

ANIMALS ON CAMPUS PROCEDURES

FVCC enforces a no-animal policy in college-owned building and facilities including student housing. Exceptions are made for service animals in campus facilities and companion or therapy animals as outlined below.

FVCC reserves the right to revoke permission granted for the campus presence of service animals and the presence of therapy or companion animals whose owner fails to follow the requirements set forth in this procedure. The College also reserves the right to ban service, therapy, or companion animals who do not behave appropriately.

State and federal laws have no specific provisions for people to be accompanied by therapy and companion animals in places of public accommodation that have a no-pet policy. Therefore, requests for therapy and companion animals in campus facilities will be reviewed under the College's policy. Requests that are not accompanied by a prescription or letter from a license medical professional will be denied.

DEFINITION

Service Animals and Service Animals in Training: A "service animal" is an animal individually trained to provide assistance to an individual with a disability. (§49-4-203(2), MCA) Service animals include, but are not limited to, guide dogs for the blind, hearing dogs for the deaf/hard of hearing, and service animals for people with physical disabilities and seizure disorders. Service animals are not considered "pets" and are explicitly permitted under state and federal civil rights laws (See Montana Code Annotated, Title 49 Human Rights: § 49-4-214, MCA. Right to Be Accompanied by Service Animal—Identification for Service Animals In Training.) Service animals in training must be appropriately marked. (See § 49-4-214(4), MCA.)

Therapy Animals: A "therapy animal" is an animal owned by a therapist and selected to play an integral part of a person's treatment process that demonstrates a good temperament and reliable, predictable behavior. Therapy animal treatment is prescribed to an individual with a disability by a healthcare or mental health professional. A therapy animal is not a service animal, and unlike a service animal, a therapy animal does not assist a person with a disability with activities of daily living, nor does it have public access rights.

Companion Animals: A "companion animal" is a pet that is owned by an individual with a disability. A companion animal is not a service animal and unlike service animals, companion animals do not need to accompany the individual with the disability at all times and does not have public access rights.

EXEMPTED ANIMALS

The following animals are permitted within FVCC facilities and buildings:

- Service animals while performing their duties. Service animals, as defined by the ADA, must be individually trained to perform a specific task for a person with a disability. If an animal meets this definition, it is considered a service animal regardless of whether it has been licensed or certified by a state or local government or training program. It is also the policy of FVCC to permit members of the public who are service dog trainers, while engaged in the actual training process and activities of service dogs, the same rights, privileges, and responsibilities as other members of the public as provided by § 49-4-214, MCA.
- On-duty law enforcement dogs.
- Animals used for instructional or school-related purposes. Animals which will be brought to campus for these reasons must receive prior approval for the activity by the Vice President of Instruction and Student Service.
- Therapy and companion animals that are in compliance with these procedures.

REQUIREMENTS OF ANIMALS AND USERS/OWNERS

Individuals with disabilities using service, therapy or companion animals are responsible for their animals at all times. The user/owner of the animal must be in full control of the animal at all times. Additionally, the user/owner must clean up after the animal, including the sanitary disposal of animal wastes. The user/owner is responsible for any property damage caused by the animal.

The user/owner of a service animal is encouraged, but not required, to register his/her service animal with the Coordinator of Disability Services, if a student or visitor, or the Executive Director of Human Resources, if an employee.

Individuals with therapy or companion animals must comply with the following requirements:

- The user/owner must have completed the requirements outlined in this procedure.
- The user/owner must register the therapy or companion animal by completing the *Animal Registration Form* included in this procedure.
- The user/owner must acknowledge and sign the *User/Owner Statement for Therapy and Companion Animals* included in this procedure.
- A therapy animal must wear a leash, collar, cape, harness, backpack or other appropriate visible identification that identifies in writing that the animal is a therapy animal.
- The user/owner must ensure that the therapy or companion animal is on a leash at all times the user/owner must maintain control of the animal through voice, signal or other

effective means of control at all times. The user/owner must take responsibility for the behavior of the animal in private and public places.

- The animal must be accompanied by the user/owner at all times while in an approved campus facility.
- Use of the animal shall not constitute a direct threat to the health and safety of others.
- The user/owner must ensure that therapy or companion animal is licensed in accordance with local city and county regulations and wears or possesses a valid vaccination tag.
- The user/owner is responsible for the health of the animal and must provide verification from a qualified veterinarian that all vaccinations appropriate for that type of animal are current.
- The user/owner of a companion and/or therapy animal must carry and be able to produce an FVCC owner identification card while in an approved campus facility.
- If an owner/user obtains a new/different therapy or companion animal to be used under the provisions of this procedure, the new/different therapy or companion animal must be registered and approved. A new FVCC owner identification card will be created.

APPROVAL PROCESS

Students

The Coordinator of Disability Services (DS) serves as the campus authority for the approval for students requesting a therapy or companion animal in any campus facility, including student housing. Students planning to bring a therapy or companion animal to student housing must notify the Director of Residence Life and comply with this procedure. The DS will gather and assess evidence as necessary from the diagnostician/therapist that the therapy or companion animal is necessary as a reasonable accommodation. Requests that lack evidence of the animal's necessity to the student will be denied by the DS. The student will also be required to complete the *Animal Registration Form* and *User/Owner Statement*.

Employees

The Executive Director of Human Resources (HR) serves as the campus authority for the approval of companion animals and therapy animals for employees in any FVCC facility. A request must be made to HR. HR will evaluate the request using documentation of disability from the employee and determine if the animal is a reasonable accommodation. The employee will also be required to complete the *Animal Registration Form* and *User/Owner Statement*.

EXCLUSION OF SERVICE, THERAPY AND COMPANION ANIMALS

A service, therapy or companion animal may be excluded from a campus facility, including a classroom, if:

- that animal poses a direct threat to the health and safety of others, or conflicts with another service animal.

- that animal's behavior, such as barking or displaying aggressive behavior, is disruptive to the other participants within the facility.
- the animal is not under the control of its owner by being harnessed, leashed, or tethered. If these devices interfere with the service animal's work or the individual's disability prevents the use of these devices, the individual must maintain control of the animal through voice, signal or other effective means of control.
- the animal is not housebroken and is sick or eliminates in public.
- if an animal is excluded under Sec. 36.302 c(2) of the ADA Title III Regulation 28 CFP Part 36, FVCC shall give the individual with a disability the opportunity to obtain goods, services, and accommodations without having the service animal on the premises.

A service, therapy or companion animal may also be excluded from a facility where the animal is prohibited due to safety or health restrictions, where the animal may be in danger, or where the animal's use will compromise the integrity of research or other program (e.g. food preparation areas, research laboratories, and areas requiring protective clothing).

CONFLICTS OVER THE USE OF THERAPY AND COMPANION ANIMALS

The use of companion or therapy animals, and service animals may negatively affect others with allergies, respiratory impairments and other relevant disabling conditions. Conflict resolution will be managed by the Coordinator of Disability Services for students and the Executive Director of Human Resources for employees. For information about the grievance procedure please reference the Discrimination Grievance Procedure at <https://www.fvcc.edu/campus-guide/campus-safety/title-ix/>.

REMOVAL OF ANIMALS

Service, therapy or companion animals whose behavior poses a direct threat to the health or safety of others or that are disruptive to the campus community may be removed or excluded regardless of training or certification.

Due to the risk of injury from animals to persons at the College, owners of non-exempt animals found within College buildings or facilities, including student housing, will be asked to remove them. If an unrestrained animal is sighted on campus, a member of the maintenance staff, or designee, will call the local authorities to capture and impound the animal. When appropriate, disciplinary measures may be invoked.

**ANIMAL REGISTRATION FORM
FOR SERVICE, THERAPY & COMPANION ANIMALS**

Animal User/Owner's Name:

Phone #: (_____) _____ - _____

Address: _____

City: _____ State: _____ Zip Code: _____

Animal's Name: _____

Type of Animal

Dog: _____ Color: _____ Breed: _____

Cat: _____ Color: _____ Breed: _____

Other: _____ Type: _____ Color: _____ Breed: _____

If animal is therapy registered (e.g. TDI, TD Inc, Delta Society-Pet Partners, etc.), please list registering organization and number:

Registration #: _____

To all therapy and companion animal user/owners:

Please read and sign the owner statement. If your therapy or companion animal fails to conform to all the standards listed in the statement, it may not be allowed in a college building or facility including student housing. We appreciate your cooperation.

Owner's Signature

Date

**USER/OWNER STATEMENT
FOR THERAPY & COMPANION ANIMALS**

As the user/owner of a therapy or companion animal, I make the following statements:

I have provided a health certificate signed by a licensed veterinarian indicating that my animal is up-to-date on all vaccinations and is on a wellness program with a veterinarian.

I understand that as an animal user/owner I must carry the FVCC identification card at all times while in a college facility or building including student housing.

I understand that my animal must wear a leash, collar, cape, harness, backpack or other appropriate visible identification that identifies in writing that the animal is a therapy or companion animal.

My animal is licensed and wears a valid vaccination tag at all times.

My animal is house broken, well-groomed, odor free, and not infected with external parasites (i.e., ticks, fleas or lice).

I will not bring my animal onto campus if it is in estrus (heat).

I understand that my animal must be on a leash at all times while on campus and/or must be controlled by verbal commands.

I understand that I am responsible for the sanitary disposal of my animal's waste.

I understand that my animal will not be in areas where food is being prepared, research labs, and areas requiring protective clothing.

I understand that I am liable and responsible for my animal's behavior and activities while on campus and in an approved campus facility, including property damage.

I understand that I must follow all procedures and requirements of an animal user/owner as outlined in the *Animals on Campus Procedures*.

User/Owner's Signature: _____ Date: ____/____/____

User/Owner Print Name: _____

FVCC Approval Signature: _____ Date: ____/____/____