

ARC-ISP 641P

Service Animal Procedure

PURPOSE

Clackamas Community College is committed to reasonably accommodating students with disabilities use of service animals in compliance with applicable state and federal laws.

SUMMARY

Clackamas Community College, in compliance with applicable state and federal laws, is committed to reasonably accommodating people with disabilities who require the assistance of a service animal to access college courses, programs, and activities. This policy complies with the [Americans with Disabilities Act](#) (ADA) of 1990 as amended; Section 504 of the Rehabilitation Act of 1973 (P.L. 93-11),), and the Animals in College Facilities or on Campuses Board of Education Policy ING.

A service animal is any dog or miniature horse that is individually trained or in training to do work or perform tasks for the benefit of an individual with a disability. The work or task a dog has been trained to provide must be directly related to the person's disability. Title II of the ADA also permits the use of a miniature horse by an individual with a disability if the miniature horse has been trained to do work or perform tasks for the benefit of the individual with a disability but subject to limitations where using a horse is not appropriate. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties.

A qualified animal that is not trained to perform tasks that mitigate the effects of a disability, including animals that are used purely for emotional support e.g. comfort, therapeutic benefit, companionship, etc. are not service animals and are not permitted access to college courses, programs, or activities.

PROCEDURE

1. Requirements for Individuals with Service Animals:

- a. The service animal must meet the requirements set by the State of Oregon.
- b. It is recommended that the service animal have annual checkups and current vaccinations.
- c. The service animal must be on a harness, leash, or tether at all times unless the individual is unable because of a disability to use a harness, leash, or other tether due to interference with the service animal's safe, effective performance of work or tasks; in this case the service animal must be otherwise under the individual's control e.g., voice control, signals, or other effective means.
- d. The individual with a disability must be in full control of the animal at all times and the animal may not pose a direct threat to other members of the campus community.
- e. The service animal may be excluded from the campus when that animal's behavior poses a direct threat to the health and safety of others or when the person who is using the service animal can not ensure the cleanup of the animal's waste. The individual with a disability has the option of continuing to participate in college courses, events, and activities without having the service animal on the premises.
- f. The individual with a disability or the trainer for a service animal is liable for any damages to college premises by the service animal.
- g. College personnel are not responsible for the care or supervision of the service animal.

2. Responsibilities of people using service animals:

- a. Compliance with any laws pertaining to animal licensing: The animal must meet the applicable licensing requirements of the state of Oregon (for nonresidents, home state tags may be accepted). Dogs are required to wear an owner identification tag, a current rabies tag, and a dog license tag at all times.
- b. Health and safety concerns for others: If a service animal is threatening the safety of others, instructors should contact Campus Safety for immediate assistance. If there are concerns about having a service animal in the classroom, please contact the DRC for support and guidance.

References:

Title II. 2 USC 1311: Rights and protections under Title VII of Civil Rights Act of 1964, age discrimination in employment act of 1967, Rehabilitation Act of 1973, and title I of Americans with disabilities act of 1990. (n.d.).
<http://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title2-section1311&num=0&edition=prelim>

Department of Administrative Services. State of Oregon: Department of Administrative Services - Policies and guidelines (statewide). (n.d.).
<https://www.oregon.gov/das/Pages/policies.aspx> and
<https://www.oregon.gov/das/Policies/107-011-150.pdf>

ADA Fact Sheet. Fact Sheet -- Highlights of the Final Rule to Amend the Department of Justice's Regulation Implementing Title II of the ADA. (n.d.).
https://archive.ada.gov/regs2010/factsheets/title2_factsheet.html

The Federal Register. Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance. (n.d.).
<https://www.ecfr.gov/current/title-45/subtitle-A/subchapter-A/part-84?toc=1>

Service animals. Portland.gov. (n.d.). Retrieved March 13, 2023, from
<https://www.portland.gov/civic/disability/service-animals#:~:text=This%20means%20that%20service%20animals,in%2Dtraining%20are%20also%20protected.>

Clackamas Community College DRC Informational Card. What is the difference between a service animal and an emotional support animal.
[https://www.clackamas.edu/docs/default-source/campus-life/disability-resource-center-\(drc\)/service-animals-vs.-emotional-support-animals.pdf?sfvrsn=5ed09a68_1](https://www.clackamas.edu/docs/default-source/campus-life/disability-resource-center-(drc)/service-animals-vs.-emotional-support-animals.pdf?sfvrsn=5ed09a68_1)

Last Reviewed

Last Reviewed	Date: December 1, 2023
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ISP Committee - if appropriate	Date: 1.14.2023
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