

ANIMALS ON CAMPUS

POLICY

Ridgewater College is committed to providing its employees, students and visitors with a healthy and respectful environment in which to work and study. Recognizing animals may cause a nuisance, have the potential to be a safety hazard, can be unpredictable, have uncontrollable behavior and may contribute to accidents in the workplace, animals are not allowed on college property or in college vehicles.

Exempted Animals:

The following animals are permitted:

- Service animals while performing their duties (as defined in the Americans with Disabilities Act 28 C.F.R. 36.302). (See additional information in the Procedures section.)
- On-duty police dogs.
- Animals used for instructional purposes of the college (i.e. Vet Tech, Biology, Ag) or for special events or demonstrations.

Exemptions must be approved through the supervising administrator.

When exemptions are made, pets (dogs, cats, etc.) that are allowed on campus must be on a leash under the direct and positive control of the individuals responsible for the pet. Such individuals will be liable for any accident or damage caused by the pet while on campus.

Due to the risk of injury from animals to persons on campus, owners of non-exempt animals found on campus will be asked to remove them immediately. If an unrestrained animal is sighted on campus, the local authorities may be called to come and pick up the animal for impound. The presence of any animal, wild or domestic, in an unattended motor vehicle without proper food, water, or ventilation, or that is subjected to extreme temperatures that could affect its health or safety, or that is creating a public nuisance, may also be reported to the local authorities. When appropriate, other disciplinary measures may be invoked.

History:

05.19.09 Adopted

07.14.17 Proposed; 02.21.18 Revised

08.12.22 Reviewed for Equity Compliance; 09.02.22 Revised

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PROCEDURE**Additional Information Regarding Service Animals**

Service animals are generally allowed on campus (emotional support animals are not) when they are accompanied by an individual with a disability who indicates that the service animal is trained to provide, and does provide, a specific service to them that is directly related to their disability. Ridgewater College may not permit animals when the animal poses a substantial or direct threat to health or safety or when the presence of the animal constitutes a fundamental alteration to the nature of the program or service. Ridgewater College will make these decisions on a case-by-case basis.

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

- A. If the animal is required because of a disability and;
- B. What work or task the animal has been trained to perform.

Ridgewater College cannot require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, Ridgewater College may not 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 Ridgewater College campus by visitors can be directed to the Disability Services Coordinator.

Responsibilities of Handlers

Students who wish to bring a service animal to campus are strongly encouraged to partner with Disability Services, especially if other academic accommodations are required. Staff and faculty with service animals are encouraged to contact Human Resources.

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.

Service Animal Control Requirements

1. The animal must be on a leash when not providing a needed service to the handler.
2. The animal should respond to voice or hand commands at all times and be fully controlled by the handler.
3. To the extent possible, the animal should be unobtrusive to other individuals and the learning, living, and working environment.
4. 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.

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Animal Etiquette

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

1. Sniff people, dining tables or the personal belongings of others.
2. Display any behaviors or noises that are disruptive to others, unless part of the service being provided to the handler.
3. Block an aisle or passageway for fire egress.

Waste Cleanup Rule

Cleaning up after the animal is the sole responsibility of the handler. In the event the handler is not physically able to clean up after the animal, it is then 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:

1. Always carry equipment sufficient to clean up the animal's feces whenever the animal is on campus.
2. Properly dispose of waste and/or litter in appropriate containers.

Removal of Service Animals

Service Animals may be ordered removed for the following reasons:

1. 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.
2. Non-housebroken Animal: A handler may be directed to remove an animal that is not housebroken.
3. Direct Threat: A handler may be directed to remove an animal that Ridgewater College 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 certain laboratories or mechanical or industrial areas.

When a service animal is properly removed pursuant to this policy, Ridgewater College Disability Services 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.

Conflicting Disabilities

Some people may have allergic reactions to animals that are substantial enough to qualify as disabilities. Ridgewater College 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 Disability Services. Staff requesting allergy accommodations should contact Human Resources.

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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. Handlers of service dogs in training must also adhere to the requirements for service animals and are subject to the removal policies as outlined in this policy.

Appeals and Grievances

Any person dissatisfied with a decision concerning a Service Animal may appeal by following these steps:

1. Written or emailed complaints should be filed with the Disability Services Coordinator within 30 days of the date of the decision.
2. If an agreeable informal resolution is not reached, the student should file a complaint under the Equal Opportunity and Nondiscrimination Policy to the Designated Officer, Jay Morrison: jay.morrison@ridgewater.edu, 320.222.8040.
3. File a complaint directly with the U.S. Department of Education, Office for Civil Rights, by calling 800-421-3481 (Voice) 800-877-8339 (TTY) or the Minnesota Department of Human Rights by calling 800-657-3704 (Voice) or 800-627-3529 (MRS/TTY). The Statute of Limitations for filing a complaint with OCR is 180 days from the time the incident occurred.

Public Etiquette Toward Service Animals

It is okay to ask someone if she/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:

1. Petting an animal, as it may distract them from the task at hand.
2. Feeding the animal.
3. Deliberately startling an animal.
4. Separating or attempting to separate a handler from his/her service animal.

Definitions

Handler

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

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telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and 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.

Emotional Support Animal (ESA)

An emotional support animal (ESA) is a companion animal that provides therapeutic benefit, such as alleviating or mitigating some symptoms of the disability, to an individual with a mental or psychiatric disability. Emotional support animals are typically dogs and cats, but may include other animals. Emotional Support Animals do not perform work or tasks that would qualify them as "service animals" under the Americans with Disabilities Act.

Pet

A pet is an animal kept for ordinary use and companionship. A pet is not considered a service or emotional support animal. Pets are not permitted in the facilities of Ridgewater College and any pets on the grounds of Ridgewater College must be under appropriate restraint (leash, cage, etc.) and must be in close proximity to the owner at all times. Ridgewater College may, in its sole discretion, require the removal of pets on its grounds for any reason, including but not limited to, failure to be appropriately restrained.

History:

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