

Facilities

Board of Trustees Policy

SUBJECT: Service Animal Policy	NUMBER: 4.2
	DATE: September 16, 2024 Resolution #24-141
	SUPERSEDES: October 15, 2018 Resolution #18-124

Purpose

SUNY Schenectady County Community College is committed to providing reasonable accommodations to individuals with disabilities. Service Animals assisting individuals with disabilities are generally permitted in all facilities and programs on campus where the public is normally allowed.

Policy

I. Definitions

Service Animal: is defined by the Americans with Disabilities Act (ADA) as dogs that are individually trained to do work or perform tasks for people with disabilities. Example 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. The crime deterrent effects of an animal’s presence and provision of emotional support, well-being, comfort or companionship do not constitute work or tasks for the purpose of this definition.

*Under particular circumstances set forth in the ADA regulations at 28 CFR 35.136(i), a miniature horse may qualify as a service animal.

Handler: is defined as 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.

II. Inquiries regarding Service Animals

In general, SUNY Schenectady staff will not ask about the nature of, or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal. SUNY Schenectady staff may ask:

1. Is the dog a service animal required because of a disability?
2. What work or task has the animal been trained to perform?

SUNY Schenectady cannot require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, SUNY Schenectady may not make any inquiries about a service animal when it is readily apparent that the animal is trained to do work or perform a task for an individual with a disability. Staff cannot ask for medical documentation.

III. When a Service Animal May be Asked to Leave or Prohibited in a SUNY Schenectady Facility or Program

- A. Out of control Animal: a service animal may be asked to leave a SUNY Schenectady facility or program if the animal's behavior is out of control and the handler does not take effective action to control it. If the improper animal behavior occurs repeatedly, the handler may be prohibited from bringing the animal into any SUNY Schenectady facility until the handler can demonstrate that he/she has taken significant steps to mitigate the behavior.
- B. Non-housebroken Animal: a handler may be directed to remove an animal that isn't housebroken.
- C. Direct Threat: a handler may be directed to remove an animal that SUNY Schenectady determines to be substantial and direct threat to the health and safety of individuals. This may occur as a result of a very ill animal, a substantial lack of cleanliness of the animal, or the presence of an animal in a sensitive area such as certain laboratories, mechanical or industrial areas.

** Allergies and fear of dogs are not valid reasons for denying access or refusing service to individuals that use service animals. When a person is allergic to dog dander and a person that uses a service dog are required to spend time in the same room or facility, for example, if possible, to different locations within the room or in the facility.

IV. Requirements for Service Animals

Licensing: The City of Schenectady requires per New York State Law that all dogs over the age of 4 months be licensed.

Vaccination: New York State requires that all dogs have a certificate of rabies vaccination or statement of rabies vaccination. Documentation should be provided to Human Resources prior to arrival on campus for classes and should be updated annually.

Identification of dog: Article 7 of the Agricultural & Markets Law of New York State, subdivision 109 requires that all dogs licensed in New York State shall wear a tag affixed to a collar on the dog at all times with the municipal identification number.

Under Control: The owner/handler of a service animal must be in full control of the animal. Americans with Disabilities Act states that service animals 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.

Clean Up: The owner/ handler of service animal must follow the City of Schenectady ordinance in cleaning up after the animal defecates – City of Schenectady, (Chapter 144), Articles (15-18).

Procedures

I. Students

Student requests for disability accommodation, including information regarding service dogs should be directed to the Wellness and Support Services Unit, located in the Elston Hall, Room 222. Students can reach the Wellness and Support Services Unit by phone: (518)381-1244 or website at Wellness and Support Services (<http://sunysccc.edu/Current-Students/Student-Life-and-Resources/Wellness-and-Support-Services>)

II. Employees

Employee requests for disability accommodations, including information regarding service dogs should be directed to the Human Resources Department, located in the Elston Hall, 5th floor. Employees can reach the Human Resources Office by phone: (518)381-1218 or website at Office of Human Resources (<http://sunysccc.edu/About-Us/Office-of-Human-Resources>)

III. Visitors

Visitor requests for disability accommodations, including information about service dogs should be directed to the Wellness and Support Services Unit, located in the Elston Hall, Room 222. Students can reach the Wellness and Support Services Unit by phone: (518) 381-1244 or website at Wellness and Support Services (<http://sunysccc.edu/Current-Students/Student-Life-and-Resources/Wellness-and-Support-Services>)

IV. Campus Resources

Director of Wellness and Support Services
Elston Hall, Room 222
Phone: (518) 381-1244

Director of Campus Safety
Elston Hall, Room 314
Phone: (518) 381-1445