



POLICY AND PROCEDURE

Title: service animal Policy

Policy No.: 6.2

Department: Student Services

Contact: Student Disability Services Coordinator

Policy

Great Basin College (GBC) is committed to reasonably accommodating individuals with disabilities in accordance with the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and the Fair Housing Act. Although GBC policy does not generally permit animals in campus facilities, the College has established the following policy to ensure students who require service animals due to a disability have equal access to GBC programs and services.

This policy differentiates service animals as defined by the ADA from support animals and pets. Additionally, this policy addresses the requirements for handlers and their service animals and denotes campus locations in which service animals are off-limits.

1.0: Service Animal Terminology

Disability Resource Center (DRC): GBC office that collaborates with individuals, faculty, and staff to ensure that individuals with disabilities have equal access to all GBC programs and activities.

Handler: A person with a service or emotional support animal.

Pet: A domestic animal kept for pleasure or companionship unrelated to a disability. Pets are not permitted in college facilities.

Service animal: A service animal is a dog that is individually trained to do work or perform tasks for a person with a disability. The service animal does not need to be professionally trained. The work or tasks performed by the service animal must be directly related to the individual's disability. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. Examples of work or tasks done by a service animal include, but are not limited to, 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 to take prescribed medications, calming a person with Post-Traumatic Stress Disorder (PTSD) during an anxiety attack or performing other duties. Under particular circumstances set forth in the ADA regulations at 28 CFR 35.136(i), a miniature horse may

qualify as a service animal. If there is a question about whether an animal is a service animal, the Student Disability Services Coordinator should be contacted for clarification.

Trainee: An animal undergoing training to become a service animal. A trainee will be housebroken and fully socialized. To be fully socialized means the animal will not, except under rare occasions, bark, yip, growl or make disruptive noises; will have a good temperament and disposition; will not be aggressive. A trainee will be under control of the handler, who may or may not have a disability. If the trainee begins to show improper behavior, the handler will act immediately to correct the animal or will remove the animal from the premises.

Support animal: A support animal (also sometimes referred to as an assistance animal, therapy animal or comfort animal), is an animal that provides emotional or other support/assistance that alleviates one or more identified symptoms or effects of a person's disability. Unlike a service animal, a support animal may be an animal other than a dog and does not necessarily assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times. A support animal is a disability-related accommodation and, if approved by the Disability Resource Center, may be allowed in a student's assigned residence on campus. Unlike a service animal, a support animal is generally only permitted within the student's assigned residence on campus.

2.0 Requirements of Faculty, Staff, General Campus Students

Faculty and staff are encouraged to suggest to a handler that they meet with DRC staff prior to the start of classes or as soon as possible upon arriving on campus.

Faculty and staff must permit service animals to accompany their handler at all times and everywhere on campus except where off-limits (see Section 6), regardless of whether they have met with DRC staff or registered their service animal.

When it is not obvious what service an animal provides, only two questions can be asked to determine if a dog is a service animal:

- Is the dog a service animal required because of a disability?
- What work or task has the dog been trained to perform?

Faculty and staff may not to ask about the handler's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

In addition, faculty, staff and students must not:

- pet a service animal; petting a service animal when the animal is working distracts the animal from the task at hand.
- feed a service animal.
- deliberately startle, tease, or taunt a service animal.
- separate or attempt to separate a partner from his or her service animal.

Faculty, staff, and students who are affected by animals due to a medical condition or other disability as defined by the ADA must contact the DRC if they have a health or safety related concern about exposure to a service animal. The student raising a concern about the service animal will be asked to provide documentation that identifies the condition(s) as a disability and register with the Disability Resource Center; a determination will be made on whether there is need for an accommodation. GBC will provide reasonable accommodations to individuals as needed.

If a faculty or staff member is concerned about the presence or behavior of a student's service animal on campus, they should contact the DRC.

In cases of immediate danger, which may occur when the service animal is out of control or poses a threat of serious injury, observers should contact GBC Campus Security 775-934-4923.

3.0 Requirements for Service Animals on Campus

Handlers bringing a service animal on campus are strongly encouraged to meet with the Disability Resource Center prior to the start of classes to review responsibilities of handlers, help ensure access questions are answered, and address any accommodation needs the handler may have. Handlers are also encouraged to register their service animal with the DRC, but registration is not required.

Regardless of whether the handler meets with DRC staff or has registered their service animal, they are responsible for the following:

- **Licensing and vaccinating the service animal:** Services Animals must be licensed and immunized in accordance with the laws, regulations, and ordinances of the city/county of enrollment, and the State of Nevada.
- **Controlling the service animal:** Service animals must be under the control of their handler. This includes harnessing, leashing, or tethering, unless the individual's disability prevents using these devices or these devices interfere with the service animal's safe, effective performance of tasks. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- **Ensuring the housebreaking of a service animal and cleanup of accidents:** Partners/handlers are required to ensure their service animal is housebroken. In the event of an isolated incident of a service animal failing to control its bodily eliminations due to illness or accident, the handler is responsible for immediately and properly cleaning up and disposing of any bodily fluids or solid waste. The bodily fluids and solid waste must be disposed of properly by being placed in a plastic bag and put in an outdoor waste receptacle. Individuals with disabilities who are unable clean up after their own service animal must notify the Disability Resource Center so that other arrangements can be made.
- **Monitoring the health of their service animal:** service animals that are ill should not be taken into public areas. A partner/hander with an ill animal may be asked to remove the service animal from college facilities until it is well.

4.0 Service Animals in Student Housing

Handlers with a service animal residing in Student Housing should register their animal with the DRC prior to moving into Student Housing.

Advanced registration is intended to allow more flexibility in meeting the handler's specific requests for housing through an interactive conversation with the Student Housing Coordinator and, with the handler's written consent, notify roommates that a service animal will be residing in their shared assigned space.

Handlers registering their animal with the DRC will not be asked for disability documentation, nor will the handler be charged any additional fees due to the Service Dog residing in Student Housing.

5.0 Requirements for Handlers with Service Animals Residing in Student Housing

Handlers who reside in GBC Student Housing are responsible for the following:

- **Ensuring that the service animal does not interfere with the quiet enjoyment of other residents.** Disruptions to quiet enjoyment may include excessive barking, running around, or improper behavior.
- **Providing the service animal with care and supervision.** Care and supervision of the service animal are the sole responsibility of the handler. This includes, but is not limited to, removal of the animal during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal
- **Maintaining control of the service animal at all times, including following all leash laws unless the leash would inhibit an service animal's ability to provide service.** handlers must not let the service animal go loose or run at large. If an animal is found running at large, the animal is subject to capture, confinement, and immediate removal from Student Housing.
- **Ensuring the prompt cleanup of the service animal's waste and, when appropriate, toileting the animal in areas designated by the College.** Indoor animal waste must be placed in a sturdy plastic bag and securely tied before being disposed of in an outside trash dumpster.
- **Containing the service animal and be present in the event of the College's response to a service request in the handler's Student Housing unit.** If handler does not contain the service animal and is not present during the visit, College staff or contractors will not enter to complete the repair, unless other arrangements have been agreed upon in advance.
- **Covering any expenses incurred for required cleaning above and beyond a standard cleaning or for repairs or replacements assessed at the time of the repair or after the student and animal vacate the student housing unit.** This includes (without limitation) replacement of furniture, carpet, window, wall covering, etc. The handler is expected to cover these costs at the time of repair and/or move-out. The handler shall have no claim against the College for any financial obligations resulting from the actions of the service animal. The College shall have the right to bill the handler for unmet obligations.
- **Overseeing all aspects of the service animal's health and well-being and following all local ordinances including the following:**
 - **Vaccination:** In accordance with local ordinances and regulations, the animal must be immunized against diseases common to that type of animal. Dogs must have current

vaccination against rabies and wear a rabies vaccination tag. Cats should have the normal shots required for a healthy animal. Great Basin College reserves the right to request documentation showing proof of vaccination upon request.

- **Licensing:** The handler must comply with any applicable licensing requirements. It is the handler's responsibility to know and understand these ordinances, laws, and regulations. The College reserves the right to request documentation showing that the animal has been licensed in accordance with local licensing requirements.
- **Training:** service animals must be housebroken, as applicable.
- **Leashing/Control of the service animal:** If appropriate, the animal must be on a leash as required by County Ordinance unless the leash would inhibit an service animals ability to provide service.
- **Inspection:** The handler's residence may be inspected for fleas, ticks or other pests as needed. The Student Housing Coordinator will schedule the inspection. If fleas, ticks or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a GBC-approved pest control service.
- **No Abandonment or Mistreatment:** service animals must not be left unattended overnight in Student Housing. If the handler leaves campus overnight, the service animal should accompany the handler. Students will not be issued additional keys or access cards for caretakers. Service animals must not be subjected to abuse or neglect.

Additional Recommendation:

- While it is not required, GBC strongly encourages handlers to maintain liability insurance coverage for the service animal in order to protect the handler and family from risk of significant legal and financial liability. The handler will in all cases be held financially responsible for the actions of the service animal, including any incident where the service animal causes bodily injury to another person, regardless of whether the handler has obtained insurance coverage. The handler is solely responsible for any bodily injury to others caused by the service animal and will defend, indemnify and hold the Board of Regents of the Nevada System of Higher Education and GBC harmless for any liability or damages imposed or sought to be imposed as a result of any such bodily injury.

6.0 Areas Off-Limits to service animals

Service animals are typically allowed to accompany the individual with a disability wherever they go. However, exclusions may be made where a significant risk of substantial harm to health or safety exists that cannot be eliminated or reduced with reasonable accommodation.

Examples of areas in which service animals may be prohibited include:

- **Science Laboratory areas or classrooms where chemicals and/or organisms are used in research or to teach science subjects:** the natural organisms carried by dogs and other animals may negatively affect the outcome of the laboratory experiments. Additionally, chemicals and/or organisms used in these science laboratories may be harmful to service animals.

- **Areas where there is a danger to the service animal:** any room, including a classroom, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface; where there is hot material on the floor; where there is a high level of dust; or where there is moving machinery is off-limits to service animals**. (e.g., mechanical rooms, custodial closets, Career and Technical education area/classrooms for live experience, metal/machine shops)
- **Clinical Experiences or practical/clinical training areas for educational programs in the health fields and training programs in which an animal in an area would pose a significant risk to the health of another individual.** This would include an area of isolation or where sterile materials are stored or used, an area where surgical instruments may be dropped, an area where the service animal might inhibit or prevent medical responders from reacting to an emergency or attending to a patient (when the patient is the handler the guidelines may be different and the policy of the health facility should be followed), or where patients, who have allergies to pet dander, are located.
- **Food preparation areas:** Service animals are allowed in food service areas but are not to be in the areas where food is being prepared. **However, service animals must be allowed to accompany their owners in self-service food lines and communal food preparation areas (i.e., shared kitchen in a residence hall).**

***Handlers planning to pursue a degree or certificate in one of GBC's programs in Career and Technical Education or health related fields are strongly encouraged to contact the DRC prior to beginning their program or as soon as possible. The DRC will work with appropriate administration to ensure equal access as required by the ADA.*

7.0 Removal of a service animal

A handler of a service animal may be asked to remove the animal under the following circumstances:

- **Out of Control Behavior:** If a service animal's behavior is out of control and the handler does not take immediate and effective action to control it, the handler may be asked to remove the animal from college facilities. Examples of an out of control behavior include excessive noise (such as frequent or loud barking), running around unrestrained, damaging college property, making unwanted contact with others, or aggressive conduct such as growling, biting or threatening others. Repetitive instances of out of control behavior or behavior that poses a direct threat to the health or safety of others may result in the handler being told not to bring the animal into any college facility until the handler takes significant steps to mitigate the behavior.
- **Unreasonable Dirtiness:** An handler of a service animal that is unreasonably dirty may be asked to remove the animal from campus or a college facility until action is taken to restore the animal to reasonable cleanliness. Animals that are normally well-groomed, but messy in appearance due to seasonal shedding or becoming wet from weather or weather-related incidents are to be considered reasonably clean.

If a handler is asked to remove their service animal for any of the above reasons, the handler is welcome to return to campus, but the service animal may not return to campus until the reason for removal is effectively addressed.

In the event a service animal is not permitted to return, the DRC will work with the student to provide the handler a reasonable accommodation in place of the service animal. Should the service animal be removed from Student Housing, the handler is still expected to fulfill their obligations for the remainder of the housing contract.

8.0 Violations

For service animals in Student Housing, violation of this policy is considered to be a violation of the GBC Student Housing Agreement. Appropriate administrative action may be taken in the form of requiring the removal of a service animal (Policy 6.2, Sec. 7).

In certain circumstances (e.g., misrepresenting the need for a Service animal), a violation of this policy may be considered to be a violation of the Great Basin College Student Conduct Policy and the matter referred to the Office of the Vice President of Student Affairs for consideration

9.0 Grievances

Students who believe they have been subjected to unlawful discrimination on the basis of disability, or have been denied access to services or accommodations required by law, have the right to use this grievance procedure. Student ADA/Section 504 Grievance Policy found at: https://www.gbcnv.edu/disabilities/docs/Appeal_Protocol.pdf

For questions regarding the procedure, contact Arysta Brick, Student Disability Services Coordinator at 775-327-2336 or email arysta.brick@gbcnv.edu.

10.0 Relevant College Offices

GBC Disability Resource Center (DRC) is responsible for providing academic and housing accommodations to GBC students. Individuals with questions about accommodations should contact Arysta Brick, DRC Student Disability Services Coordinator at 775-327-2336 or email arysta.brick@gbcnv.edu.

GBC Student Housing is responsible for identifying appropriate housing for GBC students. Individuals with questions about Student Housing should contact Ryan Hathaway, Student Housing Coordinator at 775-327-2395 or email housing@gbcnv.edu.

GBC Office of Student and Academic Affairs is responsible for services, programs, and events available to students at GBC. Individuals with questions about student affairs or academic affairs should contact Eleanor O'Donnell, Assistant to the Vice President for Student Affairs at 775-327-2112 or email eleanor.odonnell@gbcnv.edu.

GBC Campus Safety is responsible for providing a safe and secure environment for all staff, faculty, students, and visitors at GBC. Individuals with questions or concerns about campus safety should contact Campus Safety at 775-934-4923 or email campus.security@gbcnv.edu.