



Wharton County Junior College

Guidelines for Service Animals at Wharton County Junior College

Wharton County Junior College and the Disability Services Office staff are committed to complying with the American with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973 related to the use of service animals by students with disabilities. Questions regarding these guidelines should be directed to the Coordinator of Disability Services.

Definition of Service Animal

The definition of “service animal” provided by the U.S. Department of Justice is as follows:

- Under the Americans with Disabilities Act (ADA), a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person’s disability.
- Staff are not allowed to request any documentation for the dog, require that the dog demonstrate its task, or inquire about the nature of the person’s disability.

WCJC recognizes the U.S. Department of Justice definition and as such Service animals are working animals, not pets.

Emotional support, therapy, comfort, or companion animals are NOT considered service animals under the ADA, are NOT allowed on campus (including parking lots), and must be removed immediately.

A possible exception for emotional support, therapy, comfort, or companion animals, in dormitory rooms only, may be allowed in certain instances under the Fair Housing Act. Those exceptions must be processed **through the Coordinator of Disability Services and Office of the Vice President of Student Services.**

Documentation of Service Animal

Students with disabilities are not required to register service animals or provide any type of documentation such as proof of disability for the student, or proof of training, licensure or certification for the service animal. Students are required, however, to prove their service animal has been vaccinated in accordance with local, municipal, and county law. The staff may not ask questions regarding the nature or extent of the student's disability. If it is not readily apparent that an animal is trained to do work or perform tasks for a student with a disability, staff may only ask 1) "Is the animal required because of a disability?" and 2) "What work or task has the animal been trained to perform?"

Service Animals Access to the Campus Community

Service animals can be excluded from campus if the animal is out of control and the animal's handler does not take effective action to control it, or if the animal is not housebroken.

An animal is "out of control" when it is not under the control of its student handler either through the use of a harness, leash, other tether, or through such means as voice control or signals. An animal that barks or whines repeatedly and inappropriately without being provoked, or otherwise poses a direct threat to the health and safety of others may also be defined as "out of control."

Any request to restrict a service animal must be received by the Coordinator of Disability Services. The Coordinator, Vice President of Student Services, shall make a determination whether or not to remove or restrict the service animal.

The use of a service animal is not permitted in sterile areas.

In cases where a service animal is properly restricted or excluded from campus under this section, the student with a disability shall be given an opportunity to participate in any service, program or activity of WCJC without having the service animal on campus.

Student Responsibility with a Service Animal

WCJC is not responsible for the care and supervision of a service animal. Service animals shall be under the control of its student handler/handler at all times through the use of a harness, leash or other tether. In those cases where the student handler is unable, due to disability, to use a harness, leash or other tether, or where the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, the service animal must otherwise be under the student handler's control through such means as voice control or signals.

The student handler/handler is responsible for caring for and supervising the service animal, which includes toileting, feeding, grooming and veterinary care. In cases where the student handler is physically unable to tend to the toileting cleanup needs of the

service animal while on campus, the student handler may designate an assistant for the task.

Service Animals on Campus

Employees and students of the WCJC community will abide by the following practices with regard to service animals: 1) service animals are allowed to accompany a student with a disability/handler at all times and in all places on campus to which a student without disability or other members of the public or invitees would ordinarily have access; 2) touching or petting of a service animal is prohibited unless invited to do so by the disabled student/handler; 3) feeding of a service animal is prohibited except by the disabled student/handler; 4) a service animal should not be deliberately startled; 5) no action should be taken to separate a disabled student/handler from his or her service animal, except under emergency situations where it may become necessary.

In the case of a student bringing an emotional support animal or pet to class, the instructor should notify Campus Security immediately and ask that the animal be removed.