, state, and/or federal laws/regulations. Examples of these areas may include:

### 1. Food preparation areas; and

### 2. Biologically sensitive or hazardous research sites.

If a service animal is restricted from certain areas, the designated disability services offices are available to assist in evaluating reasonable accommodations for the owner.

## I. SERVICE ANIMALS AND THERAPY ANIMALS IN COLLEGE HOUSING

Requests to use service animals or therapy animals in college housing must be made through the appropriate housing office or designated disability services office (see Section L).

## J. EMPLOYEES WITH SERVICE ANIMALS

Under board policy 500.400, "Reasonable Accommodation," college employees who require the use of a service animal in the workplace should make a request for an accommodation. For more information and to make a request for a workplace accommodation, contact the human resources office (see Section L).

## K. SERVICE ANIMALS IN TRAINING

Service animals in training may be permitted, but are not entitled to, the same access as service animals. Individuals wanting to use college premises for service animal training should contact the student access coordinator. Any individual bringing a service animal in training on college property is responsible for complying with this policy including Section E above.

## L. DESIGNATED DISABILITY SERVICES OFFICES

Director of Student Access (for members of the public and students).

Email: Lfoster@wvc.edu

Phone: 509.682.6854

Executive Director of Human Resources (college employees).

Email: rbellamy@wvc.edu

Phone: 509.682.6445

## M. COMPLAINT RESOLUTION RESOURCES

Individuals who wish to make a complaint that a college employee may have violated the college's nondiscrimination and/or non-retaliation policies, including a failure to permit access to a service animal under this policy, may contact:

A designated disability services officer listed in Section L

The [United States Department of Education Office for Civil Rights](https://www2.ed.gov/about/offices/list/ocr/index.html) (OCR)

Email: ocr@ed.gov

Phone: 1.800.421.3481 (Voice)

The [Equal Employment Opportunity Commission](https://www.eeoc.gov)

Phone: 1.800.669.400 (Voice) or 1.800.669.6820 (TTY)

The [Washington State Human Rights Commission](https://www.hum.wa.gov)

Phone: 1.800.233.3247 (Voice) or 1.800.300.7525 (TTY)

Approved by the president’s cabinet: 12/4/18

Adopted by the board of trustees: 1/16/19

Last reviewed: 9/4/19

Policy contact: Human Resources

Related policies and procedures

 1400.095 [Service & Emotional Support Animals Procedure](https://www.wvc.edu/humanresources/policies-procedures/400-student-services/1400.095-service-emotional-support.html)