

Animals in Offices, Classrooms and Common Spaces Policy

Purpose

This policy is intended to provide information regarding direction and process for animal interactions on the Minot State University campus offices, classrooms and common areas.

Minot State University (MSU) prohibits bringing a pet (a domestic animal kept for pleasure or companionship) or other animal to work or having an animal in Minot State University office buildings and common areas, with the exception of service animals for a person with disabilities. In addition, while on university-controlled property, animals must be attended and always restrained.

Service Animals

According to the Americans with Disabilities Act (ADA), a service animal is defined as “any animal individually trained to work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals to an impending seizure or protecting individuals during one, and alerting individuals who are hearing impaired to intruders, or pulling a wheelchair and fetching dropped items.”

A person with a disability uses a service animal as an auxiliary aid. In compliance with the ADA, service animals are welcome in all buildings on company property and may attend any class, meeting or other event. There may be exceptions for certain areas.

Procedures

Employees wishing to bring a service animal to offices, classrooms or common spaces must request an accommodation due to a disability that requires the use of a service animal. That request is accomplished by contacting Human Resources (HR) department and completing a Documentation of Disability form. Determination of eligibility will be made through HR and Department Supervisor and/or Vice President. All service animals must be registered with the HR department.

The work or tasks performed by a service animal must be directly related to the individual’s disability. Examples of work or tasks include, but are not limited to:

- Assisting individuals who are blind or have low vision with navigation and other tasks.
- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds.
- Providing non-violent protection or rescue work.
- Pulling a wheelchair.
- Assisting an individual during a seizure.
- Alerting individuals to the presence of allergens.
- Retrieving items such as medicine or the telephone.

- Providing physical support and assistance with balance and stability to individuals with mobility disabilities.
- Helping individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship are not considered work or tasks under the definition of a service animal.

Exceptions to the policy may be granted for:

- Animals that have been approved as assistance/emotional support animals (in accordance with the procedures below).
- Research, clinical, and teaching animals (used directly in support of the University's missions of research and teaching).
- Animals in training participating in approved programs.
- Police dogs.
- Animals that have been approved through special requests and/or by the Office of Safety (complete an activity/event form to process request).
- Attended and restrained pets who accompany owners during activation of storm shelter.

There may be areas of campus where a service animal poses a substantial and direct threat to health and safety that cannot be reduced or eliminated through reasonable modifications. These areas may include some laboratories, animal research areas, medical facilities, and food preparation areas. An individualized assessment is required before the service animal is denied entry. An individualized assessment may include the nature, duration and severity of the risk, the probability of harm or injury, and the availability of modifications to minimize the risk. Departments may assist in the determination if there is a reasonable accommodation that would allow the service animal to be present, but employee health and wellness will take priority over the presence of an animal on campus.

Non-HR employees are not allowed to request any documentation for the animal, require that the animal demonstrate its task, or inquire about the nature of the person's disability.

The ADA requires that service animals be under control of the handler at all times. The service animal must be attended and under control when in public places. If a service animal is out of control and the handler does not take effective action to control it, or if the animal poses a direct threat to the health or safety of others, employees may request that the animal be removed from the premises.

Cleanliness of the service animal is mandatory. Consideration of others shall be paramount when providing maintenance and hygiene of service animals. Animal handlers/owners are responsible for maintaining proper care and control of the animal; must properly dispose of the service animal's waste; and are responsible for any damage or injury caused by the animal. Animals may not disrupt operations of the department or campus.

Emotional Support Animal Accommodation Request Process

An employee with a disability who requests the presence of an assistance/emotional support animal to perform the essential functions of his/her position must complete an ADA accommodation request form. The completed form must be submitted to his/her supervisor who will then submit the form to the Human Resources office. Medical information may be needed to determine and to identify the effective accommodation. All medical information is kept confidential and separate from personnel files.

Requirements of Service Animals and their Owners

- All animals need to be immunized against rabies and other diseases common to that type of animal. All vaccinations must be current.
- Animals must wear a rabies vaccination tag.
- All dogs must be licensed per state law.
- Service animals must wear an owner identification tag (which includes the name and phone number of the owner) at all times.
- Animals must be in good health.
- Animals must be on a leash, harness or other type of restraint at all times, unless the owner/partner is unable to retain an animal on leash due to a disability.
- The owner must be in full control of the animal at all times. The care and supervision of the animal is solely the responsibility of the owner/partner.
- The owner/partner must provide the HR department staff with information as to how the animal accommodates for the individual's disability.

Per North Dakota Century Code 23-36-09, an animal's owner is liable for the cost of quarantine and veterinary services, and for the cost of any post exposure treatment received by an individual who is possibly exposed to rabies by the owner's animal, if the animal is not licensed, registered, confined, or vaccinated as required.

Reasonable behavior is expected from service animals while on company property. The owners of disruptive and aggressive service animals may be asked to remove them from Minot State University facilities. If the improper behavior happens repeatedly, the owner may be instructed not to bring the service animal into any facility.