

CHAPTER:	Animals on Campus (supplements the housing contract, the student Handbook, and the employee handbook)	DATE ADOPTED: March 11, 2014	NUMBER
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SYNOPSIS:			
1	General Policy Regarding Animals		
2	Definitions		
3	Approval Process		
4	Responsibility of Persons with Approved Animals		
5	Requirements for Faculty, Staff, and Students		
6	Conflicts and Concerns		
7	Damage or Injury		
8	Faculty and Staff		
9	Appeal Procedure		
1	<p>General Policy Regarding Animals</p> <p>For the health and safety of all people on campus, animals are not permitted in any building on any Iowa Central Community College campus, with the exception of those animals used for academic purposes (e.g., laboratory and instructional use), service animals and service animals-in-training, assistance animals (limited to campus housing only and with prior approval), or as otherwise approved by the Vice President of Student Services.</p> <p>In addition, food intended for animals may not be placed on or around the exterior of any building or structure, and all animal waste must be disposed of promptly and hygienically.</p> <p>Iowa Central Community College is committed to providing individuals with disabilities equal opportunity to use our campus and programs under the Americans with Disabilities Act (ADA), the Fair Housing Act (FHA), and the Iowa Civil Rights Act (ICRA). The College recognizes that an exception to the “no animal” policy may be a reasonable accommodation for some individuals based on applicable law and circumstances. Iowa Central is also mindful of the health and safety concerns of the campus community. Thus, Iowa Central must take into account both the needs of an individual with the disability and also the potential impact of such animals on others.</p> <p>This policy is written to ensure all Iowa Central employees, residents, and students understand the exceptions for certain animals on campus. The policy also outlines the process for requesting approval and the responsibilities of all people regarding such animals on campus.</p>		
2	<p>Definitions:</p> <p><u>Disability</u> - A person with a disability under applicable law is a person who has a physical or mental impairment that substantially limits one or more major life activities.</p> <p><u>Major Life Activity</u> – The ADA and FHA generally agree that the following are major life activities: seeing, hearing, walking, breathing, performing manual tasks, caring for one’s self, learning, speaking, and working.</p> <p><u>Service Animal</u> - Service animals are defined as dogs (and in some cases, a miniature horse) that are individually trained to do work or perform a task for the benefit of a person with a disability. Examples of such work or tasks include guiding people who are visually impaired, alerting people who are hearing impaired, pulling a wheelchair, alerting and protecting a person who is having a seizure, or performing other duties. Service animals are working animals, not pets. The work or task a service animal has been trained to provide must be directly related to the person’s disability. An animal whose</p>		

sole function is to provide comfort or emotional support do not qualify as a service animal under the ADA.

Service Animal-in-Training - 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.

Assistance Animal – An animal that works, provides assistance, or performs tasks for the benefit of an individual with a disability, or provides emotional support, that alleviates one or more identified symptoms or effects of an individual’s disability. For College purposes, this 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.

Pet - A pet is an animal kept for ordinary use and companionship.

Reasonable Accommodation - a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have equal opportunity to use and enjoy a program, activity, or space, including a dwelling and that dwelling’s common use spaces.

3

Approval Process

Service Animal or Service Animal-in-Training

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. When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff and faculty may ask two questions:

- a. Whether the dog/minature horse is a service animal required because of a disability; and
- b. what work or task has the dog/minature horse been trained to perform.

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

A service animal must be under the control of its handler. Under the ADA, service animals must be harnessed, leashed, or tethered, 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.

Removal of a service animal can be done when:

1. the dog or miniature horse is out of control and the handler does not take effective action to control it; or
2. the dog or miniature horse is not house broken.

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.

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

Housing: Students who plan to have a service animal or service animal-in-training in College housing must provide the **ARC Assistant Director – Accommodations** ~~Academic Assistance & Accommodations Coordinator~~ sufficient notice, and so that appropriate arrangements regarding placement, roommates, etc. can be made.

Assistance Animal

Assistance Animals may be a reasonable accommodation for a person with a disability to live in on-campus housing under the FHA and ICRA. All assistance animals must be requested from and approved by the **ARC Assistant Director - Accommodations** ~~Accommodations Assistant Director~~ prior to being brought into a campus residence. Students should request an assistance animal at least 30 days in advance of the semester so that appropriate arrangements regarding accommodation determination, placement, roommates, etc. can be made. **While requests made during a semester will be accepted and considered, we cannot guarantee the request can be fulfilled until the following term of residence.**

Assistance animals are not service animals and do not accompany an individual at all times. Therefore, an approved assistance animal is only permitted in the individual's assigned campus residence facility, commonly referred to as apartment or dorm, the assigned residence's common areas, and outdoor space. Assistance animals are not allowed in any other campus buildings.

Below is the general approval process. For specific details, contact the **ARC Assistant Director – Accommodations** ~~Academic Assistance & Accommodations Coordinator~~.

1. Formally request the accommodation from the **ARC Assistant Director – Accommodations** ~~Academic Assistance & Accommodations Coordinator~~. **or visit iowacentral.edu/accommodations to fill out the public request form.**
2. **Submit the Health Care Provider Form.**
3. Provide required documentation.
 - a. **Medical:** When it is not obvious what service an animal provides, the College may request a form 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) relationship with the student for at least 30 days (b) met with the student in person or via telemedicine; (c) is familiar with the student and the student's disability, prior to writing the finding, to make the finding, (d) is legally and professionally qualified to provide opinions on the existence of a disability and whether the animal alleviates one or more symptoms or effects of the disability and (e) has not received a separate fee, additional fee, or other form of compensation solely in exchange for making the written finding.**
 - b. **Rabies Certification & Spayed/Neutered** – As stated in local code, every owner of a dog or cat shall obtain a rabies vaccination for such animal **and they must be spayed or neutered by the age of 6 months (or have a breeding permit through Webster County).** Iowa Central requires a copy of the animal's rabies vaccination certificate **and submit proof of spay/neutered date.** The certificate must include all the following information:
 - i. Name and address of the handler or the individual who benefits from the animal's use.
 - ii. Breed, sex, date of birth (approximate age if date of birth unknown), color, markings, and other identifying information for the animal
 - iii. Date of rabies vaccination and vaccine product information
 - iv. Date the vaccination expires
 - v. Name, license number, address, and signature of veterinarian who administered the vaccination
 - vi. **Date of spay/neuter (or breeding permit).**

4. Meet with the ~~ARC Assistant Director – Accommodations~~ Accommodations Assistant Director.
5. Sign required paperwork.

The College 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 space available is insufficient to house the necessary cage/crate to hold the animal;**
- **the animal does not meet city, county, and/or state ordinances;**
- 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. **Iowa Central Community College believes that Iowa Central Housing is not an appropriate setting to raise a young puppy/kitten. Generally, dogs must be at least 10 months of age and cats 6 months of age, be spayed or neutered, before being allowed to live in residence.**

Notice of a student with an unapproved animal on campus will be fined \$75 for the first offense and will be given 24 hours to have the animal removed. A second offense will result in a \$150 fine and potential dismissal from the residence halls.

For all service animals, service-animals-in-training, or assistance animals residing in the residence halls, the owner/handler of the an animal must provide written consent for Iowa Central to disclose information regarding the presence of the animal to those individuals who may be impacted by the presence of the animal including, but not limited to, Residence Life personnel, potential and/or actual roommates/neighbors, and Iowa Central staff. Such information shall be limited to information related to the animal and shall not include information related to the individual’s disability.

4 Responsibility of Persons with Approved Animals

Care and supervision of the animal are the responsibilities of the handler or the individual who benefits from the animal's use, further referred to as the “Owner.”

- The Owner of an animal is responsible for the safety, health, behavior and actions of the animal at all times.
An animal must be supervised directly by the Owner, and the Owner must retain full control of the animal at all times while on campus. The animal 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.
- An animal must be in an animal carrier or controlled by a harness, leash or tether, unless these devices interfere with the animal’s work, the individual’s disability prevents using these devices, or the animal is within the Owner’s assigned apartment. In those cases, the handler must maintain control of the animal through voice, signal, or other effective controls.
- Animals may not be left unattended at any time on campus, except for animals left in the Owner’s assigned apartment. **If the owner is absent from the residence, the animal must be kenneled/crated unless the individual’s disability prevents using these devices.**
- Iowa Central may request impoundment of an animal left for longer than a reasonable period of time. Owners of impounded animals will be held responsible for payment of any impound and/or license fees required to secure the release of their animals.
- All Owners are responsible for compliance with state and local laws concerning animals (including registration, vaccinations, and tags), for controlling their animals, for cleaning up any

waste created by the animal, and for any damage caused by the animal to individuals or property while on an Iowa Central campus.

- ~~If the Owner is to be absent from his/her residence overnight or longer the animal must accompany the Owner.~~ **If the owner is to be absent from their residence hall overnight or longer, the assistance animal must also accompany the owner. However, if the owner is traveling for a school function, the assistance animal must be left with an off-campus caregiver. The assistance animal may not be left in Iowa Central housing to be cared for by any individual other than the owner.** In the case of an emergency or unexpected absence, the Owner must properly inform the **Housing and Security** Director of Residence Life or the **ARC Assistant Director – Accommodations** ~~Academic and Accommodations Coordinator.~~
- The animal must not obstruct or disturb any space or activity of the academic program including but not limited to: residence halls, classrooms and labs, other campus buildings or recreational areas, roads, walkways and passages on any part of campus.
- The Owner is responsible for all costs associated with flea/pest remediation associated with their animal.
- The Owner is responsible for all costs associated with any damages and/or excessive cleaning needs above regular wear and tear caused by the animal.
- Specifically for assistance animals in the residence halls:
 - The assistance animal may be left unattended only for reasonable periods of time, as determined by the **Housing and Security** Director of Residence Life or the **ARC Assistant Director - Accommodations** ~~Academic and Accommodations Coordinator~~ based on the totality of the circumstances. Animals left unattended must be confined in an animal safe crate or kennel unless the individual's disability prevents using these devices.
 - 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 animals and/or discipline for the responsible individual.
 - 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 owner is responsible for ensuring that the assistance animal is contained (kenned or crated), when the owner is not present during the day while attending classes or other activities.**
 - 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. **If the noise such as crying, barking, meowing, especially when the owner is not around, is excessive as reasonable judged by residence life staff, it is grounds to dismiss the animal from campus living.**
 - 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.
 - **The owner must notify the ARC Assistant Director – Accommodations in written notice if the animal is no longer in residence.**

5 Requirements for Faculty, Staff, and Students

Faculty, staff, and students are required to abide by the following practices:

- A. They are not to touch or pet a service or assistance animal unless invited to do so.
- B. They are not to feed a service or assistance animal.
- C. They are not to deliberately startle a service or assistance animal.

	<p>D. They are not to separate or to attempt to separate an Owner from his or her service or assistance animal.</p> <p>E. They are not to inquire about the Owner's disabilities. The nature of a person's disability is a private matter.</p> <p>Violation of these requirements may result in discipline in accordance with applicable student, employee, or faculty policies and procedures.</p>
6	<p><u>Conflicts and Concerns</u></p> <p>Iowa Central is committed to ensuring that the needs of all individuals with disabilities are being met; and will work to resolve any complaints, conflicts, or problems as quickly as possible.</p> <p>A person with a medical condition(s) should contact the Accommodations Assistant Director if they have a health or safety related concern about exposure to a service, service-in-training, or assistance animal. The person registering the concern may be asked to provide medical documentation that identifies the condition(s) allowing a determination to be made as to whether the condition is disabling and whether there is a need for a reasonable accommodation, based on the circumstances.</p> <p>Generally, only one animal is allowed per residence unit.</p> <p>If roommates/suitemates have a conflicting disability to residing with an assistance animal, someone may be asked to shift to an alternate setting. Such decisions will be made on a case-by-case basis. In these types of situations in which both students have accommodations, Housing and/ the Accommodations Office has chosen to use the dates that the student contacted with them to determine which student is required to move when neither will move voluntarily.</p> <p>Animals that are out of control, presenting a disruption, or posing a threat to the campus community should be reported to Iowa Central Security office 515-574-1000.</p> <p>Concerns with animals in the residence halls, specifically alleged violations of the Responsibility of Persons with Approved Animals should be reported to the Accommodations Office 515-574-1045. Individuals who have allegedly violated these requirements will be subject to discipline in accordance with applicable student, employee, or faculty policy and procedures.</p>
7	<p><u>Damage or Injury</u></p> <p>Owners or handlers of approved animals are solely responsible for any damage to persons or property that the animal may cause on campus.</p>
8	<p><u>Faculty and Staff</u></p> <p>Faculty and staff who are otherwise qualified may request the accompaniment of a service or assistance animal in employment as reasonable accommodation for a disability, and in order to carry out the essential functions of their work with the College. In these situations, such requests for reasonable accommodation must be made to and will be assessed by the Human Resources Department.</p>
9	<p><u>Appeal Procedure</u></p> <p>An affected person may appeal a decision made under this policy by presenting a written appeal to the Vice-President of Student Services within fourteen (14) calendar days of the student's notice of the disputed decision. Within seven (7) calendar days of receipt of the written appeal, the Vice-President of Student Services will form an ad hoc committee (composed of the Vice-President of Student Services and four (4) other administrators selected by the Vice-President of Student Services) to consider the appeal and issue a decision in response to the appeal within twenty-one (21) days after receipt of the written appeal. The decision of the ad hoc committee will be final and binding on all affected persons.</p>