Overview

Columbia Gorge Community College (CGCC) is committed to reasonably accommodating individuals with disabilities in compliance with applicable state and federal laws. Accordingly, it is the policy of CGCC to provide reasonable accommodation for students, employees, and community members who need service animals. In addition, CGCC strives to provide a positive environment for students, employees, and community members.

Applicability

- All individuals on CGCC campuses.
- Any exceptions to this policy must have prior approval of the Chief Talent and Operations Officer or his designee.
- Nothing in this administrative rule is designed to conflict with any provision in any collective bargaining agreement and in the event of an apparent conflict the College will apply a collective bargaining agreement provision.

Administrative Rule Statement

Pets and other animals are restricted on the CGCC campus in order to maintain a healthful and secure environment for members of the campus community to study and work, to preserve the flora, fauna, and natural beauty of the campus, to comply with local animal ordinances, and to ensure public safety. No animals are allowed in campus buildings or facilities during hours of instruction or normal business operations. Exceptions are provided for service animals and animals being used for specific pre-authorized
instructional purposes. Any further exceptions to this policy must be approved by the Chief Talent and Operations Officer.

The guidelines outlined in this administrative rule have been implemented to provide reasonable accommodation and reduce the health hazards created by the presence of animals on campus.

**Animals on Campus (wild or feral)**

This policy is also intended to help maintain the delicate balance required to sustain all wildlife on the campus grounds without human intervention, rather than to protect any one species of animal. The achievement of such a balance requires the cooperation of all members of the campus community.

- Wild or feral animals that are not a risk and do not represent a hazard, cause property damage, or create a public nuisance, and that do not involve human intervention, will be allowed to inhabit the campus grounds.

- Prohibited human intervention includes but is limited to feeding, chasing, and building of shelters.

- Wild or feral animals that are a potential risk, represent a hazard, cause property damage, create a nuisance, or otherwise pose a potential conflict for humans will be regulated, controlled, and humanely relocated in accordance with all applicable laws and regulations.

**Pets on Campus**

Students and community members may bring pets on campus. Employees, however, are prohibited from bringing pets on campus. Pets on campus must be under the immediate physical control of the owner at all times (i.e., on leash, carried, etc.). Pets may not be tied to buildings, fixtures, etc., left unattended, or permitted to run at large on campus. Large pets may not be ridden, led, or otherwise allowed on CGCC property. Pet owners are required to immediately pick up and properly dispose of any solid waste produced by their pets. Cats and dogs found on campus will be turned over to county animal control if an owner cannot be found.
Pets may be permitted to be confined in vehicles parked on campus for a reasonable time, as long as the pets are not endangered and do not endanger others or create a public nuisance, e.g., by excessive barking. If the pet endangers itself or others, or creates a public nuisance, the pet's owner will be cited.

**Animals in Campus Buildings and Facilities**

Pets and other animals must remain outside of campus buildings, with the exception of service animals assisting persons with disabilities. To determine whether an animal meets the legal definition of a service animal, the partner or handler should be referred to Human Resources (for employees and community members) or Student Services (for students). This is not required, however, for infrequent access to CGCC services.

**Service Animals**

*Service Animals that are Part of a Student’s Disability Accommodations*

In order for a service animal to accompany a student in campus buildings and facilities as a legal accommodation, the student must contact Shayna Dahl, Advisor, Disability Resources, 541-506-6046, 541-298-3104 (fax), sdahl@cgcc.cc.or.us.

*Service Animals that are Part of an Employee’s Disability Accommodations*

In order for a service animal to accompany an employee to any work setting as a legal accommodation, the employee must contact Robb Van Cleave, Chief Talent & Operations Officer, 541-506-6160, rvancleave@cgcc.cc.or.us.

*Areas Off-limits to Service Animals*

Certain areas on campus are off-limits to service animals. Such areas include nursing and health sciences program practicum sites, food preparation areas, rooms with heavy machinery, custodial closets, IT closets, IT server rooms, areas where protective clothing is required, chemical and biology labs, hazardous material storage areas, and other areas that can pose a safety risk to the animal. Cases will be considered individually to determine whether a service animal poses a possible danger or could be in danger at a certain location, and whether other reasonable accommodations can be provided to ensure equal access to the activity.
Responsibilities of Individuals Using Service Animals

An individual with a service animal is responsible for the following:

A. Care and supervision: Care and supervision of the service animal are the sole responsibility of the person who benefits from the use of the animal. The person is required to maintain full control of the animal at all times. The person is solely responsible for the cost of care, arrangements, and responsibilities for the well-being of the animal. The person is also responsible for ensuring the cleanup of the animal’s waste.

B. Licensing: The animal must meet all city, county, and state licensing requirements.

C. Health: The animal must be in good health and be immunized against diseases common to that type of animal.

D. Leash: The service animal must be on a leash at all times while on campus. Exceptions are permitted only when the service animal is performing a specific duty that requires it to be unleashed.

E. Damage: The partner or handler must take adequate precautions to prevent injuries to persons and damage to campus property, facilities, and others’ belongings. The partner/handler is solely responsible for any damage caused by the service animal.

F. Appropriate animal behavior in public settings: The animal must not:

- Sniff people, cafe tables, or the personal belongings of others;
- Initiate contact with someone without the handler/partner’s direct permission;
- Display any disruptive or aggressive behaviors or noises (such as barking, whining, growling, or aggressive movement toward people or other animals);
- Block an aisle or passageway;
- Be out of close proximity (typically within 12 inches) of the handler/partner at any time;
- Display attraction to food that may be in the area; and
- Display attraction toward or provoke attraction from other animals on campus.
Guidelines for CGCC Employees and Students

CGCC employees and students are responsible for the following:

- Allowing service animals to accompany the partner/handler anywhere on campus while other individuals are allowed in that area, unless service animals are specifically prohibited.

- Always offering to assist the partner if the team seems confused, waiting for verbal acceptance of the offer.

- Never distracting the service animal in any way, including not talking to, touching, petting, feeding, or deliberately startling, teasing, or taunting the animal.

- Never separating a partner/handler from the animal.

Temporary Exclusion of Service Animals

In certain instances, a service animal may be temporarily excluded from campus when the animal’s behavior or presence poses a direct threat to the health or safety of others. The service animal may also be excluded from areas where its presence fundamentally alters the nature of a program or activity. Although CGCC may exclude a service animal from campus facilities or activities, the individual who uses the animal will be given the option of returning to the CGCC activity without the animal. If specific academic accommodations were provided by the animal to a student or employee, he or she can consult with Student Services (for students) or Human Resources (for employees and community members) to determine other appropriate accommodations in the animal's absence.

Procedures for implementing the exclusion of a service animal will vary as follows, depending on whether the partner is a student, employee, or community member:

A. Students’ service animals: All students, including those with disabilities, are responsible for maintaining an environment that is conducive to education, is respectful of others, and protects CGCC property and the health and safety of others as outlined in CGCC's Student Code of Conduct. If a student's service animal's behavior involves misconduct, the student may be cited under the Student Code of Conduct. In order for staff to implement the exclusion of a student’s service animal from campus, the staff member must follow the steps outlined in CGCC Operating Procedure 070.002.001 – Temporary Exclusion of Service Animals.
B. Employees’ service animals: All employees, including those with disabilities, are responsible for maintaining an environment that is conducive to productive work and does not endanger CGCC property or create risks to others. If it becomes necessary to exclude an employee’s service animal from campus as the result of misconduct, the appropriate Chief Officer must take the steps outlined in CGCC Operating Procedure 070.002.001 – Temporary Exclusion of Service Animals.

C. Community members’ service animals: All community members, including those with disabilities, are responsible for maintaining an environment that is conducive to education, is respectful of others, and protects CGCC property and the health and safety of others. If it becomes necessary to exclude a community member’s service animal from campus, the Chief Talent and Operations Officer must follow the steps outlined in CGCC Operating Procedure 070.002.001 – Temporary Exclusion of Service Animals.

Conflicting Disabilities

A student with a medical condition that may become a dangerous health crisis in reaction to animals (such as an acute respiratory condition) and who is concerned about exposure to animals should contact the ADA/Section 504 Compliance Officer for Students. A non-student with a medical issue should contact the ADA/Section 504 Compliance Officer for Employees and Community Members. The individual will be asked to provide medical documentation that identifies the disabling condition, describes the seriousness of the complaint, and suggests appropriate accommodations. Action will be taken to consider the needs of all persons and to resolve the problem as sensitively and efficiently as possible.

Clarifying an Animal’s Service Status

If it is not readily apparent that an animal is a service animal, CGCC may require sufficient information and documentation to determine whether the animal qualifies as a service animal under the applicable law. CGCC may require that the documentation be provided on the letterhead of a treating physician or mental health provider, and permit CGCC to determine:

- That the student has a disability for which the animal is needed;
- How the animal assists the student, including whether the animal has undergone any training; and
The nexus between the student's disability and the assistance that the animal provides.

**Appeal Procedure**

Any student, employee, or community member with a disability who is denied the use or eligibility of a service animal may file a complaint with CGCC's corresponding ADA/Section 504 Compliance Officer.

For students: If the ADA/Section 504 Compliance Officer is the person who denied the initial request, the complaint will be forwarded to the Chief Student Services Officer. The ADA/Section 504 Compliance Officer will communicate a decision in a timely manner.

For employees/community members: If the ADA/Section 504 Compliance Officer is the person who denied the initial request, the complaint will be forwarded to the Office of the President. The ADA/Section 504 Compliance Officer will communicate a decision in a timely manner.

**Emergency Situations**

In an emergency, CGCC staff should be trained to recognize service animals and to be aware that an animal may be trying to communicate the need for help. The animal may become disoriented from the smell of smoke in a fire or laboratory emergency, sirens, wind, noise, or shaking and moving ground. The partner and/or animal may be confused by any stressful situation. Employees should be aware that the animal is trying to be protective and, in its confusion, is not to be considered harmful. Employees should make every effort to keep the animal with its partner, but the primary effort should be toward the partner. This may necessitate leaving the animal behind in certain rare emergency evacuation situations.

**Definitions**

1. **Campus:** All land owned by CGCC, including parking lots, grounds, buildings, and all developed and undeveloped lands.

2. **Disability:** A physical or mental impairment that substantially limits one or more of the major life activities of an individual, a record of such an impairment, or being regarded as having such an impairment.
3. **Handler**: A person who is not being served by a service animal but who works with the animal (usually a trainer).

4. **Partner**: A person who has a disability and uses a service animal.

5. **Pet**: Any non-service animal, either domestic or wild, in the possession of, under the control of, or brought onto campus by any employee, student, or community member of CGCC.

6. **Service animal**: 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. 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, and performing other duties. The work or task that a dog has been trained to provide must be directly related to the person’s disability. This animal is not a pet. For the purpose of this policy, a service animal includes an “assistance animal” as defined by Oregon law.

7. **Assistance animal**: Any animal trained to assist a person with a physical impairment in one or more daily life activities, including but not limited to: dog guides, hearing ear dogs, and animals trained to pull a wheelchair, fetch dropped items, and perform balance work.

8. **Person with a physical impairment**: Any person who has a permanent physical impairment, whose physical impairment limits one or more of daily life activities and who has a record of impairment and is regarded by health care practitioners as having such an impairment, requiring the use of an assistance animal including but not limited to blindness, deafness, and complete or partial paralysis.

9. **Team**: The service animal and either a partner or a handler. The two work as a cohesive unit in accomplishing the tasks of everyday living.

10. **Trainee**: An animal being trained to perform service tasks. It has the same rights as a fully trained service animal when accompanied by a trainer and identified as such.

**Interpretation of Administrative Rule**

The Chief Talent and Operations Officer and ADA/Section 504 Compliance Officer for students have the authority to interpret this rule.
Cross Reference to Related Administrative Rules

Not applicable

Further Information

For Students:
Shayna Dahl, Advisor, Disability Resources (ADA/Section 504 Compliance Officer)
sdahl@cgcc.cc.or.us
(541) 506-6046
(541) 298-3104 – Fax

For Employees/Community Members:
Robb Van Cleave, Chief Talent and Operations Officer (ADA/Section 504 Compliance Officer)
rvancleave@cgcc.cc.or.us
(541) 506-6150
(541) 506-6102 – Fax

Strategic Direction

KFA 1: Educational Programs and Services
KFA 2: Students
KFA 3: Faculty and Staff
KFA 4: Community
KFA 9: Facilities

Appendix

1. CGCC Operational Procedure 070.002.001 – Temporary Exclusion of Service Animals