

Service Animals

Policy Number: 105

Categorized: [General Policies](#)

Responsible Office: ADA Specialist

Subject: Governs the use of service animals on College property in compliance with the Americans with Disabilities Act

Related Policies: [Accommodation of Individuals with Disabilities](#)

Procedures: N/A

Additional Information:

Effective Date:

Last Reviewed Date: 06/13/2020

1. Scope

This policy applies to all students, employees and visitors.

2. Policy Statement

Northern Virginia Community College is committed to providing equal access to employment and educational opportunities for persons with disabilities. In keeping with these commitments, service animals are permitted on College property for persons with disabilities in accordance with relevant state and federal law and the requirements of this policy.

Service animals are allowed to accompany their handlers at all times and everywhere on College property, except in areas where specifically prohibited due to health, environmental or safety hazards (e.g. mechanical rooms, machine shops, custodial closets, and areas where there is a danger to the animal.) Service animals also may be prohibited when their presence fundamentally alters the nature of a program or activity. Service animals-in-training that meet the requirements of Virginia law are permitted on College property on the same basis as working service animals.

General Guidelines

- a. Do not pet or feed service dogs. They are working and they must not be distracted.
- b. Do not separate or attempt to separate the service dog from his/her handler.
- c. Allow animals in all permissible places at NOVA pursuant to rules noted below.

Handler's Responsibilities

- a. Handlers are encouraged, but not required, to register their service animal or service animal in-training with the Disabilities Counselor at their campus.
- b. Service animals and service animals in-training must be harnessed, leashed, or tethered, unless these devices interfere with the animal's work or the individual's disability prevents using these devices. In that case, the handler must maintain control of the animal through voice, signal, or other effective controls.
- c. Handlers must make sure that all requirements for the presence of a service animal or service animals in-training are met. All service animals and service animals in-training must be in good health. Current vaccinations and identity tags must comply with Virginia and county specific requirements.
- d. Handlers accompanied by service animals must follow local ordinances regarding animal feces. If a handler with disabilities cannot pick up the dog's feces, he/she must make arrangements for cleaning up after the dog.
- e. Handlers are responsible for their animal's behavior. If the accompanying animal exhibits unacceptable behavior, including aggression when not being provoked, the handler is expected to employ proper training techniques to correct such behavior.

Faculty and Staff Responsibilities

- a. When in doubt about whether a dog is either a service animal or service animal in-training, NOVA employees can only ask the following two questions of the person with custody of the animal:
 1. Is the dog a service animal required because of your disability or a service animal in-training?
 2. What job or task has the dog either been trained or is being trained to perform?
- b. NOVA faculty and staff cannot request medical documentation, ask about the person's disability, request an identification card, proof of training, or ask the person to make the dog perform the activity for which it either trained or in the process of being trained to perform. If after asking the two permissible questions a NOVA employee still has concerns about the animal in question, the employee should contact Campus Police.
- c. NOVA faculty/staff shouldn't consider allergies or fear from others as an excuse to deny access or refuse to provide a service to a person accompanied by a service dog. When a person who is allergic to dog dander and a handler with a service animal must spend time in the same room or facility, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

Conflicting Disabilities

Persons with medical condition(s) that are affected by animals (e.g. respiratory diseases, asthma, severe allergies) should contact Disability Support Services or the ADA Coordinator if they have a health or safety related concern about exposure to a service animal. The individual with the medical condition will be asked to provide sufficient information to identify the condition or disability and the need for an accommodation. The College will consider the needs of both individuals in seeking an efficient resolution.

Reasons for Removing a Service Dog from College Property

- a. Illness. Sick animals are not allowed in public spaces and therefore the animal's handler will be asked to remove any sick animal from NOVA's campus.
- b. Disruptions. If a service animal presents disruptive behavior such as barking, running around, showing unprovoked aggression or bringing attention to itself, handlers may be asked to remove the animal from the classroom or premises until the handler takes measures to correct such behaviors.
- c. Uncleanliness. Custodians with animals that are not clean and/or bedraggled may be asked to leave the NOVA campus.

Service Animals in Training

Service animals in training are permitted in public areas on College property on the same basis as working service animals, provided that all of the following Virginia law conditions are met (Va. Code Section 51.5-44):

- a. The dog is at least six months of age;
- b. The dog is on a leash and in a harness, backpack, or vest identifying the dog as a Service Animal-in-training,; and
- c. The dog is accompanied by an experienced trainer.
- d. The trainer must be a) wearing a jacket identifying the specific Service Animal organization they represent or b) be part of a three-unit Service Animal team, comprised of the trainer, the Handler and the Service Animal-in-training for on-going training in public areas only.

Emotional Support Animals

- a. Emotional support animals that are leashed, tethered or being held under the control of a custodian are permitted in outdoor areas on NOVA's campuses and around NOVA's facilities. Custodians of emotional support animals must abide by all rules required under the laws of Virginia and local ordinances.
- b. Emotional support animals are not permitted inside of NOVA's buildings and facilities except for purposes of an animal's participation in instructional programs such as the veterinary technology program or where the animal has been approved as a reasonable accommodation for a disability in accord with standard procedures for requesting such accommodations.

Complaints

- a. Any student who is not satisfied with a decision made concerning a purported service animal or service animal in-training or emotional support animal may file a written complaint using NOVA's Student Grievance Procedures.
- b. Any employee with a disability who is not satisfied with a decision made concerning a purported service animal or service animal in-training or emotional support animal may file a complaint under the College's discrimination complaint procedures.

3. Definitions

Disability: a physical or mental impairment that substantially limits one or more major life activities. A disability may be physical, sensory, psychiatric, intellectual, or mental.

Emotional support animal: animals of any species which may provide emotional support to a person but are not trained to perform work or tasks related to a person's disability. May also be called assistance animals or comfort animals.

Handler: the individual who utilizes a service animal to perform work or tasks pertaining to that individual's disability.

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. (On a limited case-by-case basis, a miniature horse that has been similarly individually trained may also qualify as a service animal.) This includes an animal that is in training to become a service animal. The work or tasks performed by a service animal must be directly related to the individual's disability. Tasks may include, but are not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to sounds, pulling a wheelchair, retrieving dropped items, turning off/on switches, assisting during a seizure, or providing physical support and assistance with balance and stability.

4. Procedures

N/A

5. Authority

[U.S. Department of Justice \(DOJ\) regulations pertaining to the Americans with Disabilities Act \(ADA\)](#)

[Code of Virginia § 51.5-44. Rights of persons with disabilities in public places and places of public accommodation](#)