

SECTION: 5. Student Policies

SUBJECT: Service and Companion Animal

Background: This policy addresses the use of service animals by persons with disabilities on the LCSC campus, and students in need of companion animals within college owned residences. Outlines a standard of behavior for these animals, and responsibilities of those using service or companion animals, and for college representatives implementing this policy.

Point of Contact: Vice President for Student Affairs, Disability Services, Human Resource Services

Other LCSC offices directly involved with implementation of this policy, or significantly affected by the policy: Residence Life and Security

Date of approval by LCSC authority: February 12, 2016

Date of State Board Approval: n/a

Date of Most Recent Review: New Policy

Summary of Major Changes incorporated in this revision to the policy: New Policy

1. Policy Statement

This policy was created in accordance with the Americans with Disabilities Act, as well as Housing and Urban Development (HUD) Statutes and the Fair Housing Act (FHAct), and outlines policies and procedures for students, faculty, or staff who require use of service animals or companion animals.

If any provision herein conflicts with the applicable provisions of the federal regulations, the federal regulations will apply. If a state law provides a greater right and/or protection to an individual with a disability as it relates to the use of service animals at a public institution of higher education, said state law will prevail. For additional information see: <http://portal.hud.gov/hudportal/HUD> or www.ada.gov/.

A. Definitions:

1. Lewis-Clark State College adheres to the guidelines set forth by The Americans with Disabilities Act (ADA) and State of Idaho Code. For the full definition and law see: www.ada.gov/ and <http://www.legislature.idaho.gov/idstat/Title56/T56CH7.htm>.
2. LCSC follows federal regulations regarding service animals.
3. For the purposes of this document, comfort and therapeutic companion animals will be referred to as companion animals. HUD/Fair Housing regulations only apply to campus housing facilities and companion animals will not be allowed in other areas of campus. For a full definition and law see: <http://portal.hud.gov/hudportal/HUD>.

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4. In order for a companion animal to be considered a reasonable accommodation, sufficient documentation demonstrating the requirements of current HUD/Fair Housing regulations are met must be provided. This includes the following:
 - a. The existence of a disability.
 - b. A relationship between the disability and the relief the animal provides.
 - c. The animal is necessary in order for the resident to use and enjoy an on-campus residence.
 - d. Companion animals are restricted to campus owned housing only.

B. Notification Procedures

1. Primary Contacts

- a. Students who require the use of service animals or companion animals, should contact:

Disability Services
Reid Centennial Hall, Room 111
208-792-2211

Students requesting to have a companion or service animal in a college residence hall, must complete and sign the Service/Companion Animal Agreement form. Forms are available on the Disability Services webpage at www.lcsc.edu/disability-services/.

- i. Space in campus housing is appropriated on a first come, first served basis. Students who have been assigned a space in campus housing should begin making arrangements to keep service or companion animals immediately.
 - ii. Lewis-Clark State College retains the right to assign students with service or companion animals to designated dwellings or units on campus identified specifically for housing such animals.
- b. Students are encouraged, but are not required, to make themselves known to the LCSC Disability Services Office should they desire to have a service animal accompany them in academic classes, activities, or services on campus.
 - c. Employees with disabilities who use service animals, and supervisors or managers with questions about service animals used by employees, may contact:

Director, Human Resources
Administration Building, Room 102
208-792-2269

An LCSC full, part-time, or limited-term employee, with a disability, planning to use a service animal on campus must file an accommodation request with the

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Director of Human Resources. Forms are available on the Disability Services webpage www.lcsc.edu/disability-services/.

- d. Members of the public with disabilities who use service animals when attending functions on college premises, may contact:

Director, Human Resources
Administration Building, Room 102
208-792-2269

Visitors or contractual service providers with short-term business who require the use of a service animal to participate in an event or activity on campus, or to perform a required service are not required to register their animal in advance. However, the handler should follow all guidelines outlined by the ADA Service Animal requirements which can be found at: www.ada.gov/.

- e. Students, faculty, staff or members of the public with questions or concerns involving service animals outside of regular work hours, contact:

Campus Security
Meriwether Lewis Hall, Room 110
208-792-2226

C. Service/Companion Animal Responsibilities

1. Lewis-Clark State College

- a. Upon learning a student has a service animal accompanying them on campus and to classes, Disability Services will notify Residence Life (if the student intends to live in campus housing), relevant faculty members and campus departments (such as housing, food service, facility services, security office, etc.), and work with the student to complete the accommodation process. Upon learning a student has a companion animal, Disability Services will notify Residence Life and Physical Plant.
- b. Physical Plant grounds crew will work with Residence Life and/or Disability Services office to designate a reasonable location for the animal to toilet, and will keep the animal's toilet area free from obstructions (snow, branches, etc.).
- c. Faculty and staff should contact Disability Services if they have concerns regarding the use of a service animal in a particular classroom, course-related, or non-course-related settings and locations.
- d. Disability Services will make contact with an identified alternate handler in the case of an emergency.
- e. Similar notifications and coordination will be conducted by Human Resource Services for staff, contractors, and guests.

2. Animal Handler

- a. Are encouraged to ensure the animal is wearing an identification tag (with handler contact name and phone number), and an identifying cape, or bandana, or harness at all times.
- b. Must be in control of the animal at all times.

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- c. Must ensure all animal needs are met and all public health and safety concerns are addressed properly.
 - d. Must maintain the health and hygiene of the animal and keep room to agreed upon standards, as outlined by the Service/Companion Animal Agreement form, at all times.
 - e. Ensure all required state and municipal license requirements are met.
 - i. Idaho Statutes: www.legislature.idaho.gov/idstat/Title25/T25CH28.htm
 - ii. Lewiston Ordinances www.cityoflewiston.org/index.aspx?NID=451
 - f. Must use designated areas on campus for outdoor toilet and/or exercise of the service or companion animal, and properly dispose of animal waste immediately, as outlined by the LCSC Service/Companion Animal Agreement form.
 - g. Must make prior arrangements for a person to take custody of the service or companion animal in the event of a handler emergency. The handler shall complete contact information for a backup handler on the Service/Companion Animal Agreement form.
 - h. Must maintain current insurance requirements, and shall be responsible for all liability and claims related to the service animal.
- D. Removal of a Service/Companion Animal
- LCSC may require a service or companion animal to be removed from any LCSC facility or location if one or more of the following occurs:
1. The animal's behavior is aggressive in nature.
 2. The handler is unable or unwilling to maintain proper control over the animal.
 3. The animal's presence creates a significant hazard to the academic or workplace environment.
 4. The animal's presence fundamentally alters or is disruptive to the workplace and/or learning environment or educational program.
 5. The student consistently violates the terms set forth in the Service/Companion Animal Agreement form.
 6. Instances of conflicting disabilities (e.g. an extreme allergic reaction to animals) will be reviewed by Disability Services or Human Resources, as appropriate, to consider the needs of both persons, and to resolve the conflict as fairly and efficiently as possible, and may lead to the removal of the animal.
 7. Companion animals are not to be left alone for more than four hours, depending on the needs of the animal, in the resident's room or apartment as specified and agreed to on the LCSC Service/Companion Animal Agreement form. In the event a companion animal is left alone in a room or apartment for an unreasonable amount of time, or is not being attended to as needed (food, time outside, allowed to create a disturbance, etc.), Residence Life will contact the resident or their emergency contact to remove the animal. If this is unsuccessful, LCSC may notify the City of Lewiston Animal Control Officer and have the animal removed from campus. Such action may be taken by Residence Life without liability. Any cost of removing the animal shall be the responsibility of the resident.

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8. Procedure for Accommodations involving Companion Animals
 1. Provide the Disability Services office evidence of a documented disability, and the need and justification for a companion animal, and agree to requirements outlined in the Service/Companion Animal Agreement form. This must be updated annually.
 2. Residence Life requires dogs and cats approved as companion animals, wear current vaccination and identification tags at all times.
www.cityoflewiston.org/index.aspx?NID=451
 3. Specific rules and procedures for companion animals are presented in the Residence Life Handbook.

9. Grievance and Complaint Procedure
 1. Any person dissatisfied with a decision concerning a service or companion animal should consult the Disability Services Grievance Procedure Policy at www.lcsc.edu/disability-services/grievance-procedure/.