



Board Procedure 500.9: Service and Assistance Animals

Students

While animals are generally prohibited at Iowa Valley Community College District outside of academic purposes, IVCCD recognizes that service animals, service animals-in-training, and assistance animals can play an important role in facilitating the independence of some individuals with certain disabilities. Therefore, the following guidelines provide exceptions for service, service animals-in-training, and assistance animals, procedures for approval, and other issues related to these animals.

In addition to IVCCD policies and guidelines, the owner/handler of any animal is responsible for meeting all local and state laws regarding the use of animals (e.g., local registration and/or vaccination requirements). IVCCD does not take responsibility for injury/illness that an animal (or its handler) may incur while on IVCCD property. The owner/handler is solely responsible for the animal's care, including hydration, feeding and supervision.

Definitions

Refer to IVCCD Board Policy 506 Service and Assistance Animals.

IVCCD's Guidelines for Assistance Animals

Unless an approved assistance animal has also been classified as a service animal or service animal-in-training, the animal must be approved by the College as a reasonable accommodation and is permitted to be in the owner's assigned campus residential facility and designated outdoor space only. Assistance animals are not allowed in any other campus buildings or district-owned vehicles.

The College considers reasonable accommodation requests consistent with the definition of disability as outlined by the Fair Housing Act (FHA) and the Iowa Civil Rights Act (ICRA). The College will review and respond promptly to all requests for an assistance animal as a reasonable accommodation in student housing. Students living on-campus that need a housing accommodation for an assistance animal should contact the Director of Residence Life/Housing.

An individual requesting an assistance animal as a reasonable accommodation in IVCCD housing must submit the Application of Approval for Service or Assistance Animal located on the housing website, which contains the following:

- The name, student ID, and telephone number, and email of the applicant,
- That the request is for an assistance animal, type of animal
- Proof of current required vaccinations of the animal.

After the application and documentation have been submitted, the student will meet with the appropriate Disability/Accommodation Services staff member(s). If the applicant has a disability that is not readily apparent or known to the Disability/Accommodation Services staff member(s), the applicant may be asked to submit documentation from a health care provider or other qualified person that 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) met with the student in person or via telemedicine; (b) is familiar with the student and the student's disability, and (c) is qualified to provide opinions on the existence of a disability and whether the animal alleviates one or more symptoms or effects of the disability. The "Sample Health Care Provider Form" published by the Iowa Civil Rights Commission, available at the following link, may be sufficient for this purpose: icrc.iowa.gov/resources (enter "Sample Health Care Provider Form" in the webpage's Search box).

The applicant will be notified by mail/email of IVCCD approval or rejection of the application and, if approved, the guidelines under which the application has been approved.

The IVCCD 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 causes substantial property damage to the property of others.
- 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.

Following the approval of the assistance animal from the accommodations office, the last step is to complete the IVCCD Assistance Animal Residential Policy and Agreement.

If approved, the following are general expectations of student residents with assistance animals:

- Assistance animals must be kept under control at all times, including being kept on a leash or in a carrier or cage when outside the student's residence hall room, unless these devices interfere with the animal's work or the individual's disability prevents using these devices. In the latter case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- 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 animal and/or discipline for the responsible individual.
- Student residents may be charged for any damage caused by an assistance animal beyond reasonable wear and tear to the same extent the College charges other student residents for damages beyond reasonable wear and tear.
- 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 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.

- 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.

Information may be shared to those individuals who may be impacted by the presence of the animal including, but not limited to, Residence Life personnel and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.

The process referenced above is for the approval of an assistance animal in housing. Students needing academic accommodations (in the classroom) will need to go through the general accommodations process only.

IVCCD's Guidelines for Service Animals and Service Animals-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:

- is the animal a service animal required because of a disability; and
- what work or task has the animal been trained to perform.

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

The partner/handler must be in full control of the service animal or service animal-in-training at all times. The service animal or service animal-in-training 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.

The partner/handler is responsible for immediate clean-up of all animal waste. The College is not responsible for the care or supervision of a service animal or service animal-in-training.

The partner/handler is responsible for property damage caused by his or her service animal.

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

When there is a legitimate reason to ask for the animal's removal, staff will meet with the person to discuss the situation and offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

Housing

Students who plan to have a service animal or service animal-in-training in IVCCD housing must complete an application to provide Disability Services sufficient notice, so that appropriate arrangements regarding placement, roommates, etc. can be made. Student residents may be charged for any damage caused by a service animal or service animal-in-training beyond reasonable wear and tear to the same extent it charges other student residents for damages beyond reasonable wear and tear.

Complaint procedure related to Service Animals, Service Animals-in-Training, or Assistance Animals

IVCCD believes in maintaining an educational environment that is positive and productive for its students, employees, and patrons. However, IVCCD recognizes that situations may arise where an individual feels that s/he has experienced an alleged violation, misinterpretation, or misapplication of IVCCD Board Policies, rules and regulations; or has been unfairly treated by an IVCCD employee or student.

Students

Students are encouraged to contact the campus Disability/Accommodation Services staff regarding any service or assistance animal-related concerns and to determine if the student wishes to submit a complaint. The Student Handbook provides guidance for the Student Complaint Procedure. Forms are found in the Dean of Students' Office or on the College website.

IVCCD employees

Personnel should refer to IVCCD Board Policy 443 – “Complaint Procedures for Administrators & Staff.”

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Legal Reference

Iowa Code 216C.1; <https://www.legis.iowa.gov/docs/ico/chapter/216C.pdf>;

<https://icrc.iowa.gov/sites/default/files/publications/2015/AssistanceAnimalsFactSheet.pdf>

Related Administrative Rules and Regulations

None

Revision History

February 14, 2024; July 12, 2023; December 12, 2018

Formerly Board Procedure 526