



Guidelines Regarding Animals on Campus

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Guidelines Regarding Animals on Campus

Purpose

North Central Michigan College is committed to providing reasonable accommodations to persons with disabilities on campus and fulfilling obligations under State and Federal law. The following guidelines govern the use and access to service and support animals on campus by persons with disabilities. Pets are animals that fall outside the below defined categories, and are only permitted in the exterior public spaces on campus.

Policy Statement

Pets brought to campus must be leashed at all times. Pets are prohibited in any of the campus buildings, including the Residence Halls, with the exception of animals specifically trained to assist a person with a disability. (Board Policy 413)

Policy Exceptions

Individuals wishing to request a modification or exception to the procedures outlined above, as a reasonable accommodation, should contact the LSS office.

Service Animal Guidelines

The following procedures govern the use of service animals on campus by persons with disabilities

Definitions

North Central recognizes "Service Animals" as defined by the Americans with Disabilities Act Amendments Act (ADAAA). Pursuant to that law, a service animal is defined as any dog that is 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.

Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler's disability(ies). 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.

Reasonable Modifications- Miniature Horse

North Central Michigan College shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if it has been individually trained to do work or perform tasks for the benefit of the individual with a disability. Other requirements which apply to service animals shall also apply to miniature horses.

- The type, size, and weight of the miniature horse and whether the facility can accommodate these features.
- Whether the handler has sufficient control of the miniature horse.
- Whether the animal is housebroken
- Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

Service Animal Use on Campus

Visitors

Visitors with a disability, using service animals, may access all public facilities, with the exception of areas where service animals are specifically prohibited due to safety or health restrictions, where the service animal may be in danger, or where the service animal's use may compromise the integrity of research.

Employees

Employees with a disability who wish to use a service animal as a reasonable accommodation in an office setting or other areas of campus buildings not open to the general public must register with Learning Support Services (LSS) in the SCRC Room 533, at least 30 days before the animal is needed.

Students

Students with a disability who wish to use a service dog in a classroom are encouraged, but not required, to register with LSS for access to resources, information, and advocacy around a range of disability-related dynamics, including service animals. Registration is mandatory for students who wish to use a miniature horse as a service animal in College facilities as a reasonable modification.

Campus Housing

Students with a disability who wish to have a service animal in campus housing must complete the accommodation registration process in LSS. See Residence Hall considerations listed further in this document.

Service Dogs in Training

Service dogs in training are those who are 12 months or older, accompanied by a certified trainer with associated identification. These animals are permitted in the

exterior public areas of the College. Trainers who wish to access interior public spaces for the purpose of training an animal must contact LSS for prior approval. Puppies are considered any dog under the age of 12 months, and do not fall within the category of service dogs in training. Animals that are not housebroken are not permitted in College buildings.

Handler Responsibilities

- Service animals on campus must meet state and local vaccination and licensing requirements, and have documentation on hand.
- Per the ADAAA, mandatory registration and special licensure of service animals is not permitted. Michigan has a voluntary identification card and patch available for a service animal, upon request through the Michigan Department of Civil Rights. Email: MDCR-ServiceAnimals@michigan.gov.
- The animal must be on a leash at all times, unless the leash interferes with the service animal's work or the individual's disability prevents the use of a leash.
- Service animals must accompany their handler at all times and be under verbal or leash control.
- Staff may request a service animal be repositioned if they are interfering with safe passage in an area, provided the service animal is not currently performing a service or task.
- Service animals may not be tied to furniture or other objects and left unattended at any time, for the safety of the animal and the safety of others.
- The handler is responsible for all care and supervision of the animal, including ensuring the immediate cleanup of all animal waste (placed in outside waste receptacles only) and for any damage caused by the animal.
- College officials and staff may designate animal toileting areas.

College Staff/Faculty Responsibilities

Service animals are permitted in all public facilities on campus in accordance with federal, state, and institution guidelines. College employees should not question an individual about an accompanying service animal if the handler's disability is readily apparent and the function of the accompanying animal is clear.

In the circumstance when an inquiry must be made to determine whether an animal is a service animal, a College employee may only ask two questions:

1. Is the animal a service animal required because of a disability?
2. What work or task has the animal been trained to perform?

College employees shall not ask any questions about the individual's disability, or require them to register with LSS. Only advise that students in class using a service animal must be able to provide proof of current licensing and vaccination records.

Identification cards, harnesses, capes, or backpacks are not required by law and should not be requested or demanded for any service animal on campus. Some animals wearing these items also may not meet the definition of service animals under the law, as they are not trained to provide a service to their handler and fall in the category of a companion or emotional support animal.

Persons with accompanying animals who do not qualify as service animals, per the above questions, should be directed to speak with the Director of Learning Support Services regarding reasonable accommodations and service animals, versus emotional support or companion animals. All other animals who do not meet the criteria for service animals are not permitted in College buildings, offices, classrooms, or other interior spaces.

Removal of Service Animals

A service animal may be removed from College facilities or grounds due to disruptive behavior, such as wandering, barking or whining, defecating or urinating in unauthorized spaces, or if it displays aggressive behavior. A service animal may also be removed if it demonstrates behavior outside the duties of the service animal. Ill, unhygienic, and/or unsanitary service animals are not permitted in public campus areas. Handlers may return to access the services/facility without the animal. Permanent exclusion of the animal may occur if continuous behavior problems are reported.

Restricted Areas

The College may prohibit the use of service animals in certain locations due to health or safety restrictions, where service animals may be in danger, or where their use may compromise the integrity of research. Restricted locations may include, but are not limited to: laboratories and /or classrooms with demonstration/research animals.

Exceptions to restricted areas may be granted on a case by case basis by contacting LSS. In making its decision, LSS will consult with the appropriate department and/or laboratory representative regarding the nature of the restricted area. Other accommodations may need to be arranged in these instances.

Interacting with Service Animals

Service animals work and perform tasks, and are not pets. Accordingly, members of the College community should adhere to the following best practices when interacting with service animals:

- Allow a service animal to accompany its owner at all times and in all places on campus that are open to the general public.
- Do not touch or feed a service animal, unless invited to do so.
- Do not deliberately distract or startle a service animal and,

- Do not separate or attempt to separate a service animal from the individual using the animal's service.
- Do not inquire for details about a person's disabilities. The nature of a person's disability is a private matter.
- If there is question about whether the animal is in fact a service animal, staff should adhere to the two questions only. If the two questions are not answered by the handler satisfactorily to identify the animal as a service animal, refer the handler to the LSS office for further support.

Emergency Situations

A handler/animal team may become stressed during emergency situations involving smoke, fire, sirens, or injury, and exhibit protective behavior. Be aware that service animals may try to communicate the need for help. In emergency situations, make every effort to avoid separating the handler from the animal.

Emotional Support Animal Guidelines

The following procedures govern the approval and use of emotional support animals in the residence hall, public outdoor spaces on campus, and work areas of employees.

Definitions

Emotional Support Animal (ESA): A companion animal that provides emotional/mental health therapeutic benefit to an individual with a disability. Unlike service animals, ESA's are not individually trained to do work or perform tasks required by an individual with a disability.

Emotional Support Animals on Campus

Unlike a service animal, an ESA is not granted access to places of public accommodation, per ADAAA. Under the Federal Fair Housing Act (FHA), an ESA is viewed as a "reasonable accommodation" in a housing unit that otherwise might have a "no pets" restriction. Under Title I of the ADAAA, ESA's may also be considered a "reasonable accommodation" for employees with disabilities, in order to complete the essential functions of their job. Under Title II of the ADAAA, ESA's may be considered a "reasonable accommodation" for students taking classes or accessing activities on campus.

Students and College employees who wish to request the use of an ESA to help alleviate the symptoms of a disability must make the request in writing to the LSS office prior to bringing the ESA to campus. Requests must be made at least 30 days in advance and will be reviewed by an approval committee on a case-by-case basis. Information that may be collected could include: 1. verification of disability, 2. a statement on how the ESA helps or mitigates the symptoms of a disability in order for the individual to gain use and benefit while residing, learning, or working on campus, and 3. a statement to how the ESA is integral to a comprehensive ongoing

treatment plan that is managed by a licensed mental health professional, such as a psychologist, licensed therapist or practicing counselor, neuropsychologist, psychiatrist, or other appropriate licensed professional.

Part of the request and approval process for students also weighs the impact on those sharing space with the ESA, and the habitat and care needs of the animal, if applicable. Campus staff and LSS will make a reasonable effort to accommodate the ESA, while also accommodating its impact on the other residents, workers, students, and campus environments.

Transport of Animal

All animals must be harnessed, leashed, tethered, (or in an appropriate carrier, for small ESA's). ESA's must be kept in the control of the owner at all times, when not in their appropriate cages/crates. Carrying an ESA through outdoor public spaces on campus, without a harness, tether, or carrier, is not permitted due to the risk of escape or harm to the animal.

Service animals are permitted off-leash if the leash inhibits their ability to perform work or a task for an individual, or the individual's disability prevents its use. Only service animals are permitted in interior public spaces on campus without prior registration with LSS.

ESA's must be cleared for specific access to spaces on campus, such as classrooms, food service areas, student lounges, computer labs, residence hall spaces, and work spaces.

Campus Housing Considerations

North Central is committed to maintaining a safe and habitable living environment for students on campus. As such, there are general requirements guiding the care, maintenance, health and control of animals approved to reside in the dorms, service and emotional support animals alike. The care and supervision of the animal is the responsibility of the owner. North Central reserves the right to intervene if the health and safety of the residents or animal are at risk.

Room and Suite Mate Considerations

If applicable, all roommates and suitemates of the owner must sign an agreement to permit the animal in their living quarters. In the event that a roommate or suitemate does not approve, either the owner of the animal or the non-approving roommate/suitemate, as determined by campus housing staff, may be moved to another location (if possible). The ability to accommodate this situation is dependent on the number of open beds/suites per semester, and the reasonableness of the number or complexity of relocating residents.

Space/Housing Considerations

In the residence hall, only one animal is permitted per suite, to prevent negative/stressful interactions between animals. Only one ESA is permitted per owner, unless reasonable cause is determined and supported by a licensed professional, approved by LSS, and able to be reasonably accommodated by space and availability in the dorms.

Other Considerations

North Central may place other reasonable conditions or restrictions on the animals, depending on the nature and characteristics of the animal. Some considerations include the:

- Activity of the animal- nocturnal vs. diurnal
- Food consumed by animal- live or processed and storage requirements
- Noise/activity level of the animal
- Natural odor of animal- consideration for type of animal and any odors that may disrupt others (e.g. weasels, ferrets, rodents, certain reptiles, odor of food, etc.)
- Diseases or bacteria that may be naturally carried by the species of animal (e.g. reptiles and salmonella).
- Bedding materials, shedding fur, and other materials needed to house the animal, and how those contribute to allergies or sensitivities of others.
- Ability to transport the animal to needed veterinary visits.
- Natural predators of the animal, or predatory nature of the animal.
- Student's ability to find their own transportation to get food/materials regularly to maintain their animal.
- Owner's ability to find an emergency caretaker, in the case of a medical emergency on the part of the owner.

Animal Health and Wellbeing

Vaccinations

In accordance with local ordinances and regulations, all animals on campus must have up to date all required immunizations against diseases by a licensed veterinarian. Dogs must have current vaccination against rabies and wear a rabies vaccination tag. If there are multiple ESA's and/or service animals present in an area on campus, including the residence hall, additional vaccinations may be necessary to prevent the spread of disease, especially dogs sharing the common outdoor toileting area. All animals that access interior spaces on campus must receive annual checkups and updated health screen documentation from a licensed veterinarian. Documentation can be a vaccination certificate or a veterinarian's statement on official letterhead for their office. The College has the authority to direct that an animal receive veterinary attention. Dogs must wear an owner identification tag with the appropriate vaccination information.

Daily Care and Maintenance

The owner is responsible for the cleanup of all animal waste and for any damage caused by the animal. An appropriate outside animal toileting area is designated for dogs. Service animals must be housebroken. Emotional support animals who are not housebroken must be kept in an appropriate habitat and measures taken by the individual, as the animal is handled, to prevent damage to campus interiors and furnishings. Campus bathrooms and showers are not to be used for bathing or grooming of the animal, or for cleaning of habitats or cages. Residence hall washing machines may not be used to clean animal bedding due to common use with all residents, who may have allergies.

Cages and habitats must be cleaned regularly for the health of the animal and the residents or staff. Waste should be disposed of in designated receptacles, as directed by campus staff. Animals that repeatedly toilet in unauthorized areas will be required to be removed. Owners who repeatedly neglect to clean their animal's habitat regularly to prevent odor and harm to the animal, after campus staff intervention or direction, will be asked to remove their animal.

Liability

Licensing/Local Law Enforcement Requirements

North Central reserves the right to request documentation showing that the animal is properly licensed and vaccinated, per Emmet County requirements.

Service and emotional support animals are not exempt from state animal neglect or abuse laws. If any animal is suspected of being neglected or abused and the owner does not take corrective action, local law enforcement or animal control may be called to intervene.

Endangered or illegal species of animals are not permitted on campus, per local County Animal Control guidelines.

Courteous Conduct

Courteous conduct extends to the behavior of all animals on campus; service and emotional support animals alike. Animals will not be permitted to disrupt others (e.g. barking, howling, yowling, growling, screeching, squawking, etc.) Animals that constitute a threat or nuisance to staff, residents, or property, as determined by campus staff, may be removed. If it is determined that an animal poses an immediate threat to others, Animal Control may be called to remove the animal. If the behavior of an animal can be addressed and changed by the owner, then a written action plan must be submitted by the owner. The action plan will address the problem, the action steps needed, and a timeline for completion. Any animal owner out of compliance with an action plan or removal directive will be subject to disciplinary action, which, 1. In the case of student residents, may be the cancellation of the housing contract and future eligibility of living on campus, and,

2. In the case of employees, following disciplinary actions outlined in the employee handbook, 3. In the case of students, following disciplinary actions outlined in the student handbook, and 4. In the case of visitors, permanent restriction of the animal from campus grounds.

Property Damage/Bodily Injury

The owner/handler is financially and legally responsible for the actions of their animal, such as bodily injury or property damage. Property damage may include, but is not limited to, replacement of furniture, carpet, drapes, or wall covering, etc. North Central reserves the right to bill the owner or their campus account for necessary repair and/or replacement costs, including flea/ticks/pest/soil/odor removal. Students with unpaid balances will not be able to register for any subsequent semesters.

Reporting of incidents involving property damage or bodily injury by the animal is required immediately to campus staff, and a written report due to Student Services within 24 hours. If the skin of an individual has been broken due to the actions of an animal, the injured party should seek immediate medical attention, and be given a list of the most recent vaccinations of the animal in question to provide to medical staff.

Fraudulent Misrepresentation

The State of Michigan public Act 147 of 2015 (Service Dogs, fraudulent use, reporting, penalties) states:

Sec. 2. A person shall not falsely represent that he or she is in possession of a service animal, or a service animal in training, in any public places.

Sec. 3. A person who knowingly violates this act is guilty of a misdemeanor punishable by 1 or more of the following:

- (a) Imprisonment for not more than 90 days.
- (b) A fine of not more than \$500,000.
- (c) Community service for not more than 30 days.

Alleged violations are reportable to the appropriate local law enforcement agency for investigation, and may result in disciplinary review and action by appropriate campus officials.

Renewing Accommodations of Animals for Students and Employees

Animals residing with students in the dorms must be approved on a semester to semester basis, due to the ebb and flow of residents and spaces available in the dorms. Emotional Support Animals requested for use by students in interior public spaces on campus must also be renewed and approved on a semester basis, due to

changing classes. Current vaccinations, checkups, and licenses that fall within the yearly renewal do not have to be re-submitted.

Animals serving as reasonable accommodations for employees must be approved on a yearly basis, unless there are health needs changes of the employee, changes in work duties or position, or changes in the function of the animal.

The owner must notify LSS in writing if the animal is no longer needed, in order to keep service records current.

To replace an animal, students and employees must file a new accommodations request with LSS.

Forms can be found at North Central Michigan College online at www.ncmich.edu, or at Learning Support Services, Student and Community Resource Center (SCRC) Room 533. 231-348-6682, lss@ncmich.edu

Agreement to Rights and Responsibilities

By signing below, I agree that I have read the Guidelines Regarding Animals on Campus and understand my rights and responsibilities as an animal handler or owner accessing services and facilities at North Central Michigan College.

Printed Name: _____

ID # (NCCM or State): _____

X

Student/Staff/Visitor

Date: _____

For further questions, please contact:

Becky Carpenter, M.S.

Americans with Disabilities Act (ADA) Coordinator

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