



Policy Number: 800.5

Policy Title: Animals on Campus

Subject: Section 800 – Miscellaneous

Date Adopted: May 28, 2014

Date(s) Revised: December 22, 2022

Approved by:



Sandra J. Bauman
Dean/CEO
Helena College University of Montana

POLICY STATEMENT:

All Helena College University of Montana policies shall adhere to and be consistent with relevant federal and state laws, rules, and regulations and with Board of Regents' policies and procedures.

This is a statement of policy regarding animals on campus. Helena College University of Montana restricts the access of animals to those animals exempted in this policy to provide a safe and substantive learning environment and workplace.

Exceptions are made under certain conditions for therapy and companion animals.

PROCEDURES:

I. DEFINITIONS:

- A. Service Animal** - A "service animal" is a dog or other animal individually trained to provide assistance to an individual with a disability. (§49-4-203(2), MCA) Service animals include, but are not limited to, guide dogs for the blind, hearing dogs for the deaf/hard of hearing, and service animals for people with physical disabilities and seizure disorders. Service animals/service dogs are not considered "pets" and are explicitly permitted under state and federal civil rights laws. ([See Montana Code Annotated, Title 49 Human Rights: §49-4-214, MCA. Right To Be Accompanied By Service Animal—Identification For Service Animals In Training.](#))
- B. ADA** – The [Americans with Disabilities Act](#), passed in 1990 and amended in 2008, is a wide-ranging civil rights law that prohibits, under certain circumstances, discrimination based on disability.
- C. Disability** – defined by the ADA as "a physical or mental impairment that substantially limits a major life activity."
- D. Handler/Partner** – the term used to refer to an individual with a disability who has a service animal.

II. EXEMPTED ANIMALS

The following animals are permitted on Helena College property:

- A. Service animals while performing their duties** – Service animals, as defined by the ADA, must be individually trained to perform a specific task for a person with a disability. If an animal meets this definition, it is considered a service animal regardless of whether it has been licensed or certified by a state or local government or a training program. It is also the policy of Helena College to permit members of the public who are service dog trainers, while engaged in the actual training process and activities of service dogs, the same rights, privileges, and responsibilities as other members of the public, as provided by §49-4-214, MCA.
- B. On-duty police dogs.**
- C. Animals used for instructional or school-related purposes** – Animals which will be brought on campus for these reasons must receive prior approval for the activity by the Executive Director of General Education & Transfer, the Executive Director of Career Technical Education & Dual Enrollment, or the Director of the Community Education Center, as appropriate, followed by notification of the Director of Facilities and Maintenance before the animal is brought on campus.

III. HANDLER/PARTNER RESPONSIBILITIES

Individuals with disabilities using service animals (handlers/partners) are responsible for their animals at all times and must comply with the following requirements and guidelines:

- A.** The handler/partner must have completed the requirements outlined in this procedure.
- B.** The animal must wear a leash, collar, cape, harness, backpack, or other appropriate visible identification that identifies in writing that the animal is a service animal.
- C.** The handler/partner of the animal must be always in full control of the animal.
- D.** The handler/partner must ensure that animals are always on a leash. The handler/partner must take responsibility for the behavior of the animal in private and public places, and for due care and diligence in the use of the animal on campus.
- E.** The animal must be always accompanied by the handler/partner while on college grounds and facilities.

- F. The handler/partner is responsible for any property damage caused by the animal.
- G. The handler/partner must clean up after the animal, including the sanitary disposal of animal wastes.
- H. Use of the animal shall not constitute a direct threat to the health and safety of others.
- I. The handler/partner must ensure that dogs are licensed in accordance with Helena City and Lewis and Clark County regulations and wear a valid vaccination tag.
- J. The handler/partner is responsible for the health of the animal.

IV. REMOVAL OF ANIMALS

Service animals whose behavior poses a direct threat to the health or safety of others or that are disruptive to the campus community may be removed or excluded regardless of training or certification.

Due to the risk of injury from animals to persons at the College, owners of non-exempt animals found on campus will be asked to remove them. If an unrestrained animal is sighted on the College campus, the local authorities will be contacted to capture and impound the animal. When appropriate, disciplinary measures may be invoked.