

# **University of Wisconsin-La Crosse**

## **Service Animal Policy**

### **1.0 INTRODUCTION**

This policy addresses the use of service animals by persons with disabilities at UW-La Crosse and presents a standard of behavior for the animal. It is the intent of UW-La Crosse to meet the needs of the entire campus community in an atmosphere of open communication and inclusion.

This policy was created in accordance with Title II of the Americans with Disabilities Act, as amended, and Section 504 of the Rehabilitation Act, as amended. If any provision herein conflicts with the applicable provisions of the above federal regulations, the federal regulations will apply. If a state law provides a greater right and/or protection to an individual with a disability as it relates to the use of service animals at a public institution of higher education, said state law will prevail.

### **2.0 SCOPE OF POLICY**

**2.1** This policy applies to an individual with a disability who uses a service animal, as defined below, during his or her employment and/or participation in any university program or event on campus property. This policy also covers service animals in training.

### **3.0 DEFINITIONS**

#### **3.1 Service Animal:**

A service animal is any dog, regardless of breed, 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 and that otherwise meets the definition of “service animal” under Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112, 87 Stat. 394 (29 U.S.C. 794), as amended, and the Americans with Disabilities Act § 35.136.[1]

#### **3.2 Service Animal in Training:**

A service animal in training is a dog being specially trained to lead blind or deaf persons or to provide support for mobility-impaired persons, that is accompanied by a trainer or by a blind, deaf or mobility-impaired person, if:

(a) Such dog is wearing a harness or a leash and special cape; and

(b) The person has presented, for inspection, credentials issued by a school for training dogs for the blind, deaf or mobility-impaired.

For the remainder of this policy document, except where otherwise specified, all provisions referring to “service animal(s)” shall also be deemed to include service animal(s) in training. (Wisconsin Statutes Section 174.056)

### **3.3 Reasonable Accommodation:**

A modification to a campus university policy, procedure or environment that will allow a person with a disability to perform the essential duties and functions of their position and/or allow a person to participate in the university programs of the campus (including class, housing, university events or activities).

## **4.0 STATEMENT OF POLICY**

**4.1** It is the policy of the University of Wisconsin-La Crosse that service animals assisting individuals with disabilities (including service animals in training), are generally permitted on the campus, including exterior and interior locations that are deemed appropriate in accordance with the provisions of this policy, as detailed below. In addition, reasonable accommodations, which may include the use of a service animal, will be made to allow qualified individuals with disabilities to perform essential employment functions and/or to allow individuals with disabilities to participate in UW-L educational programs, benefits and opportunities.

## **5.0 IMPLEMENTATION OF POLICY**

### **5.1 University property/buildings where service animals are allowed:**

**5.1.1** Any individual with a service animal will be permitted in all campus locations where members of the public are normally allowed to go. If there are concerns regarding allowing access to certain restricted spaces for the service animal because it would fundamentally alter the nature of the program, service, or activity, they will be addressed on an individual basis.

### **5.2 Responsibilities of University:**

**5.2.1** For students, The ACCESS Center will coordinate classroom and other campus accommodations relating to service animals with appropriate University personnel, including faculty and/or staff.

**5.2.2** For employees, Human Resources will coordinate workplace and other campus accommodations relating to service animals with appropriate University personnel.

**5.2.3** Any individual who has concerns about a service animal on campus should contact The ACCESS Center, (608) 785-6900, for clarification of service animal policies.

### **5.3 Responsibilities of the Handler:**

**5.3.1** It is recommended that the student contact and meet with an advisor from The ACCESS Center to discuss equal access and participation in educational programs on campus. Employees should meet with Human Resources to discuss equal opportunity and accessibility on campus. These recommendations do not apply to individuals who are unaffiliated with the University and bring service animals to public areas of the campus for limited times.

**5.3.2** Be in control of the animal at all times.

**5.3.3** Maintain animal health and hygiene.

**5.3.4** Use appropriate outdoor areas on campus, if applicable, for toilet and/or exercise of service animal, and cooperate with reasonable requests from Landscape Services and other UW-La Crosse employees in this regard.

**5.3.5** Ensure the immediate clean-up and disposal of animal waste.

**5.3.6** Comply with any and all other applicable laws, ordinances and policies related to the service animal.

### **5.4 Reasonable Inquiries Regarding Service Animal:**

**5.4.1** If the need for a service animal is not reasonably obvious to the University, the University may ask the owner or handler the following questions:

- a. Is the animal required because of a disability? and
- b. What work or tasks has the animal been trained to perform?

For service animals in training, the University may also request credentials issued by a school for training dogs for the blind, deaf or mobility-impaired.

**5.4.2** If an owner or handler refuses to provide the above information, the University may refuse to allow the animal to enter or remain on campus property.

## **5.5 Removal of Service Animal:**

**5.5.1** The University may require a service animal to be removed from a UW-La Crosse facility or location if:

a. The handler is unable or unwilling to maintain proper control over the animal, or if the animal is aggressive in nature.

b. The animal's presence creates a significant hazard to the academic or workplace environment;

c. The animal's presence fundamentally alters or is disruptive to the workplace, learning environment, educational programs, or other operations of the university;

d. The animal poses a direct threat to the health or safety of others.

**5.5.2.** Procedures for removal of a service animal belonging to a student will be handled using the Student Life non-academic misconduct process. Procedures for removal of a service animal belonging to an employee will be handled by Human Resources in the same fashion as other employee misconduct issues. Procedures for removal of a service animal belonging to a guest of the campus will be handled by University Police.

**5.5.3.** In the event that a service animal is removed from a UW-La Crosse facility or location pursuant to this section, the University shall continue to provide reasonable accommodations to the handler, as requested by the handler, in accordance with applicable law and policy.

## **5.6 Responsibility for Implementation**

**5.6.1** The Director of Affirmative Action has overall responsibility for ensuring compliance with the policy.

**5.6.2** Contact list:

The ACCESS Center – responsible for coordination of services for students with disabilities to include service animals.

165 Murphy Library

1725 State Street

La Crosse, WI 54601

Phone: (608) 785-6900

Email: [ACCESSCenter@uwlax.edu](mailto:ACCESSCenter@uwlax.edu)

Human Resources – responsible for coordination of services for employees with service animals

144 Graff Main Hall  
1725 State Street  
La Crosse, WI 54601  
Phone: (608)-785-8013

Residence Life – responsible for accommodating person that is living in on campus housing and is approved to have a service animal

Eagle Hall  
1725 State Street  
La Crosse, WI 54601  
Phone: (608)-785-8075

University Police – responsible for receiving and addressing safety concerns related to service animals

525 East Avenue North  
La Crosse, WI 54601  
Phone:  
· 789-9000 (office)  
· 789-9999 (for emergencies only)  
· 911 (life threatening emergencies)

Affirmative Action  
131 Graff Main Hall  
1725 State Street  
La Crosse, WI 54601  
Phone: 608-785-8541  
Email: aad@uwlax.edu

## **6.0 Appeal Process**

**6.1** Any individual dissatisfied with a decision concerning a service animal may contact the Office of Affirmative Action for advice, assistance, or to initiate a complaint.

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[1] Under applicable law, a miniature horse may be considered a service animal if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether

reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, a public accommodation shall consider the type, size, and weight of the miniature horse and whether the facility can accommodate these features; whether the handler has sufficient control of the miniature horse; whether the miniature horse is housebroken; and whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.