



# UNIVERSITY of WISCONSIN GREEN BAY

## Service Animal Policy

IN-14-16-4

### 1. INTRODUCTION

This policy confirms the right of people with disabilities to use service animals on the UW-Green Bay campus within appropriate limits and presents a standard of behavior for the animal.

### 2. SCOPE OF POLICY

This policy applies to an individual with a disability who uses a service animal, as defined below, during his or her employment and/or participation in an academic program or event on campus property.<sup>1</sup> This policy also applies to service animal trainers (see Appendix A).

The use of service animals on campus by students and other non-employees of the University are regulated by Title II of the Americans with Disabilities Act (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973. Employees using service animals are regulated by Title I of the ADA. 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.

University employees who wish the disability related accommodation of using a service animal in the work place should make a request by contacting Human Resources and following the Procedures for Determining Reasonable Accommodation in Employment.

### 3. DEFINITIONS

#### Service Animal

Service animals are defined 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. Dogs whose sole function is to provide comfort, protection, or emotional support do not qualify as service animals.<sup>2</sup>

#### Reasonable Accommodation

A modification to a campus policy, procedure or environment that will allow a person with a disability to perform the essential duties and functions of his or her position and/or allow a person to participate in the academic programs of the campus (including class, housing, university events or activities).

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1. This policy was created in accordance with Title I and 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

2. Miniature horses that have been individually trained to do work or perform tasks for people with disabilities may, on rare occasion, also serve the same functions as service animals. The assessment factors to be considered are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence would compromise legitimate safety requirements necessary for safe operation of the facility.



#### 4. STATEMENT OF POLICY

It is the policy of the University of Wisconsin-Green Bay that service animals assisting individuals with disabilities are generally permitted upon the UW-Green Bay's campus, including exterior and interior locations which are deemed appropriate in accordance with the provisions of this policy, as detailed below.

#### 5. IMPLEMENTATION OF POLICY

University property/buildings where service animals are allowed:

For individuals who are not employees or students on campus, service animals will be permitted at campus locations which are generally open to the public, such as meeting rooms, restroom facilities, common areas and recreational facilities.

For individuals who are either employees and/or students, service animals will be permitted at campus locations where staff and/or students are allowed access for purposes of employment and/or academic matters, such as general classrooms, offices, residence halls and assembly areas except as specified below.

University property/buildings where service animals may be prohibited include mechanical rooms, utility rooms, animal research facilities, food preparation areas, laboratories, shops or studios with hazardous activities or where the presence of a service animal would be inappropriate or disruptive to the learning activity.

#### 6. Inquiries, Exclusions and other specific rules related to Service Animals.

For non-employment matters and when it is not obvious what service an animal provides, the University may request the following information from the handler: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform; and (3) if applicable, notification that the dog is in training to become a service animal. The University may also inquire into the training cues or other signs given to the animal to perform a task or work in order to distinguish the service animal from an ordinary pet or animal. However, the University may not require documentation of training, licensure or certification. If an owner or handler refuses to provide the above information, the University may refuse to allow the animal to enter or remain on campus property. If a handler refuses to provide the above information the University may refuse to allow the animal to enter or remain on campus property.

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must 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 different rooms in the facility.

A non-employee with a disability cannot be asked to remove his service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, that individual must be offered the opportunity to obtain goods or services without the animal's presence.

Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.



People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a business requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.

If the University would normally charge guests for damage that they cause, an individual with a disability may also be charged for damage caused by that individual or their service animal.

The University is not required to provide care or food for a service animal.

## **7. Responsibilities of the Handler:**

Handlers are responsible for complying with the City of Green Bay ordinances for animal rights and owner responsibilities, including licensing the animal and displaying tags documenting that their service animal is licensed and vaccinated.

The University is not responsible for the costs of care necessary for a service animal's well-being, the arrangements and responsibilities with the care of a service animal are the sole responsibility of their handler at all times.

Service animals must 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.

It is suggested that service animals wear a leash or harness and identification (e.g., ID tag) while on campus.

Handlers must be in full control of their service animal at all times.

Handlers will utilize designated areas on campus, if applicable, for outdoor toilet and/or exercise of service animals.

Handlers will insure the immediate clean-up and disposal of animal waste.

It is strongly recommended that a student who will be using a service animal meet with the Disability Services staff to discuss equal access and participation in educational programs on campus.

A student who will be using a service animal and living in Residence Life will contact Residence Life staff before moving to campus so that appropriate planning and accommodations can be made.

The student who will be using a service animal on campus is encouraged to make prior arrangements for someone to take custody of the service animal in the event of a handler emergency and is further encouraged to share this contact information with University Public Safety at [920-465-2300](tel:920-465-2300).

## **8. Removal of Service Animal:**

The University may require a service animal to be removed from a UW-Green Bay facility or location if one or more of the following occurs:

The animal's behavior is aggressive in nature.

The handler is unable or unwilling to maintain proper control over the animal.

The animal's presence creates a significant hazard to the academic or workplace environment.



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The animal's presence fundamentally alters or is disruptive to the workplace and/or learning environment or educational program.

The animal poses a direct threat to the health or safety of others.

## 9. Responsibility for Implementation

The Dean of Students has overall responsibility for ensuring compliance with the policy related to non-employees.

Human Resources Director has overall responsibility for ensuring compliance with the policy related to employees.

Contact list:

Disability Services – responsible for coordination of services for students with disabilities to include service animals.

Human Resources – responsible for coordination of services for employees with service animals

Residence Life – responsible for accommodating persons with a service animal in Residence Life

University Police – responsible for receiving and addressing safety concerns related to service animals

## 10. Appeal Process

Any person dissatisfied with a decision concerning a service animal may file a grievance as outlined in the UW-Green Bay ADA Grievance Procedure and should contact:

Non-employees should contact  
UW-Green Bay ADA Coordinator  
Student Services 1400  
920-465-2380

Employees should contact Human Resources/Affirmative Action Office  
Cofrin Library 710  
920-465-2326

## APPENDIX A: Service Animals in Training

Wisconsin Statutes chapter 106.52 provides for individuals to be able to have service animals in public places when the animals are in training. If these animals are being trained by an individual who is NOT using the service animal for their own personal disability, the training individual should notify UW-Green Bay Police at (920) 465-2300. The animal trainer shall follow all of the responsibilities listed previously in this policy.