

## **AP 3440 Service Animals**

Reference:

**Civil Code Sections 54 et seq.;**  
**Penal Code Section 365.5;**  
**The Americans with Disabilities Act of 1990 – 42 United States Code Sections 12101 et seq.;**  
**28 Code of Federal Regulations Part 35;**  
**28 Code of Federal Regulations Part 36;**  
**34 Code of Federal Regulations Part 104.44 subdivision (b)**  
**Section 504 of the Rehabilitation Act**

- 1.0 The District will allow an individual with a disability to use a service animal in District facilities and on District campuses in compliance with state and federal law. The District supports the rights of employees and students with disabilities under the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and applicable state law.
  - 1.1 Employees who require the use of service animals must follow the accommodation process for employees per the guidelines of the District Human Resources Department. An employee who requires the assistance of a service animal as a reasonable accommodation authorized by Human Resources may bring the service animal onto district Property.
  - 1.2 Students with disabilities who require the assistance of a service animal on campus are welcome to register their service animal with their corresponding Disability Support Services (DSS) office. Still, they are not required to do so. In situations where it is not apparent that the dog is a service animal, staff may ask two specific questions: Is the service animal required because of a disability; and what work or task has the dog been trained to perform.
- 2.0 The District will allow an individual with a disability to use a miniature horse as a service animal in District facilities and on District campuses if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability and the District has determined, based on the assessment factors provided in this procedure, that a reasonable accommodation can be made.
- 3.0 The District will allow an individual with a disability to be accompanied by their service animal in all areas of the District's facilities where members of the public, invitees, clients, customers, patrons, or participants in services, programs or activities, as relevant, are allowed to go.
- 4.0 These procedures shall also be applicable to an individual who is training a service animal.

### **5.0 Service Animal Defined**

- 5.1 A "service animal" for purposes of this procedure means any dog (or miniature horse, as provided herein) that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.
- 5.2 Other species of animals, whether wild or domestic, trained or untrained, are not service animals for this definition.

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5.3 The work or tasks performed by a service animal must be directly related to the handler's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks under this definition.

6.0 **Emotional Support Animals:** The District recognizes the importance of Emotional Support Animals (ESA) for individuals with disabilities. An ESA is an animal that provides comfort or emotional support to alleviate one or more symptoms of a person's disability. ESAs are not Service Animals under the Americans with Disabilities Act (ADA) and are not trained to perform specific tasks or granted general public-access rights. Documentation supporting the need for an ESA must come from a licensed healthcare or mental health professional and must meet applicable state requirements. Approval for an ESA shall be made on a case-by-case basis through an interactive process with the respective campus Disability Support Services for students and with District Human Resources for employees.

7.0 **Exceptions**

7.1 The District may ask an individual with a disability to remove a service animal from the premises if:

- 7.1.1 The animal is out of control and the animal's handler does not take effective action to control it; or
- 7.1.2 The animal engages in disruptive, unsafe, or aggressive behavior such as growling, snarling, snapping, biting, lunging, or barking; or
- 7.1.3 The animal is not housebroken.

7.2 If a service animal is excluded under one of these exceptions, the District will engage or continue in an interactive good-faith process to give the individual with a disability the opportunity to obtain goods, services, and accommodations or to participate in the service, program, or activity without having the service animal on the premises.

7.3 If the service animal is required as part of an employee accommodation and the District requests that the service animal be removed for safety of others, then the District will engage or re-engage in the interactive process with the employee.

8.0 **Assessment Factors for Miniature Horses:** The District shall consider the following factors:

- 8.1 The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- 8.2 Whether the handler has sufficient control of the miniature horse;
- 8.3 Whether the miniature horse is housebroken; and
- 8.4 Whether the miniature horse's presence in a specific facility compromises

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legitimate safety requirements that are necessary for safe operation.

- 9.0 **Control:** The service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
- 10.0 **Care or Supervision:** The District is not responsible for the care or supervision of the animal.
- 11.0 **Inquiries by the District**
  - 11.1 The District may make two inquiries to determine whether an animal qualifies as a service animal:
    - 11.1.1 Whether the animal is required because of a disability; and
    - 11.1.2 What work or task the animal has been trained to perform.
  - 11.2 The District will not make either of these inquiries when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).
  - 11.3 An individual may choose to produce a county service dog license or identification tag as proof that the animal is a service animal. Licensure or certification is not required in order to meet the definition of a service animal under this procedure. There are no licensing or certification requirements for miniature horses.
- 12.0 **No Surcharge:** The District will not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. If the District normally charges individuals for damage caused by pets, an individual with a disability may be charged for damage caused by their service animal.

**Date of Adoption:** January 26, 2026 District Consultation Council