

MONTANA TECH OF THE UNIVERSITY OF MONTANA

Service Animal Policy

(3/26/2012 Draft)

I. POLICY STATEMENT:

- A. As established by the Americans with Disabilities Act (ADA), service animals shall not be excluded from Montana Tech of The University of Montana facilities or activities. The ADA defines a service animal as: “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.” Except for miniature horses, other species of animals—or animals used for other reasons such as emotional support or companionship—are not covered by the definition.
- B. To work on campus, a service animal must be specifically trained to perform a service function. 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 a training program.
- C. Service animals whose behavior poses a direct threat to the health or safety of others or is disruptive to the campus community may be excluded regardless of training or certification.
- D. **Domestic Animals on Campus Policy** prohibits non-service animals (pets) in any Montana Tech of the University of Montana buildings including residence halls and family housing. Non-service animals (pets) are not permitted at any public gathering, be it indoors or outdoors, on Montana Tech of the University of Montana property.

II. PROCEDURES:

A. RESPONSIBILITIES OF FACULTY/STAFF/STUDENTS

- a. Allow a service animal to accompany the person with a disability at all times and everywhere on campus except, where service animals are specifically prohibited.
- b. Do not pet a service animal; petting a service animal when the animal is working distracts the animal from the task at hand.
- c. Do not feed a service animal. The service animal may have specific dietary requirements. Unusual food or food at an unexpected time may cause the animal to become ill or to be distracted.

- d. Do not deliberately startle a service animal.
- e. Do not separate or attempt to separate a person with a disability from her or his service animal.

B. RESPONSIBILITIES FOR INDIVIDUALS WITH A DISABILITY USING A SERVICE ANIMAL ON CAMPUS

- a. A person with a disability who utilizes a service animal is strongly encouraged to register with the Disability Services office.
- b. The cost of care, arrangements and responsibilities for the well-being of a service animal are the sole responsibility of the owner at all times.
- c. All requirements for the presence of animals in public places (vaccinations, licensure, ID tags, etc.) mandated by State or local ordinance must be followed.
- d. Animals to be housed in university housing must have an annual clean bill of health from a licensed veterinarian.
- e. The person with a disability must be in full control of the animal at all times. Reasonable behavior is expected from service animals while on campus. If a service dog, for example, exhibits unacceptable behavior, the Student is expected to employ the proper training techniques to correct the situation.
- f. Local ordinances in cleaning up after the animal defecates must be followed. Individuals with disabilities who physically cannot clean up after their own service animal may not be required to pick up and dispose of feces. However, these individuals should use marked service animal toileting areas when such areas are provided.

III. REMOVAL OF SERVICE ANIMALS

- A. The person of a service animal that is unruly or disruptive (e.g., barking, running around, bringing attention to itself) may be asked to remove the animal from university facilities. If the improper behavior happens repeatedly, the Student may be told not to bring the animal into any university facility until the Student takes significant steps to mitigate the behavior. Mitigation can include muzzling a barking animal or refresher training for both the animal and the Student.
- B. Service animals that are ill should not be taken into public areas. A person with an ill animal may be asked to leave university facilities.
- C. Persons with animals that are unclean, noisome and/or bedraggled may be asked to leave university facilities. An animal that becomes wet from walking in the rain or mud or from being splashed on by a passing automobile, but otherwise is clean, should be considered a clean animal. Animals that shed in the spring sometimes look bedraggled. If the animal in question usually is well groomed, consider the animal tidy even though its spring coat is uneven and messy appearing or it has become wet from weather or weather-related incidents.

IV. GRIEVANCES

- A. Any person dissatisfied with a decision made concerning a service animal should follow the applicable institutional Appeal/Grievance Procedures.

V. AMENDMENTS TO THE POLICY

This policy may be amended as deemed necessary.

Campus Review Completed:

Approved by Chancellor:

Effective: