

**STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION  
PROCEDURE**

**PROCEDURE NUMBER:** 3-2-107.1

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**TITLE:** SERVICE ANIMALS

**POLICY  
REFERENCE NUMBER:** 3-2-107

**DIVISION OF  
RESPONSIBILITY:** ACADEMICS, STUDENT AFFAIRS & RESEARCH

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**DATE APPROVED:** March 14, 2024

**DATE OF LAST REVISION:** March 1, 2024

The South Carolina Technical College System is committed to providing equal access to employment and educational opportunities for persons with disabilities. In keeping with these commitments, service animals are permitted on college property for persons with disabilities in accordance with relevant state and federal laws and the requirements of this procedure.

**I. Purpose**

Service animals are allowed to accompany their handlers at all times and in all facilities and programs on campus, except in areas where specifically prohibited due to health, environmental or safety hazards (e.g., sterile environments). Colleges may not permit service animals when the animal poses a substantial and/or direct threat to health or safety or when the presence of the animal constitutes a fundamental alteration to the nature of the program or service. Colleges will make such determinations on a case-by-case basis in alignment with current state and federal laws.

This procedure addresses the presence of service animals in facilities controlled by a college. Third-party instructional locations such as clinical sites, externships, or internships may restrict access to certain areas by service animals as allowable by law. Colleges shall notify students as early as practicable of the potential restriction of service animals in certain third-party settings and engage in an individualized process with students to determine the appropriate academic adjustment and/or auxiliary aid or service needed to provide the student equal opportunity to participate in the college's program.

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**II. Definitions**

When used in this document, unless the context requires other meaning:

- A. “Service Animal” means any dog (or miniature horse as provided herein) individually trained or in training 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 meets the definition of “service animal” under Title III of the Americans with Disabilities Act (“ADA”) and corresponding regulations at 28 CFR 36.104. A miniature horse may also be a service animal under Title II of the ADA, provided they meet specific assessment factors outlined in 28 CFR 35.136(i)(2). The work or tasks performed by a service animal must be directly related to the individual’s disability.
- B. “Handler” means the individual with a disability, as defined under federal and state law, who uses a service animal to perform a work or task directly related to the individual’s disability. A handler may also be another person who handles the animal for a person with a disability.
- C. “Emotional Support Animal” (ESA) means any animal providing emotional support, well-being, or comfort that eases one or more identified symptoms or effects of a documented disability. ESAs may also be referred to as comfort or therapy animals. ESAs are not individually trained to perform specific work or tasks. Pets (as defined below) are not considered ESAs.
- D. “Pet” means any animal kept for ordinary use and companionship that does not meet the definition of an ESA.

**III. Handler’s Responsibilities**

**A. Registering A Service Animal**

While registering a service animal is not mandatory, students who wish to bring a service animal to campus are encouraged to contact the Office for Students with Disabilities at their college, especially if academic accommodations are required.

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**B. Service Animal Control & Behavior Requirements**

1. Handlers are expected to maintain control of service animals. If a service animal exhibits unacceptable behavior, the handler may be required to employ appropriate training techniques to correct the situation. Failure to maintain control of the service animal at all times may be grounds for immediate removal of the service animal from campus.
  - a. Service animals should be controlled through the use of leashes, harnesses, or tethers unless those devices interfere with the service animals' ability to perform tasks or unless the handler has a disability that prevents use of such a device.
  - b. The service animal should respond to voice or hand commands at all times and be in full control of the handler.
  - c. To the extent possible, the service animal should be unobtrusive to other individuals and the learning, living, and working environment.
2. To the extent possible, the handler should ensure that the service animal does not:
  - a. Display any behaviors or noises that are disruptive to others, unless part of the service being provided to the handler.
  - b. Block an aisle or passageway to fire egress.

**C. Vaccinations**

Service animals are not exempt from applicable state and local laws requiring vaccination. Colleges may require proof that a service animal has been vaccinated as required by state and local laws.

**D. Waste Cleanup**

1. Cleaning up after the service animal is the sole responsibility of the handler. In the event the handler is not physically able to do so, the handler must engage someone to perform this task. The following are guidelines for animal waste cleanup:
  - a. The handler is required to take the animal to an appropriate area on campus (if applicable) for relief.
  - b. The handler should carry equipment sufficient to clean up the animal's feces or urine whenever the animal is on campus.
  - c. The handler must properly dispose of waste and/or litter in appropriate containers.

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**E. Costs Associated With Service Animal**

1. Handlers are responsible for any costs, damage or injuries caused by their animals and must take appropriate precautions to prevent property damage or injury.
  - a. Costs associated with any damage to the campus facilities or properties resulting from the animal's behavior are the sole responsibility of their handlers.
  - b. The costs of caring for and maintaining the well-being of the service animal are the sole responsibility of the handler.
  - c. Any cost incurred for assistance with waste cleanup is the sole responsibility of the handler.

**IV. Student Rights**

- A. When it is not obvious what service an animal provides, only limited inquiries by college employees are allowed. Employees may only ask two questions: (1) Is the animal a service animal required because of a disability? and (2) What work or task has the service animal been trained to perform? Employees cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the service animal, or ask that the service animal demonstrate its ability to perform the work or task.
- B. Allergies and fear of service animals are not valid reasons for denying access or refusing service to people using service animals. Each request for service animal use should be considered individually while recognizing that documented student academic accommodations take precedence in determining any adjustments to access.
- C. People with disabilities who use service animals cannot be isolated from other students, treated less favorably than other students, or charged fees that are not charged to other students without animals.

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**V. Removal and Exclusion of Service Animals**

The following non-exhaustive list identifies prohibited service animal behaviors and grounds for which service animals may be subject to removal.

- A. Handlers will be asked to remove any animal if it is out of the handler's control or is disruptive to the educational process and the handler does not take effective and immediate action to control it. If the out-of-control behavior happens repeatedly, the handler may be prohibited from bringing the animal into college facilities until the handler can demonstrate that significant steps have been taken to correct and control the behavior.
- B. A handler may be directed to remove an animal that is not housebroken.
- C. An animal that poses a direct threat to the health or safety of others that cannot be reduced or eliminated by reasonable modifications is not permitted on campus. A handler may be directed to remove an animal that the College determines to be a substantial and direct threat to the health and safety of individuals.
- D. Service animals may be excluded if allowing the service animal would fundamentally alter the nature of a program or interfere with health and safety standards.

**VI. Emotional Support Animals**

Emotional support animals are not allowed to accompany persons with disabilities on college campuses. ESAs are not individually trained to perform specific work or tasks. Providing emotional support, well-being, or comfort does not constitute "work" or "tasks" for the purposes of the definition of "service animal." Therefore, an ESA is not a service animal under the ADA.

ESAs are permitted in college residential facilities according to college policies and the Fair Housing Act. A person with an ESA should follow existing college policies when bringing an ESA to such facilities.

**VII. Grievance Procedures**

Any student who is not satisfied with a decision made concerning a purported service animal or ESA may file a written complaint using the South Carolina Technical College System's grievance procedures outlined in State Board for Technical and Comprehensive Education Procedure 3-2-106.3.