

STUDENTS WITH SERVICE ANIMALS IN ACADEMIC SETTINGS

STN-U1600.03B

Effective: October 16, 2018

Authority

[POL-U1600.03](#) Accommodating Persons with Disabilities

See Also

[PRO-U1600.03](#) Requesting an Employee Disability Accommodation
[POL-U5620.04](#) Allowing Animals on University Property

Introduction

Federal and State law, and Western policy, recognize that allowing service animals to accompany their handlers in settings where animals are otherwise prohibited is necessary to ensure equal access and program participation for some people with disabilities. Service animals are not pets; policies generally prohibiting animals are not applicable to service animals. While students with service animals are encouraged to contact their professors in advance of beginning laboratory or off-campus classes in order to collaboratively make plans for the service animal's presence, students are not required to do so and penalizing them for failing to do so is unlawful.

If you are a faculty or staff member without previous experience managing an academic space in which a student with a service animal is a participant, please contact Disability Access Center (DAC) with any questions. DAC partners with students who have service animals and academic departments to ensure everyone is aware of their rights and responsibilities in creating safe and inclusive academic settings, which include, but are not limited to classrooms, laboratories and other locations through: study abroad, fieldwork, student teaching, and clinical placements. Together, faculty, staff and DAC can work to ensure that all Western students, including students with disabilities, can engage in and fully benefit from the diverse learning experiences Western provides.

This standard does not cover service animals in training or emotional support animals. Please contact the DAC with questions about such animals in academic settings.

Definitions

Service animal: A dog or miniature horse that is trained for the purpose of assisting or accommodating a sensory, mental, or physical disability of a person with a disability. Service animals are working animals, not pets. Service animals in training and emotional support animals are not service animals.

Academic setting: A classroom, laboratory, or non-laboratory hazardous work area wherein students participate in coursework.

Classroom: A space where instruction for academic credit is taking place excluding laboratories as well as art and design studios.

Laboratory: An area (which can be a single room, a group of rooms, or a part of a room) where hazardous and sensitive materials and equipment are used for research and educational purposes. Hazardous and sensitive materials include but are not limited to chemical, biological, radioactive materials, and animals used in research.

Non-laboratory hazardous work area: An area where hazardous chemicals or equipment may be used, transported or stored. Examples include but are not limited to work shops, paint or spray booths and research areas that are not laboratories (field work, animal care areas, welding areas). This includes rooms or areas where fabrication and repair activities occur, using tools and machinery that present physical hazards to occupants.

Permitted Inquiry

As provided by law and University policy, a service animal may accompany its handler in academic settings.

1. When it is readily apparent that a service animal is trained to do work or perform tasks for its handler, faculty and staff must allow the service animal to access academic settings with its handler. Although service animals often wear a vest or patch identifying them as service animals, there is no requirement that service animals have any identification.
2. In the infrequent circumstance that it is not readily apparent that an animal is a service animal, and faculty have not previously received information from DAC that an animal is a service animal, faculty and staff may make the following limited inquiries of the service animal's handler:
 - i. Is the animal a service animal required because of a disability?
 - ii. What work or task has the animal been trained to perform?

Faculty and staff may take action as follows, based on handler responses:

- If the service animal handler indicates that the animal is required due to a disability and that it has been trained to perform work or a task for the handler, faculty and staff must allow the service animal and its handler to access the academic setting.
- If the answer to either question is in the negative or the student chooses not to answer either of the questions, then the faculty or staff member need not permit the animal to enter.
If a question remains for the faculty or staff person as to whether the animal is a service animal, the faculty or staff person should allow the animal to access the academic setting and later contact the DAC Director to discuss the situation.

In no circumstance should a University employee outside of DAC ask the service animal's handler for information about their disability for the purposes of determining whether to permit a service animal.

Academic Setting

The following rights and responsibilities apply in all academic settings:

Student Rights and Responsibilities in Academic Settings

1. Students with service animals are not required to register their animal with the University.
2. Students with service animals are encouraged to meet with a DAC counselor so that DAC can notify faculty in advance of courses that a service animal will be present.
3. Students with service animals are responsible for the health and safety of their animal in academic settings. This includes the animal's cleanliness, vaccinations and licenses as required by state law and/or local ordinance. This information will need to be made available upon the request of DAC or Public Safety.
4. As required by [POL-U5620.04, Allowing Animals on University Property](#), the handler of an animal is responsible for the immediate control and behavior of the animal.

Faculty and Staff Rights and Responsibilities in Academic Settings

1. If the presence or behavior of the service animal constitutes an imminent threat to people, the faculty or staff member should ask the handler to immediately remove the animal. As stated in POL-U5620.04, Public Safety is to be contacted if a handler refuses this request to remove the animal. If the handler is asked to remove the service animal, they must be offered the opportunity to return to the University premises or the immediate area without the service animal and/or be provided with alternate accommodation within a reasonable time to participate in the University service or program.
2. If the service animal is not under the handler's control or the service animal is

disturbing or disrupting the normal administrative, academic, or programmatic routine, the handler must be given an opportunity to get the animal under control. If the disruption or disturbance continues, the faculty or staff member should contact DRS or public safety for assistance.

Service Animals in the Classroom

Service animals are permitted to accompany their handlers in all WWU classrooms.

Service Animals in Laboratories and Non-Laboratory Hazardous Work Areas

Western is committed to providing access to students and their service animals whenever possible. DAC partners with academic departments to identify potential places for students with service animals to safely bring animals to laboratories and non-laboratory hazardous work areas. Based on the different tasks an animal might perform, designated spaces may not work effectively for all students and their service animals.

Laboratories and shops are often tight spaces with unique chemical, biological, physical and other hazards. Students with service animals are strongly encouraged to contact their DAC counselor at least four weeks in advance of any lab or shop coursework. DAC will setup a meeting with the student and appropriate academic personnel to:

1. Review whether the identified area is effective or whether an alternative location needs to be identified.
2. Discuss recommended protective equipment such as floor mats, goggles, lab coats and booties. DAC can provide this equipment as needed and requests 4 week notice to do so.
3. Review chemical, biological, physical and other hazards unique to each lab or shop.
4. Review student rights and responsibilities (see page 3 of this Standard).

Limited Exceptions in Laboratories Studying Animal/Organism Behavior or Conducting Animal Research

On rare occasions, the presence of a service animal could compromise the integrity of research or the safety of others. If this is the case, the lab manager or faculty member should notify DAC prior to the beginning of the quarter. Examples of this would include animal/organism research facilities, medically sensitive patient and clinic areas and biologically sensitive research sites that could be affected by animal dander, hair or fur. If a service animal is restricted from certain areas, DAC is available to assist in evaluating reasonable accommodations. These limited exceptions are determined in consultation with the faculty member, the ADA Coordinator, and the relevant institutional board and parties.

Service Animals in Off-Campus Coursework

In addition to coursework offered on campus, many academic programs rely on partner organizations across the community, and in some cases, across the world. While Western can ensure reasonable accommodation to all its academic offerings, the laws and policies around service animals vary by location. Students are asked to contact DAC four weeks before any

domestic coursework and 10 weeks before any international coursework

Resolution of Concern or Complaints

Any individual with questions or concerns regarding the presence of a service animal in an academic setting should contact the DAC Director.

Josef Mogharreban
Disability Access Center
Wilson Library 170
(360) 650-6899
drs@wwu.edu

Any individual who feels that they have been unfairly denied the ability to bring a service animal into an academic setting may seek assistance from or file a complaint with the University's Civil Rights & Title IX Compliance (CRTC) office. CRTC uses the University's Discrimination Complaint Procedure ([PRO-U1600.02A](#)) to either informally resolve concerns and/or investigate complaints brought by individuals who believe they have not appropriately received reasonable accommodations or have been subject to discrimination based on disability.

Daniel Records-Galbraith
Director, ADA/Title IX Coordinator
Civil Rights & Title IX Compliance
Old Main 126
(360) 650-3307 (voice) or 711 (WA Relay)
crtc@wwu.edu