

SERVICE ANIMALS

I. Purpose

The purpose of the policy is to outline and define Western Dakota Tech's (WDT) commitment to equal opportunity and access for individuals with disabilities that require assistance of a service animal. Access includes the WDT campus, course offerings, programming, activities, and events. This policy differentiates "service animals" from pets and emotional support, therapy, and companion animals.

II. General Statement of Policy

- A. WDT complies with federal, state, and local laws which allow a service animal to accompany any person with a disability on the WDT campus, except where noted in this policy.
- B. It shall be a violation of this policy to bring any type of species, except qualified service animals, on the WDT campus. Law protecting service animals or their activities do not extend to non-service animals.
- C. Prior to full campus access, students with a service animal must meet with the Library & Disability Services Coordinator, and WDT employees with a service animal must meet with the Human Resources Director.
- D. Staff can make limited inquiries when external customers bring a service animal on campus, and it is not obvious what service the animal provides. The only two questions staff can ask are: (1) is the service animal required because of a disability, and (2) what work or tasks has the service animal been trained to perform. Staff may not request training documentation for the service animal, require that the service animal demonstrate any tasks, or inquire about the nature of the person's disability.
- E. Service animals are subject to state and local licensing, including registration requirements. If a service animal resides in Pennington County for 30 days or more, documentation of local licensing and vaccinations records (including rabies) must be submitted before a service animal is permitted full access to the WDT campus.
- F. Service animals must be under the control of their partner at all times. Service animals must be harnessed, leashed, or tethered unless such devices interfere with the service animal's work or the individual's disability prevents the use of these devices. As allowed under state law, the person with a disability is liable for any damage done to the premises or facilities by a service animal.
- G. Certain areas may be off-limits where there is potential danger to the service animal including any classroom, laboratory environment, or hazardous area with moving machinery, sharp metal cuttings, products of combustion, hazardous protruding objects, hot material on floors, or high levels of dust discharge. It is also appropriate to exclude service animals from an area when the animal's presence may compromise a sterile environment.

- H. Without delay, the partner must clean up when a service animal urinates or defecates. Urine must be wiped up with an absorbent towel and antibacterial wipes. Feces need to be wrapped in plastic bags and properly disposed in a waste receptacle. WDT is not obligated to supervise or otherwise care for a service animal.

III. Definitions

A. "Service animal" is defined as:

1. A dog or miniature horse that is trained to do work or perform tasks for an individual with a disability to include physical, sensory, mental, psychological, intellectual, or other mental disabilities.
2. A service dog is any canine that is trained to perform a disability-specific task for a person with a disability.
3. A miniature horse with a general range in height from 24-34 inches measured to the shoulders and general weight of 70-100 pounds who is trained to perform a disability-specific task for a person with a disability can serve as a service animal.

B. "Non-service animal" is defined as:

1. Puppies or miniature foals "in training" are not legally classified as service animals.
2. Therapy, emotional support, and companion animals (including all other classifications of mammals, reptiles, fowl, fish, et al.,) do not qualify as service animals under ADA. Unlike a service animal, these are not legally recognized by ADA as individually trained to do work, or perform tasks, for the benefit of an individual with a disability, nor do they accompany a person with a disability at all times.

IV. Reporting Procedures – None

V. Dissemination of Policy and Training

- A. This policy shall appear or be available on the WDT website and published in the WDT Student/Faculty Handbooks.

Legal References: [42 US Code Chapter 126 – Disabilities Act \(ADA\) of 1990 as amended](#)
[Section 504 of the Rehabilitation Act of 1973 as amended](#)
[45 CFR §84.44\(b\)](#)
[Pennington County Ordinance 4](#)
[SDCL 40-34-5 Running at large prohibited by county](#)
[SDCL 20-13-23.2 - Physically disabled, blind or deaf person's right to be accompanied by guide dog without extra charge](#)