

HORRY-GEORGETOWN TECHNICAL COLLEGE

PROCEDURE

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Related Policy: 9.4.6
Title: Service Animals
Responsibility: Vice President of Student Affairs

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President

In compliance with applicable law, Horry-Georgetown Technical College, as a place of public accommodation, generally allows service animals at its activities and events, and in its buildings, classrooms, meetings, dining areas, and facilities, when the animal is accompanied by an individual with a disability for whom the service animal is trained to provide, and does provide, a specific service that is directly related to their disability.

It is the policy of Horry-Georgetown Technical College that service animals assisting individuals with disabilities are generally permitted in all facilities and programs on campus. Students with a service animal are strongly encouraged to register in the Office of Disability Services. The College may not permit service animals when the animal poses a substantial and/or direct threat to health or safety or when the presence of the animal constitutes a fundamental alteration to the nature of the program or service. The College will make those determinations on a case-by-case basis.

Definitions

Handler: a handler is 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.

Service Animal: A service animal is any dog 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, and meets the definition of “service animal” under the Americans with Disabilities Act (“ADA”), regulations at 28 CFR 35.136(i). The work or tasks performed must be directly related to the individual’s disability.

Place of Public Accommodation: Public accommodation means “a place or service offering to the public accommodations, advantages, facilities or privileges whether in the nature of goods, services, lodgings, amusements or otherwise.” It also includes a place offering an education. A place of accommodation does not include any institution, bona fide club or place of accommodation, which is in its nature distinctly private.

Responsibilities of the Handler

Students who wish to bring a service animal to campus are asked to partner with the Office of Disability Services, especially if other academic accommodations are required. Staff and Faculty with service animals are required to contact the Office of Human Resources.

Handlers are responsible for any damage or injuries caused by their animals and must take appropriate precautions to prevent property damage or injury. Costs associated with any damage to the campus facilities or properties resulting from the animal's behavior are the sole responsibility of their handlers. The cost of care, along with maintaining the well-being of the service animal, are the sole responsibility of the handler at all times.

A. Service Animal Control Requirements

1. The animal should be on a leash when not providing a needed service to the handler.
2. The animal should respond to voice or hand commands at all times, and be in full control of the handler.
3. To the extent possible, the animal should be unobtrusive to other individuals and the learning, living, and working environment.

B. Animal Behavior

To the extent possible, the handler should ensure that the service animal does not:

1. Sniff people in food service locations and events or the personal belongings of others.
2. Display any behaviors or noises that are disruptive to others, unless part of the service being provided to handler.
3. Block an aisle or passageway to fire egress.

C. Waste Cleanup

Cleaning up after the service animal is the sole responsibility of the handler. In the event the handler is not physically able to do so, he/she must hire someone to perform this task. The following are guidelines for animal waste cleanup:

1. Always carry equipment sufficient to clean up the animal's feces or urine whenever the animal is on campus.
2. Properly dispose of waste and/or litter in appropriate containers.

3. Contact staff if assistance with cleanup is needed. Any cost incurred for doing so is the sole responsibility of the handler.

Removal of Service Animals

Service Animals may be ordered to be removed by the College for the following reasons. When a service animal is properly removed pursuant to this policy, the College will work with the handler to determine reasonable alternative opportunities to participate in the service, program, or activity without having the service animal on the premises.

A. Out of Control Animal

The College may order the removal of a service animal who is out of control and whose handler does not take effective action to calm the animal. If the improper animal behavior happens repeatedly, the handler may be prohibited from bringing the animal into any College facility until it can be demonstrated that significant steps have been taken to mitigate the bad behavior.

B. Non-Housebroken Animal

A handler may be directed to remove an animal that is not housebroken.

C. Direct Threat

A handler may be directed to remove an animal that the College determines to be a substantial and direct threat to the health and safety of individuals. This may occur as the result of a very ill animal, a substantial lack of cleanliness of the animal, or the presence of an animal in a sensitive area like a certain laboratory, health science facility, food service program, or mechanical or industrial area.

Conflicting Disabilities

If a person has a substantial allergic reaction that qualifies as a disability, the College will consider the needs of both persons and is obligated to reasonably accommodate all disabilities to resolve the problem as efficiently and quickly as possible. Students having an asthmatic, allergic, and/or medical complaint are directed to the Counselor for Disability Services at the student's appropriate campus.

This policy was created in accordance with Title II of the Americans with Disabilities Act, as amended, and Section 504 of the Rehabilitation Act, as amended. If any provision herein conflicts with the applicable provisions of the above federal regulations, the federal regulations will apply. If a state law provides a greater right and/or protection to an individual with a disability as it relates to the use of service animals at a public institution of higher education, said state law will prevail.