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2600 NW College Way, Bend, Oregon 97703-5998 Telephone (541) 383-7700

## Service & Assistance Animal Policy

### I. Definitions

**Handler** - A person with a disability that a service animal assists, or a personal care attendant who handles the animal for the person with the disability.

**Service Animal:** Any dog\* 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 and meets the definition of “service animal” under the Americans with Disabilities Act [ADA] regulations at 28 CFR 35.104. The work or tasks performed must be directly related to the individual’s disability.

Examples include, but are not limited to: assisting individuals who are blind or have low vision with navigation and other tasks; alerting individuals who are deaf or hard of hearing to the presence of people or sounds; providing non-violent protection or rescue work; pulling a wheelchair; assisting an individual during a seizure; alerting individuals to the presence of allergens; retrieving items such as medicine or the telephone; providing physical support and assistance with balance and stability to individuals with mobility disabilities; helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

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.

*\*Under particular circumstances set forth in the ADA regulations at 28 CFR 35.136(i), a miniature horse may qualify as a service animal.*

**Assistance Animal:** An animal that is necessary to afford the person with a disability an equal opportunity to use and enjoy College Housing. An assistance animal may provide physical assistance, emotional support, calming, stability, and other kinds of assistance. Assistance animals do not perform work or tasks that would qualify them as “service animals” under the Americans with Disabilities Act. Assistance Animals that are not service animals under the ADA may still be permitted, in certain circumstances, in College Housing pursuant to the Fair Housing Act.

**Places of Public Accommodation:** Public accommodation means a place of public accommodation as defined in ORS 659A.400: “a place or service offering to the public accommodations, advantages, facilities or privileges whether in the nature of goods, services, lodgings, amusements or otherwise”. A place of public accommodation does not include any institution, bona fide club, or place of accommodation which is in its nature, distinctly private.

## II. COCC Policy on Service Animals

In compliance with applicable law, COCC generally allows service animals in its buildings, classrooms, residence halls, meetings, dining areas, recreational facilities, activities, and events when the animal is accompanied by an individual with a disability who indicates the service animal is trained to provide, and does provide, a specific service to them that is directly related to their disability. *(For policies regarding assistance animals, including emotional support animals that do not meet the definition of a "service animal", please see COCC policy on Assistance Animals.)*

### A. Documentation Requirements

In general, COCC will not ask about the nature or extent of a person's disability, if the service is readily apparent, but may make two inquiries to determine whether an animal qualifies as a service animal. COCC may ask:

1. If the animal is required because of a disability, and;
2. What work or task the animal has been trained to perform.

COCC **cannot require documentation**, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, COCC cannot make any inquiries about a service animal 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).

Specific questions related to the use of service animals on the COCC campus by visitors can be directed to the SSD Coordinator via email, [jrougeux2@cocc.edu](mailto:jrougeux2@cocc.edu) or phone, (541) 383-7743.

### B. Responsibilities of Handlers

The handler of the service animal is strongly encouraged to partner with the Services for Students with Disabilities office, especially if other academic accommodations are required. Students who plan to live in on-campus housing are strongly encouraged to inform the Housing and Residence Life Office to insure adequate notice to assist in meeting students' specific requests for housing.

Handlers are responsible for any damage or injuries caused by their animals and must take appropriate precautions to prevent property damage or injury. The cost of care, arrangements and responsibilities for the well-being of a service animal are the sole responsibility of the handler at all times.

#### 1. Service Animal Control Requirements

- a. The animal should be on a leash when not providing a needed service to the partner.
- b. The animal should respond to voice or hand commands at all times, and be in full control of the handler.
- c. To the extent possible, the animal should be unobtrusive to other individuals and the learning, living, and working environment.
- d. **Identification:** it is *recommended* that the animal wear some type of commonly recognized identification symbol, identifying the animal as a working animal, but not disclosing disability; it is not required.

## 2. Animal Etiquette

To the extent possible, the handler should ensure that the animal does not:

- a. Sniff people, restaurant tables or the personal belongings of others; lick, or otherwise draw attention to self.
- b. Display any behaviors or noises that are disruptive to others, unless part of the service being provided the handler.
- c. Block an aisle or passageway for fire egress.

## 3. Public Etiquette toward Service or Assistance Animals

It is okay to ask someone if s/he would like assistance if there seems to be confusion, however, faculty, staff, students, visitors, and members of the general public should avoid the following:

- a. petting a service animal as it may distract them from the task at hand.
- b. feeding the service animal.
- c. deliberately startling a service animal.
- d. separating or attempting to separate a partner/handler from his/her service animal.

## 4. Health records

The animal must have a health statement, including vaccinations from a license veterinarian dated within the past year. Generally, legitimate service animals are well groomed and receive excellent veterinary care, including an annual checkup. A veterinarian's statement within the past 12 to 15 months as to good health is necessary. Preventative measures should be taken at all times for flea and odor control.

## 5. Waste Cleanup Rules

Cleaning up after the animal is the sole responsibility of the handler. In the event that the handler is not physically able to clean up after the animal, it is the responsibility of the handler to hire someone capable of cleaning up after the animal. The person cleaning up after the animal should abide by the following guidelines:

- a. Always carry equipment sufficient to clean up the animal's feces whenever the animal is on campus.
- b. Properly dispose of waste and/or litter in appropriate containers (outside containers).
- c. Contact staff if arrangements are needed to assist with cleanup. Any cost incurred for doing so is the sole responsibility of the handler.

## 6. Removal of Service Animals

Service animals may be ordered removed by Campus Public Safety for the following reasons:

- a. **Out of control Animal:** A handler may be directed to remove an animal that is out of control and the handler does not take effective action to control it. If the improper animal behavior happens repeatedly, the handler may be prohibited from bringing the animal into any college facility until the handler can demonstrate that s/he has taken significant steps to mitigate the behavior.
- b. **Non-housebroken Animal:** A handler may be directed to remove an animal that is not 100% housebroken.
- c. **Direct Threat:** A handler may be directed to remove an animal that COCC determines to be a substantial and direct threat to the health and safety of individuals.

This may occur as a result of a very ill animal, a substantial lack of cleanliness of the animal, or the presence of an animal in a sensitive area like a medical facility, certain laboratories, or mechanical and industrial areas.

**\*\*Where a service animal is properly removed pursuant to this policy, COCC will work with the handler to determine reasonable alternative opportunities to participate in the service, program, or activity without having the service animal on the premises.**

### **C. Conflicting Disabilities**

Some people may have allergic reactions to animals that are substantial enough to qualify as disabilities. COCC will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities and to resolve the problem as efficiently and expeditiously as possible. Students requesting allergy accommodations should contact SSD.

### **D. Emergency Response**

**Emergency Situations:** In the event of an emergency, the emergency response team (ERT) that responds should be trained to recognize service animals and be aware that the animal may be trying to communicate the need for help. The animal may become disoriented from the smell of smoke in a fire or laboratory emergency, from sirens or wind noise, or from shaking and moving around. The handler or animal may be confused from the stressful situation. The ERT should be aware that the animal is trying to be protective and, in its confusion, is not to be automatically considered harmful. The ERT should make every effort to keep the animal with its handler. However, the ERT's first effort should be toward the handler; this may necessitate leaving the animal behind in certain emergency evacuation situations.

### **E. Service Dogs in Training**

A dog being trained has the same rights as a fully trained dog when accompanied by a trainer and identified as such, in any place of public accommodation (as defined in ORS 659A.400). Handlers of service dogs in training must also adhere to the requirements for service animals and are subject to the removal guidelines as outlined in this policy.

## **III. COCC Policy on Assistance Animals in College Housing (including Emotional Support Animals)**

### **A. Assistance Animals in Residence Halls**

COCC's Office of Housing and Residence Life will allow an assistance animal if certain conditions are met. The animal must be necessary for the resident with a disability to have equal access to housing and the accommodation must be reasonable. There must be a link between the animal and a disability. Emotional distress from having to give up an animal because of a "no pets" policy, does not qualify a person for an accommodation under federal law. An accommodation is unreasonable if it presents an undue financial or administrative burden on the College, poses a substantial and direct threat to personal or public safety, or constitutes a fundamental alteration of the nature of the service or program.

Steps to make a request for assistance animals in College Housing:

1. Contact the Services for Students with Disabilities Office and provide documentation of your disability to receive eligibility.
2. Apply for housing and on the housing application submit initial information about your housing accommodation request.
3. Contact the Office of Housing and Residence Life to request and complete an *'Emotional Support Animal Instruction Sheet.'* **Please make note of which sections**

**need to be filled out by a qualified diagnostic professional according to our documentation guidelines.**

4. Once the student has completed these first three steps, the Office of Housing and Residence Life and the Office of Services for Students with Disabilities will review the request and the student will be notified of any decision. Assignments are made based on availability of housing and approved housing accommodations.

\*\*Any student approved assistance animal in College Housing facilities must also meet COCC policies/requirements for animal health and behavior, as well as students Housing and Dining Agreement.

#### **IV. Appeals and Grievances**

Any person dissatisfied by a decision concerning a service animal or an assistance animal may appeal through the Office for Student Life (for students), <http://www.cocc.edu/student-life/>, or Human Resources (for staff), <http://www.cocc.edu/general-procedures-manual/>. Alternatively, information may also be obtained by phone, (541) 383-7218, or by email at [hr@cocc.edu](mailto:hr@cocc.edu), or in person in Human Resources at Newberry Hall.

I understand these guidelines and agree to abide by them in order to have my service/assistance animal with me on campus. Failure of the service/assistance animal to adherence to the behavior guidelines, or distraction created by the service/assistance animal may result in termination of the approval for the animal to be on campus.

Name \_\_\_\_\_ ID # \_\_\_\_\_

Service/Assistance Animal Name \_\_\_\_\_

Breed & Color \_\_\_\_\_

\_\_\_\_\_  
Handler/Student Signature Date

\_\_\_\_\_  
SSD Coordinator Date

