

PRESENCE AND USE OF ANIMALS AT MPCC FACILITIES AND EVENTS

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples 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. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

Under the ADA, the college must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go.

Under the ADA, service animals must 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.

When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

Pets and Therapy Animals are generally not permitted in College facilities or at MPCC events. **NOTE: Requests for exceptions to this general rule must be submitted to the campus vice president.**

Emotional Support Animals and Student Housing

Pets are not allowed in student housing with the exception of a fish tank of less than five gallons.

The Fair Housing Amendments Act of 1988, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act protect the right of people with disabilities to keep emotional support animals, in student housing, because emotional support and service animals

are not "pets," but rather are considered to be more like assistive aids. In campus housing, so long as the tenant has a letter or prescription from an appropriate professional, such as a therapist or physician, and meets the definition of a person with a disability, he or she is entitled to a reasonable accommodation that would allow an emotional support animal in the apartment.

Request an exception to the school's no pet rule

If one needs an emotional support animal to ease the symptoms of a disability (as defined above), he or she should request a reasonable accommodation, in writing, from the Area Dean of Students. The request should state that the student has a disability and explain how the requested accommodation will be helpful. In addition, the student should include a note from his or her service provider, such as a doctor or therapist, verifying the need for the support animal.