

Hudson Valley Community College

Service Animal Policy:

I. Policy Statement

Hudson Valley Community College is committed to providing reasonable accommodations to individuals with disabilities. Service Animals assisting individuals with disabilities are generally permitted in all facilities and programs on campus where the public is normally allowed.

II. Definition

Service Animal

Service Animal is defined by the Americans with Disabilities Act (ADA) as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service Animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. The crime deterrent effects of an animal's presence and provision of emotional support, well-being, comfort or companionship do not constitute work or tasks for the purpose of this definition.

*Under particular circumstances set forth in the ADA regulations at 28 CFR 35.136(i), a miniature horse may qualify as a service animal.

Handler

Handler is defined as a person with a disability that a service animal assists or a personal care attendant who handles the animal for a person with a disability.

III. Inquiries regarding Service Animals

In general HVCC staff will not ask about the nature of, or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal. HVCC staff may ask:

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

HVCC **cannot require documentation**, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, HVCC may not make any inquiries about a service animal when it is readily apparent that the animal is trained to do work or perform a task for an individual with a disability. Staff cannot ask for medical documentation.

- IV. When a Service Animal May be Asked to Leave or Prohibited in a HVCC Facility or Program
- A. Out of control Animal: A service animal may be asked to leave a HVCC facility or Program if the animal's behavior is out of control and the handler does not take effective action to control it. If the improper animal behavior happens repeatedly, the handler may be prohibited from bringing the animal into any HVCC facility until the handler can demonstrate that he/she has taken significant steps to mitigate the behavior.
 - B. Non-housebroken Animal: A handler may be directed to remove an animal that isn't housebroken.
 - C. Direct Threat: A handler may be directed to remove an animal that HVCC determines to be a substantial and direct threat to the health and safety of individuals. This may occur as a result of a very ill animal, a substantial lack of cleanliness of the animal, or the presence of an animal in a sensitive area such as certain laboratories, mechanical or industrial areas.

**Allergies and fear of dogs are not valid reasons for denying access or refusing service to individuals that use service animals. When a person is allergic to dog dander and a person that uses a service dog are required to spend time in the same room or facility, for example, in a school classroom, they both should be accommodated by assigning them, if possible, to different locations within the room or in the facility.

- V. Students
- Student requests for disability accommodations, including information regarding service dogs should be directed to the Center for Access and Assistive Technology located in the Campus Center Room 130. Students can reach the Center for Access and Assistive Technology (518)629-7154 or the website at the CAAT Office or www.hvcc.edu/caat/index.html
- VI. Employees
- Employee requests for disability accommodations, including information regarding service dogs should be directed to the Human Resources Department, located in the Administrative Building, Room 140 (518)629-4552 or website at HR Department or www.hvcc.edu/hr/index.html
- VII. Visitors
- Visitor requests for disability accommodations, including information about service dogs should be directed to the Center for Access and Assistive Technology located in the Campus Center Room 130. Students can reach the Center for Access and Assistive Technology (518)629-7154 or the website at CAAT Office or www.hvcc.edu/caat/index.html Or Public Safety.

VIII. Campus Resources

Deanne Martocci- Director, Center for Access and Assistive Technology
Campus Center, Room 130 (518)629-7596

Fred Aliberti-Director, Public Safety,
Campus Center, Room 170 (518)629-7210

REQUIREMENTS FOR SERVICE ANIMALS

Licensing: The City of Troy requires per New York State Law that all dogs over the age of 4 months be licensed. Service dogs receive the license at no cost.

Vaccination: New York State requires that all dogs have a certificate of rabies vaccination or statement of rabies vaccination.

Identification of dog: Article 7 of the Agricultural & Markets Law of New York State, subdivision 109 requires that all dogs licensed in New York State shall wear a tag affixed to a collar on the dog at all times with the municipal identification number.

Under Control: The owner/handler of a service animal must be in full control of the animal. Americans with Disabilities Act states that service animals 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 individual must maintain control of the animal through voice, signal, or other effective controls.

Clean Up: The owner/handler of a service animal must follow the City of Troy ordinance in cleaning up after the animal defecates-City of Troy, Chapter 124, Article II.