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## **AP 3440 Service/Assistance Animals**

### Introduction

Generally, animals are not permitted on KCC property.

Exceptions are made under the following circumstances:

A. Educational Purposes – Animals used as demonstration tools for educational purposes will be permitted with instructor approval.

B. Service Animals – Generally, service animals that pull individuals in wheelchairs, assist with balance, alert to seizures and/or assist with mobility orientation for individuals that are blind are allowed on campus. Any request for having a service animal on campus will be considered on a case-by-case basis. The college reserves the right to deny service animals on campus when service animals do not meet documentation, behavior, health or safety requirements.

C. Non-Service Animals – All other animals are considered non-service animals and are not permitted in buildings and should not be on campus property without prior approval of the Legal Counsel, due to health and safety concerns for students, the public, and the animal.

### Procedure

Klamath Community College allows individuals with a disability to use a service animal in KCC's facilities and on KCC's campuses in compliance with state and federal law. KCC will allow an individual with a disability to use service animals in KCC's facilities and on KCC's campuses if the animal has been individually trained to do work or perform tasks for the benefit of the individual with a disability and KCC has determined, based on the assessment factors provided in this procedure, that a reasonable accommodation can be made.

KCC will allow an individual with a disability to be accompanied by their service animal in all areas of KCC's facilities where members of the public, invitees, clients, customers, patrons, or participants in services, programs or activities, as relevant, are allowed to go.

These procedures shall also be applicable to an individual who is training a service animal.

KCC Faculty and Staff may inquire with the Legal Counsel if certain animals have been approved to be on campus.

### Service/Assistance Animal Defined

A “service animal” for purposes of this procedure means any dog or other animal designated by Oregon Administrative Rules that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Disabilities include, neurological and orthopedic that effect mobility, sensory such as vision and hearing, intellectual, and those related to mental health. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

The work or tasks performed by a service animal must be directly related to the handler's disability. 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.

### Exceptions

KCC may ask an individual with a disability to remove a service animal from the premises if:

- The animal is out of control and the animal's handler does not take effective action to control it; or
- The animal is not housebroken.

If a service animal is excluded under one of these exceptions, KCC will give the individual with a disability the opportunity to obtain goods, services, and accommodations or to participate in the service, program, or activity without having the service animal on the premises.

### Control

The service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

### Care or Supervision

KCC is not responsible for the care or supervision of the animal.

### Inquiries by KCC

KCC personnel may not:

- Ask an individual about the nature or extent of a disability that an individual has or may have; or
- Require an individual to provide documentation proving that an animal is an assistance animal or an assistance animal trainee.

KCC reserves the right to make the following inquiries to determine whether an animal qualifies as a service animal:

- Whether the animal is required due to a disability; and
- What nature of the work or task the animal has been trained to perform.

KCC will not make either of these inquiries when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

Individuals must have their service animals be in compliance with any laws pertaining to animal vaccinations, licensure, and ID tags that are mandated by state and local ordinances. Licensure or certification is not required in order to meet the definition of service/assistance animal under this procedure.

### Public Etiquette Towards Service Animals

- Always speak to the handler, not to the service animal.
- Do not ask personal questions about the handler's disability.
- Do not pet a service animal. It distracts them from the task at hand, and service animals may be protective.
- Do not feed the service animal.
- Do not deliberately startle a service animal.
- Do not separate or attempt to separate a partner/handler from their service animal.
- Do not hesitate to ask the handler if they would like assistance if the team seems confused about a direction to turn, an accessible entrance, entrance to an elevator, etc.
- Do not draw unnecessary attention to a service team.
- Do not photograph/video a team without permission.
- Do not ask a handler to have their dog demonstrate a task.

Animal permission requests should be directed to the Executive Director of Human Resources/Legal Counsel.

Adopted: 6/6/2023

Revised:

References:

Americans with Disabilities Act (ADA), Title II, Title III  
ORS 659A.103-145, ORS 243.305



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