

TALLAHASSEE COMMUNITY COLLEGE ADMINISTRATIVE PROCEDURES

TITLE: Animals on Campus	NUMBER: 11-05AP
AUTHORITY: Florida Statute: 1001.61; 1001.64, 413.08, 413.081 Florida Administrative Code: 6A-14.0261 Section 504 of the Rehabilitation Act Americans with Disabilities Act (ADA) Americans with Disabilities Amendment Act (ADAA)	SEE ALSO: College Policy 11-05
DATE ADOPTED: 12/2/2015	

PURPOSE

Tallahassee Community College is committed to providing reasonable accommodations to persons with disabilities and to fulfilling its responsibilities under Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), the Americans with Disabilities Amendment Act (ADAA) and Florida Statute 413.08 and 413.081.

The purpose of this procedure is to establish guidelines for the limited presence of animals on Tallahassee Community College’s campuses and at College-sanctioned activities. Tallahassee Community College protects the health and safety of students, employees, volunteers and visitors by prohibiting animals on campus. However, there are exceptions under limited circumstances furthering the interest of the College. The College may permit the presence of animals for educational purposes, compliance with statutory requirements, and other activities approved by the College.

DEFINITIONS

Educational Purposes – as determined by the College, the presence of animals in any form may be included in the curriculum.

Service Animals - According to the ADAA, service animals are defined as “dogs that are individually trained to do work or perform tasks for individuals with disabilities.” Florida Statute 413.08(1)(d) defines a service animal as an animal that is trained to perform tasks for an individual with a disability. These tasks include activities such as guiding a person who is visually impaired or blind, alerting a person who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, alerting and protecting a person who is having a seizure,

retrieving objects or performing other tasks. While the ADA specifically defines service animals as “dogs,” Florida Statute 413.08(1)(d) defines a service animal as a dog or miniature horse.

Service Animals in Training - Florida Statute 413.08(8) states: “any trainer of a service animal, while engaged in the training of such an animal, has the same rights and privileges with respect to access to public facilities and the same liability for damage as is provided for those persons described in subsection (3) accompanied by service animals.”

Other Support Animals - There are other support animals that are not considered service animals under the ADA. These animals may include an “emotional support animal” or “therapy animal.” These animals are not permitted on the campuses of Tallahassee Community College.

Handler - For the purpose of these procedures the handler is the individual with disabilities who requires the service animal. It may also be the individual who is training the pre-service animal on campus.

PROCEDURE

Persons with disabilities may be accompanied by working service animals on the campuses of Tallahassee Community College and at all College-sanctioned activities.

In addition, service animals *in training* are allowable consistent with the provisions of Florida Statute and this procedure. Requests for the utilization of animals for any other purpose must be requested as a reasonable modification through the DSS Office.

Two questions are permitted to determine if an animal is a service animal (as opposed to a comfort, therapy animal, or pet).

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

The College will not ask for proof of the animal’s training; it will not require the animal to wear a vest or other identifiable markings. The College will not ask the nature or extent of the handler’s disability.

The service animal must be under the control of the handler at all times and must use a harness, leash, or other tether. When physical control is not possible, such as when a handler’s disability interferes with it, voice control, signals, or other effective means are acceptable.

Handler's Responsibilities

The handler is responsible for the following:

- a. Full responsibility and liability for the behavior and supervision of the animal;
- b. Any damage that the animal may cause;
- c. Care and supervision of the animal;
- d. Properly disposing of all animal waste;
- e. To ensure that the animal is not disruptive to any program, service, learning environment, or college activity, or a threat to the health and safety of others.

Reasonable Modifications

Under special circumstances other animals may be considered as a reasonable accommodation. Tallahassee Community College will determine whether or not the animal is allowable. Some of the assessment factors may include:

- a. The documented significant limitation presented by the person's disability.
- b. The type of animal, size, weight, and whether the facility can accommodate these features.
- c. Whether the handler has sufficient control over the animal and includes issues such as hygiene and whether the animal is housebroken.
- d. Whether the animal's presence constitutes a legitimate safety concern.
- e. Other issues consistent with the policy on service animals.

Students seeking this modification must register with the DSS Office, provide documentation as to the necessity of this modification, and comply with all applicable rules. Any animal that is permitted on campus must be housebroken and may be required to wear applicable protective equipment such as booties to protect the facilities. Neither service animals, nor their trainers, are required to register with the DSS Office; only those who are requesting the utilization of animals other than service animals will be required to register with the DSS Office.

Exclusion or removal of service animals from premises

A service animal may be removed by campus, state, or local government authorities if it is disruptive, aggressive, unhygienic, or behaving in ways outside of the duties of a service animal (wandering, barking, etc.) Removal of a disruptive animal may also be the responsibility of the handler.

If a service animal is excluded or removed, the College will provide the individual with a disability the option of continuing access without having the service animal on the premises. This might include another method of service delivery or attendance without the animal.

Restricted Access

There may be rare occasions when a service animal will be restricted from College facilities or activities due to valid health and safety concerns. Restricted locations may include, but are not limited to, medical areas or areas where the presence of the service animal would compromise the integrity of the learning.

Determination of restricted areas will be made by an interactive team of departmental and College authorities, the DSS Office, and the handler. When a restriction must be implemented, the DSS Office will work with the student to determine other reasonable accommodations if necessary.

Complaints

1. Individuals who have concerns about the presence, behavior, health, or handling of an animal should contact campus security or the DSS Office.
2. Fear of animals and allergies are not valid reasons to deny access or refuse service to a disabled individual with a service animal.
3. The handler may address any concerns with campus security or the DSS Office.

Confidentiality

1. It is inappropriate for individuals to question an individual with an animal regarding their disabilities.
2. TCC maintains confidentiality regarding the approved accommodations for specific individuals, but can discuss the theory of accommodation with observers who have a concern.