

SOUTHWEST TENNESSEE COMMUNITY COLLEGE**SUBJECT:** Animals on Campus**EFFECTIVE DATE:** April 13, 2023**Purpose**

The purpose of this policy is to set forth guidelines for the presence of animals on Southwest Tennessee Community College (“Southwest” or “the College”) property.

Definition

Service Animal - A dog or miniature horse as defined under the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973 (Rehabilitation Act), and/or the federal regulations related to those laws. The service animal must have been individually trained to do work or perform tasks for a person with a qualifying disability as defined by the Acts. The work or task(s) performed by the service animal must be directly related to the person’s disability. Service animals are working animals, not pets.

Service Animal in Training - A dog or miniature horse that is in the process of being trained as a service animal as defined by Tennessee Code Annotated (TCA) § 62-7-112 and accompanied by the dog or miniature horse guide trainer, who shall be present for inspection credentials issued by an accredited school for training dog or miniature horse guides.

Comfort/Emotional Support Animal - An animal, that is not a service animal as defined above, utilized to provide comfort, emotional support, or other companionship related presence.

Policy**I. General**

Animals are not permitted in the facilities, buildings, or outdoor properties owned, operated, and/or controlled by Southwest unless specifically permitted pursuant to this policy.

II. Service Animals

A. Service animals are permitted in all areas of the College where its owner, the person being assisted by the service animal, or the public are permitted to enter or occupy.

1. The presence of a service animal is subject to the following conditions:

- a. The service animal 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.
 - b. The service animal is adequately controlled and does not disrupt the learning environment or present a threat to health or safety of individuals or property.
 - c. The service animal is healthy and creates no danger of infection, transmission of disease, or other unreasonable health risk.
 - d. The service animal is housebroken.
 - e. The owner/keeper collects and properly disposes of waste by placing it in an outdoor trash receptacle.
 - f. The service animal is properly groomed to be free of fleas, insects, pests, or offensive or otherwise disruptive odors.
2. A service animal will not be excluded from Southwest's premises unless it is non-compliant with one (1) or more of the criteria set forth above.
- B. If a service animal's behavior or presence is disruptive, destructive, or non-compliant with the requirements set forth above, the owner/user will be required to take appropriate action to bring the animal under control, correct the non-compliant condition, or remove the animal from campus. Repeated violation of these requirements or refusal to comply with reasonable instructions to correct non-compliance may result in disciplinary action.

III. Service Animal Inquiries

Making an inquiry as to whether an animal is a service animal and challenging the animal's presence on Southwest property are not the same.

- A. Neither faculty nor staff may challenge the presence of a service animal on campus by inquiring about the owner/user's disability, requiring medical documentation, requiring a special identification card, requesting training documentation for the animal, or asking that the animal demonstrate its ability to perform the work or task.
1. When it is not obvious that an animal is a service animal and/or what service the animal provides, a limited inquiry is permitted under federal regulations. When the same is not obvious, Southwest faculty and staff may make an inquiry by asking two (2) questions:
 - a. Is the service animal required because of a disability?
 - b. What disability-related service has the animal been trained to provide?
 2. If it is believed that an animal is not a service animal or that the owner/user has answered the two (2) permitted questions in a manner that indicates the animal is not a

qualified service animal, the faculty or staff member may not take direct action to prohibit the animal's presence, but should communicate the concern to:

- a. The Police Services/Public Safety Office as to all individuals on campus with an animal.
 - b. The Office of Human Resources should also be contacted if the owner/user is a College employee.
 - c. The Student Center for Access should also be contacted if the owner/user is a student.
3. Faculty and staff may take immediate action to mitigate a disruption to the learning environment or a health/safety threat but may not permanently exclude a service animal from campus. Any disruption or threat should instead be reported to the offices listed above for a determination regarding further action.

C. Service animals are not required to exhibit identification.

D. If the owner/user of a service animal is a College employee, the employee may register the animal with the Human Resources Office. If the owner/user is a student, the student may register the animal with the Student Center for Access. The registries may be used in instances of emergency or incident response.

E. When there is a legitimate reason to ask that a service animal be removed, the Southwest employee must offer the person with the disability an alternative accommodation.

F. Service animals in training are permitted on campus to the same extent as service animals, subject to the requirements of TCA § 62-7-112 and this policy.

G. The provisions regarding service animals and service animals in training are applicable to all individuals present on Southwest campuses.

IV. Comfort/Emotional Support Animals

Comfort/emotional support animals and all other non-service animals are not permitted on Southwest property.

V. Exceptions to the General Prohibition

A. Animals may be present on campus in connection with a classroom demonstration, research, or other official bona fide academic purpose approved by the President or a designee.

B. Animals may be present for official law enforcement or other lawful government purpose.

- C. They may also be on campus for a special event or performance if permission is granted by the President or a designee.
- D. An exception may also exist if it is a part of an official accommodation granted under the ADA.
- E. Non-service animals whose presence is not pursuant to an exception are not allowed in outdoor areas of the College.

VI. Miscellaneous

- A. Wild or exotic animals are prohibited, unless permitted separately pursuant to Tennessee law, the rules of the Tennessee Wildlife Resources Agency, or other appropriate state or federal authority.
- B. Owners/users of an animal are responsible for compliance with all state and local laws and ordinances regarding licensing and public health related to vaccination requirements.
- C. Animals not in compliance with applicable laws and ordinances will be removed and excluded from Southwest property.

VII. Sanctions/Remedies for Failure to Comply

- A. Students, employees, visitors, and guests who bring non-service or other non-exempt animals into the buildings or outdoor areas of Southwest in violation of this policy will be directed to remove them and may be subject to disciplinary or law enforcement action.
- B. Unattended or unrestrained animals will be removed from the College by a local animal control service.
- C. Damage to property that is a direct result of an animal on Southwest property will be the financial responsibility of the individual bringing the animal to campus.

Responsible Source of Policy: _____

Administrator: AVP of Admin Services

Related Policy: _____

TBR Policy Reference: 1.03.02.55

Approved: _____
President

Date: April 13, 2023