

Rock Valley College

Service Animals – Employees

RVC Administrative Procedure (3:10.270)

Overview

These Procedures have been established to help define the role and the place of animals relative to employment at RVC, in tandem with policy 3.10.270.

In compliance with the Americans with Disabilities Act and other applicable state and federal law, Rock Valley College employees who require the assistance of a Service Animal to perform their work for the College due to a disability are generally permitted to bring Service Animals to campus.

The Human Resources (HR) office facilitates individual accommodations for current or prospective Rock Valley College employees with disabilities. Employees who require a Service Animal to perform their work should contact HR to begin the accommodation process.

Definitions

Disability

A documented physical or mental impairment that substantially limits one or more major life activities, or a record of such an impairment.

Emotional Support Animal

Emotional Support Animals are generally not permitted on College property. Any employee of the College seeking an accommodation to allow the employee to be accompanied by an Emotional Support Animal (ESA) while on College property must make a request with Human Resources. Such request shall be completed by following the procedures outlined in the employee handbook. Submission of such request does not guarantee its approval. The Vice President of Human Resources, or his or her designee, shall engage the employee in the interactive process with the goal of determining the employee's functional limitations imposed by his or her disability and what accommodations, including the option to bring his or her Emotional Support Animal on campus, are available to reasonably accommodate the employee.

Emotional Support Animals are also sometimes referred to as "Assistance Animals." Emotional Support Animals are distinct from Service Animals and are not permitted on campus without prior approval through Human Resources.

Handler

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

Pet

A domestic animal kept for personal enjoyment or companionship and not trained to perform any disability-related function.

Reasonable Accommodation

A modification or adjustment to a class, program, or job requirements that would allow a qualified individual with a disability to participate in the class or program or to perform the essential functions of a position, without fundamentally altering academic, conduct, or performance requirements.

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. Service animals are working animals, not pets. The work or tasks performed must be directly related to the individual’s disability.

Examples of tasks a service animal may perform 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.

[Learn more about service animals and the ADA.](#)

*Miniature horses are also permitted, where reasonable, when the miniature horses have been individually trained to do work or perform tasks for individuals with a disability. (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.) Factors that the College will consider in determining whether a miniature horse can be accommodated include, but are not limited to: (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner’s control; (3)

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whether the College can accommodate the miniature horse's type, size, and weight; and (4) the impact of the miniature horse's presence on legitimate safety requirements necessary for safe operation of the College.

General Procedures

Service Animals

Service animals are generally permitted in all areas on campus. If it is not apparent that an animal accompanying an employee is a service animal, the employee of the College may be asked the following:

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

An employee who fails to identify a valid work or task that the animal is trained to perform shall not be permitted to bring their animal into the work environment.

Although not required, employees who intend to be accompanied by a service animal while on campus are encouraged to notify the Human Resources Department.

Emotional Support Animals

Emotional Support Animals are generally not permitted on College property. An employee of the College seeking an accommodation to allow the employee to be accompanied by an Emotional Support Animal (ESA) while on College property must make a request with the Human Resources Department. Such request shall be completed by following the procedures outlined in the employee handbook. Submission of such request does not guarantee its approval. The Vice President of Human Resources, or his or her designee, shall engage the employee in the interactive process with the goal of determining the employee's functional limitations imposed by his or her disability and what accommodations, including the option to bring his or her Emotional Support Animal on campus, are available to reasonably accommodate the employee.

Documentation

In evaluating an employee's accommodation request, the College may request documentation to establish the existence of the employee's disability and/or to determine how the animal helps the individual perform his or her job.

Documentation might include a detailed description of how the animal would help the employee in performing job tasks and how the animal is trained to behave in the workplace. An employee seeking such an accommodation may suggest that the employer permit the animal to accompany them to work on a trial basis.

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Handler Responsibilities

- A. A Service Animal or Approved Emotional Support Animal must be personally supervised by the animal's Handler, and the Handler must retain full control of the animal at all times while on property owned or controlled by the College.
- B. Service Animals and Approved Emotional Support Animals may not be left unattended at any time on property owned or controlled by the College.
- C. Service Animals and Approved Emotional Support Animals may not be tied or tethered to any property owned or controlled by the College, including but not limited to buildings, railings, bike racks, fire hydrants, fences, sign posts, benches and trees. Service Animals and Approved Emotional Support Animals are not allowed to run loose anywhere on campus.
- D. The Handler shall ensure that the Service Animal or Approved Emotional Support Animal is housebroken.
- E. Service Animals and Approved Emotional Support Animals may not disrupt or interfere with College activities including, but not limited to, teaching, research, service or administrative activities. If the animal is unruly or disruptive, poses a threat to the health or safety of the College community, or if the Handler fails to maintain control of the animal, the Handler must regain control immediately or remove the animal from the College property. If the prohibited behavior continues or occurs repeatedly, the Handler may be prohibited from bringing the animal on College property. This shall be determined on a case-by-case basis. In the event a Service Animal or Approved Emotional Support Animal's presence on campus is restricted, the College will engage in a good faith interactive process with the employee to determine what, if any alternative accommodations will effectively allow the individual to participate in the program, service, or activity.
- F. The Handler is responsible for cleaning up any waste created by the animal and for all costs related to damages created by the animal. This includes fees for clean-up and disposal of animal waste or replacement and repair of College or other individuals' assets, including grounds, personal property and improvements.
- G. The Handler must, at all times, maintain direct control of the Service Animal or Approved Emotional Support Animal. To the extent possible, the animal must be harnessed, leashed or tethered unless these devices interfere with the animal's work or the individual's disability prevents use of these devices. In that case, the animal must be controlled through voice, signal or other effective controls.
- H. The Handler should have a plan in place for animal care in the event of an emergency.

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- I. The Handler shall be responsible for arranging for alternative shelter if the animal has to be removed from campus due to disruptive or unsafe behavior, or due to unsafe environmental conditions if the handler becomes unable to care for the animal.
- J. All Handlers are responsible for compliance with state and local laws concerning animals (including registration, vaccinations, and tags).

Procedure for Removal of a Service Animal or Emotional Support Animal

- A. A Service Animal or Approved Emotional Support Animal may be excluded from campus in the following scenarios:
 1. If the animal is not housebroken;
 2. If the animal poses an immediate threat to the health and safety of the College community;
 3. If the Handler fails to maintain direct control over his or her animal; or
 4. If the Handler fails to comply with any of the Handler Responsibilities set forth in these Procedures:
- B. Warning/Removal Procedures:
 1. If there is no immediate health or safety risk to the College community or to the animal or Handler, the Director of Human Resources of the campus where the employee works shall be notified. The HR Director, or his or her designee, shall then notify the Handler in writing of the violation of this Policy.
 - i. The Handler shall be advised that, if the Handler cannot maintain control over the animal, the animal is not housebroken, or the Handler fails to comply with any of the Handler Responsibilities set forth in these Procedures, the Handler will be prohibited from bringing the animal to the campus.
 - ii. The HR Director may prohibit the Handler from bringing his or her animal on campus if the Handler cannot maintain control over the animal, the animal is not housebroken, or the Handler fails to comply with any of the Handler Responsibilities set forth in these Procedures, after the Handler has received written notice of such violation, until such time that the Handler can show the animal is housebroken and/or can demonstrate control over the animal, or otherwise demonstrate compliance with the Handler Responsibilities set forth in these Procedures.
 - iii. If the Handler is prohibited from bringing his or her animal on campus, or until such time that the animal is permitted back on campus, the College shall offer such other reasonable accommodations to the Handler in an effort to provide the Handler equal access to the workplace and to minimize any interruption of the Handler's employment.
 - iv. The Handler shall meet with the Director of Human Resources of the campus where he or she is employed and shall engage in the

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interactive process pursuant to Americans With Disabilities Act and/or §504 of the Rehabilitation Act of 1973 to determine what other reasonable accommodations may be available to the Handler.

2. If the actions of the animal pose an immediate threat to the health and/or safety of the College community, the Handler or the animal, the Department of Public Safety on the campus where the Handler is employed shall be immediately notified. Public Safety shall then advise the Handler that he or she must remove the animal immediately from the campus.
 - i. Public Safety shall then contact the HR Director of the campus where the Handler is employed and inform her or him of the situation.
 - ii. The HR Director shall use his or her best efforts to contact the Handler within 24 hours after the animal was removed from the campus and shall advise the Handler that he or she may bring the animal back on campus if they can show that the animal no longer poses a threat to the College community.
 - iii. The HR Director shall also offer to the Handler the opportunity to engage in the interactive process under The Americans with Disabilities Act and/or Section 504 of the Rehabilitation Act of 1973 for the purpose of determining what reasonable accommodations are available to the Handler until such time that the animal is permitted back on campus.

Sanctions

Sanctions for violating these Procedures will be commensurate with the severity and/or frequency of the violation and may include termination of employment or banning of an animal from College property. If a Service Animal or Approved Emotional Support Animal is banned from College property, the individual with a disability will have the right to engage in an interactive process to determine whether the individual can continue to participate in his or her work or learning environment with other appropriate accommodations.

Any animal found unattended in or on any College property may be impounded by the Department of Public Safety. Owners/Handlers of impounded animals will be held responsible for payment of any impound and/or license fees required to secure the release of their animals.

Any Owner/Handler whose animal causes damage to property may be charged for replacement and repair of College or other individuals' assets, including grounds, personal property and improvements.

Reference: Board Report #7788

Implemented: February 23, 2021

Revised: March 2021