Procedures Regarding Service/Emotional Support Animals

1. **Responsibilities of the Service/Emotional Support Animal Owner/Handler**
    a. Registration
        i. **Service Animals** - Students and employees are not required to register Service Animals. However, they are strongly encouraged to notify the Disability Services Office (students) or the Office of Human Resources (employees) if they intend to use a Service Animal on campus so that appropriate College officials are aware of the animal's presence and to assist with the Service Animal's access to areas within the College's campus. Logistical or physical accommodations within campus buildings or classrooms may be necessary to ensure that a Service Animal has the space necessary to assist its handler. In addition, there are other disability related academic accommodations a student handler may be eligible to request to ensure full access to the learning experience. Visitors with Services Animals are not required to register their animals.
        ii. **Emotional Support Animals** - After the College has made a determination that an Emotional Support Animal is allowed on campus (see Section B.2), the student or employee must register the animal with the Disability Services Office (students) or the Office of Human Resources (employees).
    b. Care and Supervision
        i. The care and supervision of a Service/Emotional Support Animal is the responsibility of the animal's owner and/or handler. The handler must ensure the animal is in good health and has been inoculated and licensed in accordance with local regulations with the burden of proving licensure and inoculation on the person with a disability. Dogs must wear a rabies tag at all times.
        ii. The Service/Emotional Support Animal must be under the control of the handler at all times and may not be left alone. A Service/Emotional Animal must be restrained by a leash that does not exceed six (6) feet in length or other appropriate devise dependent on the animal (i.e., carriers or cages). In situations where a leash or other appropriate device interferes with a Service Animals ability to perform its task or service, the Service Animal must remain under the control of the handler at all times
        iii. The owner and handler of the Service/Emotional Support Animal is responsible for any damage of personal or college property or any injuries to an individual caused by the Service/Emotional Support Animal.
        iv. The handler must ensure the animal is "housebroken" and trained. The handler must clean up and remove all animal waste created by the animal both inside campus buildings and outdoor campus property
        v. The Service/Emotional Support Animal may not disrupt the operation of the College or any class. Disruptions include but are not limited to: barking, growling, pacing/constant motion, foul odor, pawing and or sniffing of others. It is the assumption of the college that all Service/ Emotional Support Animals on campus are "working" animals and therefore, should not be treated as a pet. There should be no petting by others and no handling by others

2. **Responsibilities of the College Community**
   a. Service Animals - If the need for a Service Animal is obvious, College officials may not question the presence of the animal on campus. If the need for a Service Animal is not obvious, College officials are permitted to ask the handler two questions:
      a. Is the animal required because of a disability?
      b. What work or task(s) has the animal been individually trained to perform?
      At no time may a College official require a Service Animal to demonstrate the tasks for which they have been trained nor may they inquire as to the nature of the individual's disability
      If another person on campus has a covered disability under the ADA and it includes an allergic reaction to animals and that person has contact with a Service Animal, a request for accommodation should be made by the individual to the Director of Human Resources (if an employee) or the Disability Services Office (if a student). All facts surrounding the concern will be considered in an effort to resolve the concern and provide reasonable accommodation for both individuals
   b. Emotional Support Animals - The determination of whether a student or employee with a disability is allowed to have an Emotional Support Animal on campus shall be made on a case-by-case basis. Students and employees may request, as a reasonable accommodation for a disability, the need to have an Emotional Support Animal on campus. The College is not required to grant reasonable accommodations that would result in a fundamental alteration of a program, create an unsafe environment or would constitute an undue burden. Any requests for a reasonable accommodation for an Emotional Support Animal shall be directed to the Disability Service Office (students) or the Office of Human Resources (employees).
      In determining request for accommodations for an Emotional Support Animal, the consideration is: 1) does the person have a disability (i.e., a physical or mental impairment that substantially limits one or more major life activities); 2) does the Emotional Support Animal perform tasks or services for the benefit of the person or provide emotional support that alleviates one of more of the identified symptoms for effects of the person's existing disability; and 3) is the request an undue burden on the College, does the request create an unsafe environment, or does it fundamentally alter a College program.
3. **Removal of Service/Emotional Support Animals -** The College has the authority to remove a Service/Emotional Support Animal from its facilities or properties if the Service/Emotional Support Animal becomes unruly or disruptive, unclean and/or unhealthy, and to the extent that the animal's behavior or condition poses a direct threat to the health or safety of others or otherwise causes a fundamental alteration in the College's services, programs, or activities. All cases for removal shall be decided on a case-by-case basis based on that specific situation. In appropriate situations, the College will use a progressive model beginning with a warning for a first offense and removal (either temporarily or permanently) for additional offenses. However, dependent on the severity of the situation, the first offense could result in a temporary or permanent removal.
   It is a Class 3 misdemeanor "to disguise an animal as a service animal or service animal in training". N.C.G.S. § 168-4.5. In other words, it is a crime under North Carolina law to attempt to obtain access for an animal under the false pretense that it is a Service Animal

Additionally, any employee or student who violates any portion of this procedure is subject to disciplinary action

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Legal Citation:

The Americans with Disabilities Act of 1990 As Amended;
Section 504 of the Rehabilitation Act of 1973

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