Delgado COMMUNITY COLLEGE

SERVICE ANIMAL PROCEDURES

Under the American with Disabilities Act (ADA), a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability. The dog must be trained to take a specific action when needed to assist the person with a disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. If an animal meets the ADA definition of "service animal," it is considered a service animal regardless of whether it has been licensed or certified by a state or local government or training program.

The ADA allows service animals to accompany a person with a disability (referred to as "partner") to be on Delgado's campuses and sites. A service animal must be permitted to accompany a person with a disability everywhere on campus except in situations where safety may be compromised or where the animal may interfere with the fundamental nature of the activities being conducted. The College may not bar service animals because of noise concerns when part of the service the animal provides its partner is alerting him or her to possible dangers or obstacles by barking. A service dog can be any breed or size. It might wear specialized equipment such as a backpack, harness, or special collar/leash, but this is not a legal requirement.

To be qualified to utilize a service animal for ongoing accommodation at Delgado Community College, the partner must register with the Office of Student Accessibility and supply appropriate documentation of a disability. The service animal must be in good health and must comply with local ordinances regarding animals including requirements for immunization, licensing, noise, restraint, at-large animals, and dangerous animals. Dogs must wear a license tag and current rabies vaccination tag. Service animals must be on a leash at all times, and the partner must be in full control of the animal at all times.

The care and supervision of a service animal is solely the responsibility of its partner. The animal must be maintained and used at all times in ways that do not create safety hazards for other people. The partner is responsible for cleaning up the animal's feces. The partner should always carry equipment and bags sufficient to clean up and properly dispose of the animal's feces. Partners who are not physically able to pick up and dispose of feces are responsible for making all necessary arrangements for assistance. The College is not responsible for these services.

Service animals may be asked to leave Delgado facilities or grounds under circumstances that may include the following:

- The animal is objectively determined to be presently incapable of performing appropriate and disability-related work or tasks for the partner and is deemed as indistinguishable from a pet or companion animal, thus not meeting the specific ADA definition of a "service animal."

(continued)

- The animal is unruly or disruptive or exhibits aggressive or fearful behavior. An animal that engages in such disruptive behavior shows that it has not been successfully trained to function as a service animal in public settings. Therefore, it is no longer a requirement to treat it as a service animal, even if the animal is one that performs an assistive function for a person with a disability.

- The animal is destructive.

- The animal is ill. Service animals that are ill should not be taken into public areas.

- The animal is not clean. However, an animal that becomes wet from weather or weather-related incidents, but is otherwise clean, should be considered a clean animal.

Faculty, Staff and students should know the following about interacting with partners and their service animals:

- Allow a service animal to accompany the partner at all times and everywhere on campus, except where service animals are specifically prohibited. The courts have upheld the rights of service animal owners to take service animals into food service locations.

- Ask the partner if the animal is a pet or a service animal. Do not pet a service animal without first asking permission; touching the animal might distract it from its work.

- Speak first to the partner.

- Do not ask the partner about his or her disability.

- Do not deliberately startle a service animal.

- Do not feed a service animal.

- Do not separate or attempt to separate a partner from his or her service animal.

- In case of an emergency, every effort should be made to keep the animal with its partner. However, the first effort should be toward the partner; this may necessitate leaving an animal behind in certain emergency situations.

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