

## CCS Administrative Procedure

### 3.30.01 – C Student Use of Service Animals

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#### Implementing Board Policy [3.30.01](#)

Contact: Chief Compliance Officer, 279-6012

#### 1.0 Purpose

Community Colleges of Spokane is committed to providing equal opportunities in employment and to providing a work and academic environment that is free from conduct or behaviors that constitute discrimination, harassment or retaliation. This commitment includes ensuring that students with disabilities who rely on trained service animals can participate in and benefit from CCS services, programs, and activities, and that CCS does not discriminate on the basis of disability as identified in Titles I and II of the ADA, Section 504 of the Rehabilitation Act of 1973, state antidiscrimination laws (Chapter 49.60 RCW), WAC 132Q-94-125, and Board policy 3.30.01.

This procedure outlines how CCS employees will not discriminate against students with disabilities who bring trained service animals to CCS, the rules and regulations for students who bring animals on CCS controlled facilities and grounds and the complaint process for students who feel they have been discriminated against by a CCS employee. Employees, visitors, contractors and guests should refer CCS Administrative Procedure, 2.30.01-E Service Animals and Employees, Contractors, Visitors and Guests.

#### 2.0 Definitions

- 2.1 College Facilities and Grounds: Includes all buildings and facilities in the possession or owned, used, controlled, leased or rented by the College and agencies that have educational agreements with the College. Grounds is the land on which the college is built, and related institutional buildings are situated.
- 2.2 Control: The service animal is in proximity to their animal handler/owner and responsive to commands. Use of a harness or leash is expected unless the service animal is doing an off-leash task for the handler/owner.
- 2.3 Discrimination: Prohibited unfavorable treatment of a person based on that person's membership or perceived membership in a protected class.
- 2.4 Harassment: A prohibited form of discriminatory conduct that includes physical, verbal, or other conduct that denigrates or shows hostility toward an individual or group because of their legally protected or perceived membership in a protected status; and is sufficiently severe, pervasive, and objectively offensive so as to substantially interfere with the ability to study, participate in, or benefit from CCS's educational programs and/or educational activities such that the person or group is effectively denied equal access/opportunities based on protected status.
- 2.5 Service Animal: A service animal is any dog or miniature horse that has been individually trained to perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by the service animal must be directly related to the individual's disability. Tasks may include, but are not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, helping an individual transfer to and from their wheelchair, pulling a wheelchair or retrieving dropped items.

The crime deterrent effects of an animal's presence or the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. Animals that are not trained to perform tasks that mitigate the effects of a disability or are used solely for emotional support, comfort or companionship are not considered service animals and are not allowed on CCS property unless approved as a reasonable accommodation through Disability Support Services (DSS).

- 2.6 Service Animal Handler/Owner: The individual who retains an interest in or right of possession to an animal or any person having control, custody or possession of animal responsible for caring for and supervising the service animal. This includes toileting, feeding, grooming and veterinary care.

### 3.0 Prohibition of Pets

As per [WAC 132Q-94-125](#), Community Colleges of Spokane (CCS) prohibits pets and other animals from entering buildings operated by the colleges and leaving them unattended on any district property unless the animal is a guide dog and/or trained service animal as defined by law. Pets and other animals on college facilities and grounds shall be under the control of their owner at all times in accordance with [Spokane County Code 5.04.070](#) (Control of dogs). CCS welcomes animals that satisfy the criteria listed in 3.1 in its buildings and facilities except under the circumstances specified in section 3.2.

- 3.1 CCS will allow animals in district facilities and grounds that are:
- Service animals which have been trained for the purposes of assisting or accommodating a person with a sensory, mental, or physical disability;
  - Research, clinical and teaching animals used in direct support of college programs;
  - On-duty police dogs; or
  - Emotional support animals with prior DSS approval
- 3.2 CCS may restrict access for service animals when consistent with other CCS policies, state, and/or federal laws and regulations. Examples of these areas may include:

- Food preparation areas;
- Animal research facilities and grounds;
- Medically sensitive patient and clinic areas; and
- Biologically sensitive or hazardous research sites.

If a service animal is restricted from certain areas, the designated Disability Support Services office is available to assist in evaluating reasonable accommodations for the owner.

- 3.3 Misrepresentation of a service animal is prohibited.

It is a violation of CCS administrative procedure, state law ([RCW 49.60](#)), and conduct expectations for a person to expressly or implicitly represent an animal as a service animal in order to bring the animal on campus when such person knew or should have known the animal did not meet the definition of a service animal.

### 4.0 Service Animals in Academic Laboratories

- 4.1 The Americans with Disabilities Act (ADA) gives individuals with disabilities the right to bring their service animals into public areas, including laboratories. An academic laboratory potentially exposes a service animal to a variety of hazardous situations which can include chemical spills, broken glass, heavier-than-air vapors, dropped glassware and moving equipment. Prior to bringing a service animal into a CCS academic laboratory, the identification of all potential hazards and the appropriate actions necessary in order to mitigate these hazards, will be conducted through an on-site assessment.
- 4.2 An assessment of the entire laboratory environment will be conducted with the service animal handler/owner, the laboratory instructor, an Environmental Health & Safety (EHS) representative and the DSS representative prior to the first day of class if possible. The assessment is designed so that a safe environment will exist for the handler/owner, service animal, staff members and all students within the laboratory. The physical layout of the laboratory shall be considered during the safety assessment.

- 4.3 Potential hazardous exposures or situations for the service animal will be discussed during the safety assessment. If appropriate, the use of Personal Protective Equipment (PPE) for the service animal while in a CCS laboratory will be discussed to help prevent any hazardous exposures or situations.
- 4.3.1 PPE for service animals can include disposable or reusable rubber service animals' boots, disposable lab coats, chemical splash goggles and disposable plastic-backed absorbent lab paper or pet pads for the service animal to lie on during laboratory classes.
- 4.3.2 If the assessment team recommends PPE for the service animal and the handler/owner decides to utilize it, the PPE shall be purchased by the handler/owner.
- 4.3.2 If the handler/owner chooses not to purchase or utilize the recommended PPE for the service animal, then other options will be explored. These options will be further discussed by the assessment team and the service animal handler/owner and the conversation outcome will be documented in writing.

## 5.0 Inquiries of Service Animal Handlers/Owners

### Permitted Inquiries:

- 5.1 When it is not readily apparent that an animal is trained to do work or perform tasks for an individual with a disability, CCS employees may ask:
- (1) Is the animal a service animal required because of a disability?
  - (2) What work or task has the animal been trained to perform?
- 5.2 If the owner states that the animal is required because of a disability and that the animal has been trained to do work or a task for the owner, then the service animal must be admitted. If there is any doubt that an animal is a service animal, college personnel should admit the animal and then consult with the Disability Support Services office regarding any questions they may have.

### Prohibited Inquiries:

- 5.3 Employees must not ask about the person's disability, require medical documentation, require a special identification card or training documentation for the service animal, or ask that the service animal demonstrate its ability to perform the work or task.
- Employees shall not require students with service animals to register with the Disability Support Services office. Service animal owners including students, employees, and guests who regularly access CCS facilities are encouraged to contact DSS. DSS can then assist the service animal handler/owner by providing advance notice to College personnel, such as faculty, advisors, building coordinators, etc. that the owner and service animal are entitled to access.

## 6.0 Responsibilities of Service Animal Handlers/Owners

- 6.1 Service animal handlers/owners are required to comply with state and local laws regarding licensing and vaccinations.
- 6.2 Service animals must be harnessed, leashed or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- 6.3 Service animal handlers/owners are responsible for ensuring the service animal does not disturb or disrupt normal academic or administrative functions.
- 6.4 Service animal handlers/owners are responsible for the care and supervision of the service animal, including waste removal/disposal and keeping the animal under control at all times.

- 6.5 Service animal handlers/owners are responsible for any damages to CCS property as well as any injury to others caused by their service animal.
- 6.6 Service animal handlers/owners are responsible for the control, safety and evacuation of their animal in the event of an emergency.
- 6.7 Service animal handlers/owners are responsible for removing their service animals for cause in accordance with section 7.0.
- 6.8 Service animal handlers/owners are responsible for preventing the service animal from entering any pond, fountain or stream located on college premises.
- 6.9 The ADA does not override public health rules that prohibit dogs in swimming pools. Service animals must be allowed on the pool deck and in other areas where the public is allowed. A service dog in the area around the pool is considered to be a reasonable ADA accommodation.

## **7.0 Responsibilities of College**

Members of the CCS community are responsible for the following:

- 7.1 Allowing service animals to accompany the person they are assisting in all areas of campus where members of the public, participants in services, programs or activities, or invitees are allowed to go.
- 7.2 Not distracting a service animal in any way. Do not pet, feed, or interact with the animal without the handler/owner's permission.
- 7.3 Not separating a service animal handler/owner from the service animal.
- 7.4 Students with medical issues that may be impacted by the presence of or exposure to service animals who are requesting reasonable accommodation should communicate with Disability Support Services as noted in Section 7.4 of this procedure if they have a concern about exposure to a service animal. The individual will be asked to provide documentation that identifies a disability or medical condition and the need for an accommodation. The appropriate CCS point of contact will facilitate an interactive process to resolve the conflict that considers the disability-related needs/accommodations of all persons involved.

## **8.0 Cause for Removal of Animal**

- 8.1 A person with a disability shall not be asked to remove their service animal from the premises unless: (1) the service animal is not under the owner's direct control or the service animal is disturbing or disrupting the normal administrative, academic or programmatic routine, then the owner must first be given an opportunity to get the animal under control. If the disruption or disturbance continues, then the owner may be asked to remove the animal (2) the service animal is not housebroken. If at any time the service animal presents a threat to the health and safety of others, the service animal may be required to be removed from college facilities and grounds and 911 (emergency assistance) may be contacted.
- 8.2 Failure of the handler/owner to remove the service animal upon request by a college official may result in the following:
  - Students who do not comply may be found in violation of the Standards of Conduct for Students [WAC 132Q-10-220](#).
- 8.3 When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence. CCS will engage as needed in a good faith, interactive process with the individual to determine if other accommodations will effectively allow the individual to participate in the program, service, or activity.
- 8.4 If a service animal's improper behavior continues, or happens more than once, the handler/owner may be prohibited from bringing the animal onto CCS facilities and grounds. This decision will be determined on a case-by-case basis by the appropriate

CCS official. In the event that a service animal is banned from campus, CCS will engage as needed in a good faith, interactive process with the individual to determine if other accommodations will effectively allow the individual to participate in the program, service, or activity.

Disability Support Services is available to assist students in discussing, developing, and providing resources regarding reasonable accommodation plans and other related services.

**Spokane Community College**

Director of Disability Support Services  
1810 N. Greene Street  
Building 15, Suite 113  
Spokane, WA 00217  
509-533-7169

**Spokane Falls Community College**

Director of Disability Support Services  
3410 W. Whistalks Way  
Building 17, Room 201  
Spokane, WA 99224  
509-533-4166

If the issue cannot be resolved by the contacts listed above, then contact the ADA Compliance Officer.

**Community Colleges of Spokane**

ADA Compliance Officer  
2917 W. Whistalks Way  
Building 27, Room 247C  
Spokane, WA 99224  
509-279-6012

**9.0 Complaint Process**

9.1 Individuals who wish to make a complaint that a CCS employee may have violated the CCS's nondiscrimination and/or non-retaliation policies, including a failure to permit access to a service animal under this policy, may contact Human Resources in accordance with the [CCS Equal Employment and Non-Discrimination policy 2.30.01](#) and file a complaint.

9.2 Individuals who wish to file allegations of discrimination also may contact the following:

United States Department of Justice  
1-800-514-0301 (Voice)

United States Department of Education Office for Civil Rights (OCR)  
Email: [ocr@ed.gov](mailto:ocr@ed.gov)  
1-800-421-3481 (Voice)

Equal Employment Opportunity Commission  
1-800-669-4000 (Voice)  
1-800-669-6820 (TTY)

Washington State Human Rights Commission  
1-800-233-3247 (Voice)  
1-800-300-7525 (TTY)

**10.0 Related Information**

10.1 [CCS Administrative Procedure, 2.30.01-A Equal Employment, Non-discrimination & Anti-harassment](#)

- 10.2 [CCS Administrative Procedure, 3.30.01-A Non-discrimination/Anti-harassment](#)
- 10.3 [WAC 132Q-94-125](#) – Pets and other animals prohibited in college buildings and grounds
- 10.4 [Chapter 49.60 RCW](#) Discrimination - Human Rights Division
- 10.5 [Section 504 of the Rehabilitation Act of 1973 as Amended](#)
- 10.6 [Americans with Disabilities Act \(ADA\) of 1990 as Amended](#)
- 10.7 [Title 34 Education \(Rehabilitation Act\)](#)
- 10.8 [Service Animal Basics Fact Sheet](#)

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