

Policy Regarding Service Animal Access to East Georgia State College Facilities, Programs, Services, and Activities

Adopted by President's Cabinet 11/26/13

The purpose of this policy is to implement federal and state laws regarding access for service animals that assist disabled persons at East Georgia State College.

A. Definitions-

A “**service animal**” is any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. These tasks include but are not limited to: guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sound, providing minimal, non-violent protection or rescue work, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with post-traumatic stress disorder during an anxiety attack, pulling a wheelchair, or fetching dropped items. Service animals are working animals, not pets. The work or task performed must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the Americans with Disabilities Amendment Act. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Miniature Horses- In some circumstances, miniature horses may perform the same or similar duties of service animals. The references within this policy that apply to service animals also apply to miniature horses functioning as service animals. Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds. Several factors determine if miniature horses can be accommodated on campus and in housing. The Americans with Disabilities Amendments Act regulations set out four assessment factors to assist entities in determining whether miniature horses can be accommodated in their facility. The assessment factors are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will compromise legitimate safety requirements necessary for safe operation of EGSC facilities.

B. Verification of Disability and Need for a Service Animal

In the event that an individual desires the assistance of a service animal for use in college facilities and services, and it is not clear that the animal is used for this purpose, several questions may be posed by EGSC staff. (1) Is the dog a service animal required because of a disability? (2) What work or task has the dog been trained to perform? **No other questions can be asked.**

C. Service Animal Access

Georgia law requires for the purposes of access to EGSC facilities, programs, services, or activities that persons accompanying dogs being trained to be “service animals” are required to

be given the same degree of access to which a “service animal handler” is entitled under applicable law. “Service animals in training” are subject to this policy in its entirety, in addition to certain identification and other requirements as listed below.

Georgia law requires all trainers to be a registered agent for an organization (seeing eye, hearing, service, or guide dog agency) that trains service dogs. The trainer is required to have on his/her person and available for inspection credentials for the accredited school for seeing eye, hearing, service, or guide dogs. Service dogs in training are required to wear a collar, leash, or other appropriate apparel or device that identifies such dog with the accredited school for which such dog is being raised.

For the purposes of this policy, “service animals” are collectively defined to include those that are defined by the subject of applicable federal and Georgia law. Service animals do not include animals of any species that are pets, or are used merely for emotional comfort, support, or therapy.

D. Administrative and Other Matters

In the case of students with disabilities or student handlers, students must first contact the Counseling and Disability Services Office to register their service animals. In the case of a student, this would require appropriate documentation of the need for his or her service animal in connection with the particular disability, and in the case of a handler, to document his or her credentials from the accredited school for which the service animal is being raised. In the case of all others (faculty and staff), such registration should be made with the Office of Human Resources.

For all service animals that are allowed access to EGSC facilities, the Counseling and Disability Services Office shall maintain such records for service animals for students and handlers. The provisions of this policy are minimal requirements that may be supplemented by more specific requirements and procedures developed and implemented by EGSC Counseling and Disability Services due to the particular circumstances involved.

1. Americans with Disabilities Amendments Act Grievance Procedures

Please refer to the Americans with Disabilities Amendments Act grievance procedure for East Georgia State College, located at [\(policy will be linked here, once approval is provided.\)](#)

2. Care and Supervision of the Service Animal

Care and supervision of the animal are the responsibility of the individual who benefits from the animal’s use. The individual is responsible for maintaining control of the animal at all times, where consistent with the capacity of the service animal user. The individual is also responsible for ensuring the cleanup of the animal’s waste and, when appropriate, must toilet the animal in areas designated by the college. Students or handlers of service animals are solely responsible for any damage to persons or college property caused by their animals.

3. Off-Limit Areas to Service Animals

EGSC may prohibit the use of service animals in certain locations due to health and safety restrictions (e.g. where the animals may be in danger, or where their use may compromise the integrity of research). Restricted areas may include, but are not limited to, the following areas: custodial closets, boiler rooms, facility equipment rooms, classrooms with research/demonstration animals, areas where protective clothing is necessary, rooms with heavy machinery, and areas outlined in Georgia law as being inaccessible to animals.

4. Notifications

The Director of Counseling and Disability Services will coordinate with EGSC units that restrict access of service animals from specific EGSC facilities to provide appropriate notice to all members of the EGSC community and the public at large as to those EGSC facilities that are service animal restricted.

5. Conflicting Disabilities

EGSC will make reasonable efforts to notify residents of the existence of service animals in a building. Students in housing (or on campus) with a medical condition(s) that are affected by service animals (respiratory diseases, asthma, severe allergies) are asked to contact the Counseling and Disability Services Office if they have a health or safety-related concern about exposure to a service animal. The individual will be asked to provide medical documentation that identifies the condition(s), and will allow determination to be made as to whether the condition is disabling and whether there is a need for an accommodation.

The Counseling and Disability Services Office will work with relevant staff to resolve any conflict in a timely manner. Staff members will consider the conflicting needs and/or accommodations of all persons involved.

E. Requirements of Handlers and Students and Grounds for Removal of Service Animals from EGSC Facilities

- 1) Handlers or students are required to keep their service animals under their direct physical control at all times by means of an appropriate leash or other lead of a type and length that enables the handler or student to maintain close and direct physical control of the service animal. Handlers or students are not allowed to transfer control of the animal to another person even momentarily, requesting the assistance of other persons in supervising or controlling their service animals or otherwise leaving the presence of their service animals for any period of time while on EGSC facilities.
- 2) Handlers or students are required to move a service animal that is unruly or disruptive (e.g. biting or attempting to bite, barking, running around, jumping at or up on people or other excessive physical activity that goes beyond repositioning itself), or may be directed to do so by an EGSC faculty or staff member or by any member of Public Safety. In determining whether a service animal is being unruly or disruptive within the meaning of this paragraph, all facts and circumstances should be considered. In the event of such behavior by a service animal, it may be denied access to EGSC facilities until the

handler or student can demonstrate that he or she has taken sufficient steps to correct or control the unacceptable behavior of the service animal.

- 3) Handlers or students shall not bring a service animal that is ill to EGSC facilities and should remove the service animal from EGSC facilities if it becomes ill. A handler or student with a service animal that appears ill may be asked to remove the service animal from EGSC facilities by EGSC Public Safety or by EGSC faculty or staff.
- 4) Handlers or students must ensure that their service animals are kept clean and well groomed. Handlers or students with service animals that are in the reasonable opinion of the affected EGSC unit, unhygienic (e.g. flea-infested, foul-smelling, or inadequately groomed as may be appropriate for the breed and other physical characteristics of the particular service animal. The handler or student may be asked to leave EGSC facilities or activities until such conditions are corrected.
- 5) Handlers or students must ensure that their service animals are housebroken. Service animals will be excluded from EGSC facilities if they are not. In the event of an isolated incident of a service animal failing to control its bodily eliminations due to illness or accident, the handler or student is responsible for immediately and properly cleaning up and disposing of bodily fluids or solid waste from the service animal whether indoors or outdoors.
- 6) Proper clean-up will depend on the specific circumstances, but includes at a minimum, physical removal of any liquid and solid wastes and disposal of these and the cleaning materials used securely in a plastic bag and deposited in an outside waste container. To this end, handlers or students are required to have in their possession at all times when accompanied by their service animals, appropriate and sufficient cleaning materials and disposal bags whenever their service animals are present on EGSC facilities.
- 7) In the event of any such incident and after the immediate clean-up action required above, the handler or student must notify an appropriate EGSC employee in the affected area or building of the incident, such as those individuals performing custodial functions in the affected building so that further deodorization and disinfection procedures can be performed as needed by appropriate EGSC personnel. Where such EGSC personnel are not available, the handler or student must contact EGSC Plant Operations at (478) 289-2095 or EGSC Public Safety at (478) 455-0125.
- 8) In the case of a student whose disability prevents or impairs the ability to comply with the requirements of this paragraph, it is the responsibility of the student to have previously made satisfactory arrangements for a third party to perform all actions required in this policy. Such arrangements must be documented in the student or handler's disability records either at the Counseling and Disability Services Office (for students), or in the Human Resources Office (if a faculty or staff member). In all cases of damage to EGSC facilities by a service animal failing to control its bodily eliminations due to illness or accident or in any other manner, the student is personally responsible for the cost of additional cleaning or repairs to EGSC facilities.
- 9) Students or handlers shall be liable for any and all costs resulting when a service animal causes damage to EGSC facilities or injury to individuals. In the case of any incident involving injury to a person by a service animal, the student or handler shall make an immediate report to the EGSC Public Safety department so that the incident can be properly investigated and documented and the student or handler shall also fully comply with any state or federal law or regulation requiring additional reports to other

government agencies that may be required due to the physical injury caused by the service animal.

- 10) In addition to any other obligations in this policy, within 24 hours following any such incident involving property damage or personal injury, the student or handler shall submit a detailed, written report regarding the incident that should include copies or other written confirmation that all other reports required in this policy have been duly made and that any actions required under other state or local laws such as quarantine of the service animal and similar policies have been taken. For the purposes of this policy, all such summary reports must be filed with the Counseling and Disability Services Office (if the handler is a student) or with the Office of Human Resources (if the handler is a faculty or staff member).

F. Student Violations of this Policy

In the case of students and handlers, failure to comply with this policy may constitute one or more violations of the EGSC Student Code of Conduct.