

RENTON TECHNICAL COLLEGE POLICY & PROCEDURE

CHAPTER	SECTION	TITLE	HISTORY
4	38	Service Animals	Adopted: 11/2019 Revised: Reviewed: Sponsor: Hogan

POLICY:

Renton Technical College maintains a commitment to state and federal law prohibiting discrimination on the basis of disability. It is the policy of Renton Technical College to provide equal opportunity to individuals requiring the use of a service animal by promoting an environment that fosters respect for all members of our campus community. Service Animals provide those with disabilities a great service in accessing all that the college has to offer. The approval of a Service Animal for the purposes of employment is similar to any other request for reasonable accommodation. Every employee and/or applicant for employment who makes a request for a reasonable accommodation under the American with Disabilities Act (ADA), the Rehabilitation Act of 1973, Section 504, Chapter 49.60 RCW, chapters 357-26, 357-46, 162-22 WAC, Executive Order 96-042.1 or an article under a respective collective bargaining agreement is promptly and properly advised of the accommodation process and reasonably accommodated.

It is the responsibility of the employee or applicant to inform Human Resources that a service animal is needed as an accommodation. The process is interactive and requires cooperation of the individual requesting the accommodation. Individuals actively participate in the accommodation process by communicating their needs and interests, and attending any meetings that may be necessary to discuss the accommodation request. Failure to cooperate may delay or stop the process.

Students are referred to the process as managed by the Office of Disability Resource Services.

Definitions:

Disability - A disability is a physical or mental condition that substantially limits one or more major life activities; or is the presence of a sensory, mental, or physical impairment that is medically cognizable or diagnosable; or exists as a record or history; or is perceived to exist whether or not it exists in fact.

Service Animal - A Service Animal is a dog or miniature horse 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. The work or tasks performed must be directly related to the individual’s disability. Tasks performed can include, among other things, pulling a wheelchair, retrieving dropped items, alerting a person to sound, reminding a person to take medication, or pressing an elevator button. Crime deterrent effects of an animal's presence and the provision of emotional support, wellbeing, comfort or companionship do not constitute work or tasks for the purposes of this definition.

Service Animal in Training - A Service Animal in Training is a dog or miniature horse that is being trained for the purpose of assisting or accommodating an individual with a disability. Service animals in training may be permitted, but are not entitled to, the same access as service animals under the ADA and the request should be directed to Human Resources where access will be evaluated similar to any other request for accommodation.

Emotional Support Animal - An Emotional Support Animal (ESA) is an animal that can provide therapeutic benefit to those suffering with psychiatric conditions but are not trained to perform a specific job or task to assist or accommodate an individual with a disability. An emotional support animal is not considered a service animal under the ADA and a request for an ESA should be directed to Human Resources where access will be evaluated similar to any other request for accommodation.

Pet - A pet is an animal kept for ordinary use and companionship. A pet is not considered a service animal and is not covered by this policy or allowed on college premises.

Handler - Handler means a qualified individual with a disability that a service animal assists with work or tasks for the benefit of the person with the disability.

Permissible inquires about service animals:

Inquiries about Service Animals, other than by Human Resources for the purposes of reasonable accommodation, are limited to two questions. If the disability which requires the use of a service animal is not readily apparent, RTC staff are permitted to ask the following:

- Is the animal a service animal required for a disability?
- What work or task is the service animal trained to perform?

Do **not** inquire about the nature of the disability.

Do **not** ask for medical documentation.

Do **not** ask for service animal certification (there is no such requirement).

Where Service Animals are allowed:

Generally, handlers of Service Animals are permitted to be accompanied by their Service Animal in all areas of the college's facilities and programs where the handler is allowed to go. Such areas include public areas, public events, classrooms, and other areas where the college programs or activities are held.

Handler's responsibilities and Service Animals:

****Please note, handler (employees) using animals considered Emotional Support Animals (ESAs) that are granted as part of the reasonable accommodation process must also comply with these responsibilities.****

Control - The care and supervision of a Service Animal is the responsibility of the handler. The handler must maintain control of the animal at all times. The ADA also provides that Service Animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work, or the individual's disability prevents using these devices. In that case, the handler must maintain control of the animal through voice, signal, or other effective controls.

Cleanliness - The Service Animal must be housebroken and the handler is responsible for toileting and ensuring the clean-up of all animal waste in a safe and sanitary manner.

Health - The Service Animal must comply with local, county, and/or state vaccination and licensing requirements. It is recommended the animal have an ID tag.

Disruption - The handler must ensure the Service Animal does not disturb or disrupt normal academic or administrative functions. A desire to not have the Service Animal in the classroom does not constitute a disruption to the process.

Damage or injury - The handler is responsible for any damage or injury caused by the Service Animal.

Service Animals are not pets, they are working animals:

College personnel should not approach or pet a Service Animal, doing so distracts the animal from the important tasks they are providing for their handler.

Removal of service animals:

College personnel may ask the handler to remove the Service Animal from college premises in these instances:

Disruption - A handler may be directed to remove an animal that is out of control or disruptive, as long as the handler is given an opportunity to get the animal under control and the disruption continues.

Lack of Cleanliness/Health - A handler may be directed to remove an animal that is not housebroken, is not vaccinated as required by local ordinances, or if the handler fails to collect and properly dispose of the animal's waste.

Threatening or Unsafe Behavior - The college retains the right to immediately remove or suspend the Service Animal from the grounds and/or facilities if it is a direct threat to the health and safety of others, or if the animal causes substantial damage to college property.

If a Service Animal is excluded or removed from college premises, Human Resources will work with the handler to determine reasonable alternative opportunities to participate in the service, program or activity without having the Service Animal on the premises.

Restrictions on access:

Service Animals are allowed to accompany their handler everywhere except for the following locations that would pose health, environmental, or safety risks:

1. Food preparation areas
2. Teaching laboratories where the service animal's presence may pose a safety risk
3. Mechanical Rooms
4. Custodial closets
5. Areas where protective clothing is necessary
6. Medically sensitive patient and clinic areas where the service animal's presence may compromise a need for a sterile environment

Human Resources is responsible for conducting the necessary assessments regarding ongoing or permanent removal of a Service Animal. If a Service Animal is restricted from certain areas Human Resources is available to determine an alternative reasonable accommodation for the handler.

Conflicting Disabilities:

An individual who experiences an allergic reaction to a Service Animal should contact Human Resources to request accommodations. The needs of both the individual with the Service Animal and individual with the allergy will be addressed to resolve the conflict as quickly as possible.

PROCEDURE:

1. Human Resources is the designated contact for employee service animal accommodations. Applicants for employment should give Human Resources advance notice of three (3) days prior to an interview of a reasonable accommodation request. Supervisors who receive notice must contact Human Resources immediately and should not request, nor retain personal medical information or ask questions about the request or disability itself. Employees are not required to disclose to supervisors the medical basis for a requested accommodation.
2. Upon receiving notice of a request for a service animal, Renton Technical College Human Resources will consult with the individual with a disability to ask the following:
 - Is the animal a service animal required because of a disability, and
 - What work or task has the animal been trained to perform?
3. Reasonable Accommodation requests for a Service Animal will not require demonstration to prove that the Service Animal has been trained as a Service Animal.
4. Supervisors will be notified by Human Resources when an employee's Service Animal has been approved as an accommodation. If you are a supervisor of an employee who brings an animal that has been identified as a Service Animal into the workplace, and you have not received notice, allow the animal to remain that day and contact Human Resources immediately.

5. If it is determined this policy has been violated by a handler of a Service Animal, depending on the seriousness of the animal's conduct or repeated conduct, Service Animals may be excluded from college property temporarily or permanently. The decision will be made following an investigation. If a Service Animal is excluded, Human Resources will evaluate whether there is an alternative reasonable accommodation for the handler.
 - Handlers who violate this policy or disregard an instruction to remove or exclude a Service Animal from college property may be subject to disciplinary actions under a respective collective bargaining agreement, assessment of the cost or injury or damage caused by the Service Animal, or other fines or penalties under applicable city, county or state rules, regulations or laws. Service Animals may not be left in vehicles; if asked to remove a Service Animal, the employee must take the Service Animal home.
6. If an employee cannot be accommodated, he/she will be notified in writing of the denial and reasons for such denial and will be separated in accordance with applicable law and collective bargaining agreements.
7. An employee or applicant with a disability who was denied reasonable accommodation or feels that they were discriminated against regarding this policy may file a formal complaint under the [RTC Equal Opportunity/Nondiscrimination Policy and Complaint Procedure](#) or with the Washington State Human Rights Commission (HRC), or with the United States Equal Employment Opportunity Commission (EEOC).
8. Representing an animal that is not a Service Animal when the person knows or should know that the animal in question does not meet the statutory definition of a Service Animal is a civil infraction and may be grounds for disciplinary action, in accordance with any applicable collective bargaining agreement.