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Policy Title: **SERVICE ANIMALS**

### **Section I. Introduction**

Students, employees, and visitors who have service animals can participate in and benefit from district services, programs, and activities, and are ensured that the College does not discriminate on the basis of disability as identified in Titles II and III of the Americans with Disabilities Act (ADA).<sup>1</sup> Under both State of Wisconsin and Federal law, a person with a disability receives certain protections for equal access to places of public accommodation, which include protections for the use of a service animal.<sup>2</sup> The ADA authorizes places of public accommodation to impose restrictions if it is a safety requirement.

Students with disabilities are encouraged to work with FVTC Disability Services regarding appropriate classroom accommodations but are not required to register a service animal with the College.

Fox Valley Technical College is committed to adhering to the applicable Federal and State laws regarding service animals. A service animal is an animal that is individually trained to do work or perform tasks for a person with a disability. Emotional support, therapy, comfort, and companion animals are not service animals and are not allowed inside buildings except under specific college-approved circumstances such as when the college may bring such animals in as a student engagement activity.

### **Section II. Responsibilities of Individuals Using Service Animal**

- Individuals who have service animals are not exempt from local animal control or public health requirements. The handler must provide proof of current rabies vaccinations upon request.
- The service animal must be physically controlled by the handler at all times through use of a harness, leash, or tether while in public places unless these devices interfere with the service animal's work, or the person's disability prevents use of these devices. In that case, the person must use voice, signal, or other effective means to maintain control of the animal.
- The supervision and care of the service animal is the responsibility of its handler who is responsible for making sure the service animal has adequate breaks outside and adequate food and water. If the service animal has an accident, the handler is responsible for all clean-up in a timely manner. The handler, not FVTC, is also exclusively liable for any harm the animal may cause.

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<sup>1</sup> *Americans With Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 328 (1990), As Amended.*

<sup>2</sup> *28 C.F.R. ss. 36.104 and 36.302 (c); and Wis. Stat. s. 106.52 (1) (fm) and (3) (am).*

### **Section III. Removal of Service Animal from Campus**

If a service animal becomes aggressive and poses a direct threat to the health or safety of others, the student, employee, or campus visitor will be required to immediately remove the service animal from college property. Behavior beyond that which is reasonably expected of a service animal includes, but is not limited to, excessive barking/growling or biting. An excessively unclean or unkempt service animal may also be asked to leave campus until the problem is resolved.

Complaints about the animal's behavior may be submitted as a *General Incident* using the College's online reporting system or, if there is an injury or the animal is posing an immediate threat, reported directly to Security Services. The student, employee, or campus visitor using the service animal is also expected to report such incidents via a *General Incident Report* or to Security Services within 24 hours of the occurrence.

### **Section IV. Restrictions**

There are certain areas that may be considered unsafe for the service dog and its handler, or where the presence of an animal might interfere with the safety of others (for example, but not limited to the following areas: machine rooms, kitchens, and areas where protective clothing is necessary). Determinations will be made on a case-by-case basis. If it is determined that an area is unsafe, reasonable accommodation will be provided to assure equal access to the student, employee, or campus visitor.

### **Section V. Best Practice**

Some individuals may have adverse reactions to a service animal. If these circumstances arise, resolution of the complaint will take into consideration the needs of both parties and be as prompt as possible.

### **Section VI. Grievance Procedure**

Individuals who do not agree with a Fox Valley Technical College decision regarding anything within this policy should contact the College's ADA Coordinator:

- Dan Squires, ADA/504 Coordinator, P.O. Box 2277, 1825 North Bluemound Drive, Appleton, WI 54912-2277, telephone 920-831-4380 or [daniel.squires3328@fvtc.edu](mailto:daniel.squires3328@fvtc.edu).

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