



REVIEWED: July 12, 2023

REVISION ADOPTED: July 12, 2023

BOARD POLICY ADOPTED: June 8, 2016

SERIES NUMBER: 526

**TITLE: Behavior and Discipline
Service and Assistance Animal Policy**

Iowa Valley Community College District prohibits the presence of animals on its campuses, including district-owned vehicles, with the exception of animals used for academic purposes (e.g., laboratory and instructional use), service animals and service animals-in-training, and assistance animals (limited to campus housing only and with prior approval). Service/service animals-in-training and assistance animals are not pets, and the distinctions between these types of animals are provided below. An exception to this policy applies to outside groups that rent facilities for events at the Hamilton Campus that may allow the presence of animals at events. Contracts with the individual outside groups will specify their animal policy, i.e., dogs. Per the American with Disabilities Act (ADA), a Service Animal is defined as a dog (in some cases, a miniature horse) that is individually trained to work or perform tasks for the benefit of a person with a disability. For an individual to use a service animal: (1) the individual must have a disability as defined by the ADA and/or state law that requires use of a service animal; and (2) the accompanying animal must be trained to do work or perform tasks for the qualified individual. Examples of such work/tasks include: Guiding people who are blind; alerting those who are deaf; pulling a wheelchair; alerting/protecting a person 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. The work/task a service animal has been trained to provide must be directly related to the person's disability. Note that an animal



with a sole function of providing comfort or emotional support (i.e., an assistance animal, as defined below) does not qualify as a service animal under the ADA.

A **Service Animal-in-Training** means a service animal that is undergoing a course of development and training to do work or perform tasks for the benefit of an individual with a disability.

An **Assistance Animal** works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. This definition aligns with the Iowa Civil Rights Act (ICRA), Fair Housing Act (FHA) and Section 504 of the U.S. Department of Housing and Urban Development (HUD) regulations, and for IVCCD purposes also includes those animals that may be identified by other names (e.g., therapy animals and emotional support animals). Assistance animals are not required to be individually trained or certified.

Approval of the use of assistance animals by the IVCCD Disability/Accommodation Services Office must be obtained by the owner/handler before such animals are allowed on the IVCCD campus. IVCCD may ask individuals who have disabilities that are not readily apparent or known to the IVCCD staff to submit reliable documentation from a health care provider or other qualified person consistent with state and federal law, which verifies the existence of a disability (without specifics on the nature of the disability) and disability-related need for the assistance animal. Cats and dogs are generally the most common types of assistance animal, but other animals may qualify and may be approved on a case-by-case basis.

Supersedes Revision Adopted: August 14, 2019
December 12 2018
October 10, 2018



REVIEWED: July 12, 2023

GUIDELINE FOR BOARD POLICY 526

REVISION ADOPTED: July 12, 2023

DATE: May 11, 2016

**TITLE: Behavior and Discipline
Service and Assistance Animal Policy**

While animals are generally prohibited at Iowa Valley Community College District outside of academic purposes, IVCCD recognizes that service animals, service animals-in-training, and assistance animals can play an important role in facilitating the independence of some individuals with certain disabilities. Therefore, the following guidelines provide exceptions for service, service animals-in-training, and assistance animals, procedures for approval, and other issues related to these animals.

In addition to IVCCD policies and guidelines, the owner/handler of any animal is responsible for meeting all local and state laws regarding the use of animals (e.g., local registration and/or vaccination requirements). IVCCD does not take responsibility for injury/illness that an animal (or its handler) may incur while on IVCCD property. The owner/handler is solely responsible for the animal's care, including hydration, feeding and supervision.

Definitions:

Refer to IVCCD Board Policy 526 - "Service and Assistance Animal"

IVCCD's Guidelines for Assistance Animals:

Unless an approved assistance animal has also been classified as a service animal or service



animal-in-training, the animal must be approved by the College as a reasonable accommodation and is permitted to be in the owner's assigned campus residential facility and designed outdoor space only. Assistance animals are not allowed in any other campus buildings or district-owned vehicles.

1. The College considers reasonable accommodation requests consistent with the definition of disability as outlined by the Fair Housing Act (FHA) and the Iowa Civil Rights Act (ICRA). The College will review and respond promptly to all requests for an assistance animal as a reasonable accommodation in student housing. Students living on-campus that need a housing accommodation for an assistance animal should contact the Director of Residence Life/Housing.

2. An individual requesting an assistance animal as a reasonable accommodation in IVCCD housing must submit an application to the IVCCD Disability/Accommodation Services Office which contains the following:

- The name, address and telephone number of the applicant,
- That the request is for an assistance animal,
- Documentation that the animal meets registration requirements of the City and/or
- County of the IVCCD campus, and
- Proof of current required vaccinations of the animal.

3. After the application and documentation have been submitted, the student will meet with the appropriate Disability/Accommodation Services staff member(s). If the applicant has a disability that is not readily apparent or known to the Disability/Accommodation Services staff member(s), the applicant may be asked to submit documentation from a health care provider or other qualified person which verifies the existence of a disability



(without specifics on the nature of the disability) and disability-related need for the assistance animal. The health care provider or other qualified person should attest that the provider/person has (a) met with the student in person or via telemedicine; (b) is familiar with the student and the student's disability, and (c) is qualified to provide opinions on the existence of a disability and whether the animal alleviates one or more symptoms or effects of the disability. The "Sample Health Care Provider Form" published by the Iowa Civil Rights Commission, available at the following link, may be sufficient for this purpose: <https://icrc.iowa.gov/publications/sample-forms-and-policies>.

4. The applicant will be notified by mail/email of IVCCD approval or rejection of the application and, if approved, the guidelines under which the application has been approved.

5. The IVCCD may deny a request for an assistance animal or request a student resident remove an assistance animal from College housing in the timeframe determined by College personnel if:

- the animal poses a direct threat to the health or safety of others or would cause
- substantial property damage to the property of others;
- the animal's presence results in an undue financial or administrative burden or
- fundamental alteration of the College's housing; or
- the animal is not housebroken.

Note: The College will base such determinations upon consideration of the behavior of the particular animal at issue, and not on speculation or fear about the types of harm or damage an animal may cause.

6. If approved, the following are general expectations of student residents with assistance animals:



- Assistance animals must be kept under control at all times, including being kept on a leash or in a carrier or cage when outside the student's residence hall room,
- unless these devices interfere with the animal's work or the individual's disability prevents using these devices. In the latter case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- Assistance animals must be well cared for at all times. Any evidence of mistreatment, abuse, or lack of clean and healthy living conditions may result in immediate removal of the assistance animal and/or discipline for the responsible individual.
- Student residents may be charged for any damage caused by an assistance animal beyond reasonable wear and tear to the same extent the College charges other student residents for damages beyond reasonable wear and tear.
- The student resident is responsible for cleaning up the animal's waste and fluids and disposing of such in outside trash containers only. The student resident should carry equipment sufficient to clean up and properly dispose of the animal's waste and fluids. Student residents who are not physically able to pick up and dispose of the animal's waste and fluids are responsible for making arrangements for assistance; animal waste management is not the responsibility of the College.
- The College may take action against the student resident with an assistance animal for noise caused by an assistance animal to the same extent that it takes such action against other student residents who have caused similar noise.
- Should an assistance animal be removed from the premises for any reason, the student resident is expected to fulfill all housing obligations for the remainder of the housing contract.

7. Information may be shared to those individuals who may be impacted by the presence of the animal including, but not limited to, Residence Life personnel and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.

IVCCD's Guidelines for Service Animals and Service Animals-in-Training:

1. Service animals and service animals-in-training are permitted to accompany a person with a disability on a College campus for college activities, services, and programs.

2. When it is not obvious what service an animal provides, only limited inquiries are



allowed. Staff and faculty may ask two questions:

- 1) is the animal a service animal required because of a disability; and
- 2) what work or task has the animal been trained to perform.

Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the animal, or ask that the animal demonstrate its ability to perform the work or task.

3. The partner/handler must be in full control of the service animal or service animal-in-training at all times. The service animal or service animal-in-training may be excluded from campus if out of control and the partner/handler cannot effectively control it; the animal's behavior poses a direct threat to the health and safety of others; or if it is not housebroken.

4. The partner/handler is responsible for immediate clean-up of all animal waste. The College is not responsible for the care or supervision of a service animal or service animal-in-training.

5. The partner/handler is responsible for property damage caused by his or her service animal.

6. It is illegal to intentionally misrepresent an animal as a service animal or service-animal-in-training.

7. When there is a legitimate reason to ask for the animal's removal, staff will meet with the person to discuss the situation and offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

8. Housing: Students who plan to have a service animal or service animal-in-training in



IVCCD housing must complete an application to provide Disability Services sufficient notice, and so that appropriate arrangements regarding placement, roommates, etc. can be made. Student residents may be charged for any damage caused by a service animal or service animal-in-training beyond reasonable wear and tear to the same extent it charges other student residents for damages beyond reasonable wear and tear.

Grievances and Complaint procedure related to Service Animals, Service Animals-in-Training, or Assistance Animals:

IVCCD believes in maintaining an educational environment that is positive and productive for its students, employees, and patrons. However, IVCCD recognizes that situations may arise where an individual feels that s/he has experienced an alleged violation, misinterpretation, or misapplication of IVCCD Board Policies, rules and regulations; or has been unfairly treated by an IVCCD employee or student.

- Students: Students are encouraged to contact the campus Disability/Accommodation Services staff regarding any service or assistance animal-related concerns and to determine if the student wishes to submit a grievance or complaint. The Student Handbook provides guidance for both the Student Grievance Procedure and the Student Feedback/Complaint Procedure. Forms are found in the Dean of Students' Office or on the College website.

- IVCCD employees: Personnel should refer to IVCCD Board Policy 443 – “Grievance Procedures for Administrators & Support Staff”

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