

Title: #VIII-8. Guidelines for the Use of a Service Animal

Date: December 7, 2017 (Revision of version dated March 7, 2017)

A “service animal,” as defined by Title II and Title III of the ADA, means 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. Emotional support animals, comfort animals, and therapy dogs are not service animals under Title II and Title III of the ADA. A doctor’s letter does not turn an animal into a service animal.

Students with disabilities who require the use of a service animal are not required to register with the Disability Services Office. However, those students are encouraged to contact the Disability Services Office for assistance when needed. An employee with a disability who requires a reasonable accommodation involving the use of a service animal in the workplace shall make arrangements with the Human Resources Office.

A service animal is permitted to accompany the individual with a disability to all areas of campus where students, employees, or members of the public are normally allowed to go. Service animals whose behavior poses a direct threat to the health or safety of others or are disruptive to the campus community may be excluded regardless of training or certification. The presence of service animals cannot fundamentally alter the nature of services provided by the college. The use of service animals may be prohibited in certain locations due to health or safety restrictions, where service animals may be in danger, or where their use may compromise the integrity of research due to the presence of chemicals and/or organisms. Each situation will be considered individually.

Service animals must be housebroken and under the handler’s control at all times through the use of a harness, leash or tether unless such devices interfere with the work of the service animal or if the nature of the individual’s disability prevents their use. In those cases, the handler must maintain control of the animal through alternative means such as voice, signal, or other effective controls.

Relief areas on campus include the nearest grassy areas outdoors, with a minimum distance of at least five steps away from the edge of any sidewalk or pavement. The owner/handler is responsible for cleaning up after the animal, including fecal waste. In the event the service animal relieves itself inside the building, the owner/handler is responsible for cleaning up all voided waste to include urine. Individuals with disabilities who physically cannot clean up after their own service animal will not be required to do so; however, these individuals are to notify security personnel of this circumstance.

*WVUP may permit the use of a miniature horse as a service animal by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability and subject to an assessment of the type, size, and weight of the miniature horse and whether the facility can accommodate these features. The same provisions that apply to service dogs also apply to miniature horses.

Individuals bringing a service animal to the West Virginia University at Parkersburg campus must abide by all state and local requirements for the presence of animals in public places including vaccinations, licensure, and identification tags, as appropriate. West Virginia University at Parkersburg is not responsible for the care or supervision of a service animal. The owner/handler of a service animal is personally responsible for any damages to a facility or sponsored event.

Questions Regarding Service Animals

According to guidance provided by the U.S. Department of Justice, when it is not obvious what service the animal provides to an individual, only limited inquiries are permitted. Staff/faculty may ask two questions:

- 1) Is the dog a service animal required because of a disability?
- 2) What work or task has the dog been trained to perform?

Staff/faculty may not ask questions about the person's disability nor may they ask that the dog demonstrate its ability to perform the work or task.

Additional Information

More information regarding the use of service animals under Titles II and III of the American with Disabilities Act (ADA) can be found on the United States Department of Justice's website at: http://www.ada.gov/service_animals_2010.htm

For more information regarding accommodations for students with disabilities, contact the Director, Student Support Services in Room 1019 at (304) 424-8388 or see Answer Book #VI-4, *Services for Students with Disabilities*. For more information regarding accommodations for employees with disabilities, contact the Director, Human Resources in Room 1008 at 304-424-8212.

Complaints

Individuals who believe that they have been denied access or service because they use service animals may file a complaint with the WVUP ADA Coordinator:

Debra L. Richards, M.L.S., Room 1010
West Virginia University at Parkersburg
300 Campus Drive
Parkersburg, WV 26104
E-mail: drichards@wvup.edu
Telephone: (304) 424-8201
FAX: (304) 424-8302

Individuals may also file complaints under the ADA:

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Section – 1425 NYAV
Washington, D.C. 20530
Fax (202) 307-1197

Responsible Administrator: ADA Coordinator (304) 424-8201