



Policy Number: 400.7

Policy Title: Service Animals as Accommodations

Subject: Section 400 – Personnel

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Approved by: 

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POLICY STATEMENT:

It is the policy of the Helena College University of Montana, to support employees and applicants with a physical or mental disability by permitting the use of Service Animals as part of a reasonable accommodation plan which has been developed in conjunction with the Helena College Equal Employment Opportunity Compliance Officer (“Helena College ADA/EEO Officer”) within the parameters set forth herein. It is the position of Helena College to allow Service Animals, as defined by the Americans with Disabilities Act (ADA), to accompany members of the public while in Helena College on business and to allow access to the premises to the same extent as allowed to other members of the public. It is also the position of Helena College to permit members of the public who are service dog trainers, while engaged in the actual training process and activities of service dogs, the same rights, privileges and responsibilities as other members of the public, as provided by 49-4-214 MCA.

All Helena College policies shall adhere to and be consistent with applicable federal and state laws and regulations; Board of Regents’ policies and procedures; and The University of Montana’s policies and procedures.

I. DEFINITIONS.

“Service Animal” means an animal, as defined by ADA that:

- has been determined necessary to mitigate the effects of a physical or mental disability by a physician, psychologist, physician’s assistant, nurse practitioner or licensed social worker; or
- has been individually trained to do work or perform tasks for the benefit of an individual with a physical or mental disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals who are deaf or hard of hearing to intruders or sounds, providing reasonable protection or rescue work, pulling a wheelchair or fetching dropped items.

“Responsible Employee” means an employee with a physical or mental disability for whom the use of a service animal is a reasonable accommodation.

II. SERVICE ANIMALS AS A REASONABLE ACCOMMODATION IN THE WORKPLACE.

Persons with a physical or mental disability may direct a request to use a Service Animal in the workplace, including a reasonable period of time to train a Service Animal for personal use, to the Responsible Employee’s direct supervisor or the Helena College ADA/EEO Officer. No request for use of a Service Animal as a reasonable accommodation shall be approved or denied prior to review by the Helena College ADA/EEO Officer. Any reasonable accommodation plan permitting the use of a Service Animal at work may include a reasonable period of time for training. The requirements set forth in sections IV, V, and VII of this Standard Operating Procedure (SOP) shall apply during the training period.

III. RESPONSIBILITIES AND REQUIREMENTS.

Responsible Employees are required to adhere to the following:

1. All Service Animals need to be immunized against rabies according to state law.
2. Service Animals must wear a rabies vaccination tag, or the Responsible Employee must present the immunization certificate to the Director of Human Resources (for faculty and staff) or the Director of Disability Services (for students).
3. Service Animals need to be maintained on a leash, harness or other type of restraint in college buildings and public areas. However, exceptions are granted in an emergency situation, when the Service Animal needs to perform a task requiring it to travel beyond the length of the restraint, or when the Responsible Employee is unable to restrain a Service Animal on a leash due to a disability.
4. The Responsible Employee must be in full control of the Service Animal at all times. The care and supervision of the Service Animal is solely the responsibility of the Responsible Employee.
5. The Responsible Employee is accountable for independently removing or arranging for the removal of the Service Animal's waste, as necessary.
6. The Responsible Employee needs to make sure that their Service Animal is kept as clean as possible so as not to interfere with the educational environment. Regular bathing and grooming may be necessary for flea and tick control.

Failure to meet any of the above standards may result in the temporary or permanent removal of the Service Animal from the workplace.

IV. CO-WORKERS.

Considerations relative to co-workers:

- Helena College’s ADA/EEO Officer will notify co-workers of the pending placement of a Service Animal and give the opportunity for co-workers to express concerns in advance.

- Helena College’s ADA/EEO Officer will develop a plan to address the concerns of employees who are allergic to or fearful of a potential Service Animal, if appropriate.
- Helena College’s ADA/EEO Officer will distribute the Service Animal Etiquette flyer and the ADA and Service Dog Etiquette procedures to Staff, as well as provide training.
- The Responsible Employee should post prominent notices at his or her workstation with information for co-workers about interactions with the Service Animal, such as “please ask before petting or speaking to” the Service Animal.

V. MEMBERS OF THE PUBLIC.

It is permissible to ask a member of the public, such as a job applicant or interviewee, accompanied by an animal whether an animal is a Service Animal and whether it is necessary for a disability. Generally, it is not permissible to ask about the nature of the person’s disability or for documentation supporting the Service Animal. If there are any questions about the use of a Service Animal by members of the public, the matter should be referred to Helena College’s ADA/EEO Officer.

VI. REMOVAL OF SERVICE ANIMAL.

A Service Animal may be removed from the premises if it is a direct threat to the health or safety of others, if it would result in substantial physical damage to the property of others, or if the Service Animal substantially interferes with the work of the college.