

**PERSONNEL**  
**Series 4000**  
**Policy #4037.3.1**

**SERVICE ANIMALS**

The EASTCONN Board of Directors (the “Board”) adopts this policy to ensure that employees with disabilities are provided reasonable accommodations while maintaining a safe and comfortable work environment for all employees in compliance with all state and federal laws and regulations concerning the rights of employees who require the assistance of a service animal in the workplace.

In accordance with the Americans with Disabilities Act (ADA), a service animal is defined as any dog that is individually trained to do work or perform tasks for an individual with a disability. In some cases, other animals may also be considered service animals if they are specifically trained to assist an individual with a disability. These tasks must be directly related to the employee’s disability.

A “service animal” is a dog, or in specific circumstances, a miniature horse, that has been individually trained to do work or perform tasks for the benefit of an employee with a disability, and the work or tasks performed are directly related to the employee’s disability or necessary to mitigate the disability. No other species of animal, whether wild or domestic, will be permitted in EASTCONN schools, school activities or programs or school transportation vehicles as a “service animal”.

The Executive Director or designee shall be responsible for developing procedures regarding employees’ use of service animals in accordance with this policy.

Legal References: Connecticut General Statutes

10-221 Boards of education to prescribe rules, policies and procedures.

46a-42 Mobility impaired person.

46a-44 through 46a-64 Public accommodations and transportation, admittance to.

Federal Laws

Section 504 of the Federal Vocational Rehabilitation Act of 1973,  
28 C.F.R. Parts 35 & 36, Nondiscrimination on the Basis of Disabilities in  
State and Local Government Services; Final Rules



Americans with Disabilities Act

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## ADMINISTRATIVE REGULATIONS REGARDING SERVICE ANIMALS (EMPLOYEES)

This regulation is adopted pursuant to EASTCONN policy and in compliance with all state and federal laws and regulations concerning the rights of employees with service animals.

### Definitions

**Partner/Handler:** A person with a service animal. A person with a disability is called a partner; a person without a disability is called a handler.

**Pet:** A domestic animal kept for pleasure or companionship. Pets are not permitted in EASTCONN facilities.

### **Service Animal:**

- 1) Any dog that has been individually trained to do work or perform tasks for the benefit of a student with a disability, including, but not limited to, a physical, sensory, psychiatric, intellectual or other disability.
- 2) A miniature horse that has been individually trained to do work or perform tasks for the benefit of an employee with a disability, provided that permitting the horse as a service animal is appropriate, after considering the following factors:
  1. The type, size, and weight of the miniature horse and whether the EASTCONN facility can accommodate these features;
  2. Whether the handler has sufficient control of the miniature horse;
  3. Whether the miniature horse is housebroken; and
  4. Whether the miniature horse's presence in a specific EASTCONN facility compromises legitimate safety requirements that are necessary for safe operation.

The work or tasks performed by a service animal must be directly related to the employee's disability or necessary to mitigate the disability.

Service animals do not include any other species of animal, whether wild or domestic, trained or untrained.

**Emotional support animal:** An animal whose sole function is to provide emotional support, well-being, comfort, companionship, or therapeutic benefits. Emotional support animals are not service animals for purposes of this regulation. Refer to EASTCONN Policy #4036.2.1 - Emotional Support Animals in the Workplace.

**Team:** A person with a disability, or a handler, and his or her service animal. The twosome works as a cohesive team in accomplishing the tasks of everyday living.

## **Functions of Service Animals**

Service animals perform some of the functions and tasks that employees with disabilities cannot perform themselves. Service animals are not pets.

There are several kinds of service animals that assist employees with disabilities. Examples include but are not limited to, animals that:

- assist employees who are blind or have severe sight impairments;
- alert employees with hearing impairments to sounds;
- pull wheelchairs or carry and pick-up items for employees with mobility impairments;
- assist employees with mobility impairments with balance; and
- assist employees by alerting or providing support during seizures.

Examples of service dogs include:

*A Guide, or Seeing Eye Dog* is a carefully trained dog that serves as a travel tool to employees with severe visual impairment or who are blind.

*A Hearing or Signal Dog* is a dog who has been trained to alert an employee with significant hearing loss or who is deaf when a sound, e.g., knock on the door, occurs.

*A Psychiatric Service Dog* is a dog that has been trained to perform tasks that assist employees with disabilities to detect the onset of psychiatric episodes and lessen their effects. Tasks performed by psychiatric service dogs may include reminding the handler to take medicine; providing safety checks or room searches, or turning on lights for students with Post Traumatic Stress Disorder; interrupting self-mutilation by employees with dissociative identity disorders; and keeping disoriented employees from danger.

*An Assistance Dog* is a dog that has been trained to assist an employee who has a mobility or health impairment. Types of duties the dog may perform include carrying, fetching, opening doors, ringing doorbells, activating elevator buttons, steadying an employee while walking, helping an employee up after a fall, etc.

*A Seizure Response Dog* is a dog trained to assist a student with a seizure disorder; how the dog serves depends on the employee's needs. The dog may stand guard over the student during a seizure, or the dog may go for help. A few dogs have somehow learned to predict a seizure and warn the employee in advance to sit down or to move to a safe place.

## **Admission of Service Animals**

EASTCONN will permit employees with disabilities to use service animals in buildings, on property, and in vehicles that are owned, leased or controlled by EASTCONN, upon request, submission of required documentation, and compliance with EASTCONN policy and legal

requirements.

Requirements for service animals and their partners/handlers, include:

- a. **Proof of Vaccination:** The animal must be immunized against diseases common to that type of animal. Dogs must have had the general maintenance vaccine series, which includes vaccinations against rabies, distemper, and parvovirus. All vaccinations must be current.
- b. **Proof of Licensing:** Dogs are to wear an owner identification tag at all times. The dog must also wear a current rabies tag and dog license tag. Connecticut law requires dogs to wear a harness or an orange-colored leash and collar which makes them readily identifiable as licensed guide dogs.
- c. **Proof of Good Health:** The animal must be in good health.
- d. **Under Control of Partner/Handler:** The partner/handler must be in full control of the animal at all times unless their medical condition prevents them from doing so. The care and supervision of a service animal is solely the responsibility of its partner/handler. A service animal must have a harness, leash, or other tether, unless the handler is unable because of a disability to use a harness, leash, or other tether, or the use of such devices would interfere with the service animal's safe, effective performance of work or tasks. In such cases the service animal must be otherwise under the handler's control using voice control, signals or other effective means.

An employee with a disability who believes (s)he needs to bring a service animal to work in accordance with their entitlements under state and federal law shall complete and submit a Request for Reasonable Accommodation form to the Director of Human Resources.

The request should include:

- A brief description of the nature of the employee's disability.
- An explanation of how the service animal helps alleviate the symptoms or limitations of the disability.
- If applicable, a request for specific accommodations related to the animal's presence.

The request should be made in a timely manner, ideally before the animal enters the workplace, to allow for proper accommodation planning.

Connecticut law does not require proof that a dog/minature horse is being used to help a person with disabilities in order for it and its owner to be afforded the protections allowed under the law.

- A. A person with a disability cannot be asked to remove his or her service dog/minature horse from the premises unless: 1) the animal is out of control and the handler does

not take effective action to control it or 2) the animal is not housebroken. Under the ADA regulations, staff at facilities subject to the ADA can ask only two questions:

*“Is the dog/miniature horse a service animal required because of a disability?”*

*“What work or task has the dog/miniature horse been trained to perform?”*

*In the event the individual responds that the dog/miniature horse is a “comfort and/ or Emotional Support “dog/miniature horse” then the request can be denied.*

- B. Staff CANNOT ask about the person’s disability, require medical documentation, or ask that the dog/miniature horse demonstrate its ability to perform the work or task. Nor can they require documentation, such as proof that the dog/miniature horse has been certified, trained, or licensed as a service animal.

Once the request is submitted, the Human Resources will:

- Engage in an interactive process with the employee to discuss the need for the service animal and explore possible accommodations.
- Determine whether the service animal is necessary for the employee to perform the essential functions of their job.
- Evaluate any potential impact on other employees and workplace conditions.
- If appropriate, Human Resources will approve the request and issue guidelines on the animal’s integration into the workplace.

### **Considerations when a Employee has a Service Animal**

When a request to use a service animal is approved, Human Resources will take the following steps:

- Notify appropriate staff that a service animal will be in the workplace.
- Provide a process for others in the workplace to inform Human Resources of any concerns about health and safety of others in the workplace. These concerns may include:
  - Allergies to animal dander.
  - Fear or anxiety around animals.
  - Safety risks associated with specific work environments.
- If an issue arises, Human Resources will work with the employee and other impacted individuals to explore possible solutions, such as:
  - Relocating the service animal’s work area.
  - Implementing additional safety measures or precautions.

- In rare cases, exploring alternate reasonable accommodations if the presence of the animal poses an undue hardship on EASTCONN.
- Educate staff on proper behavior around a service animal.

Staff must:

- Allow a service animal to accompany the partner at all times and everywhere in the workplace except, where service animals are specifically prohibited.
  - Not pet a service animal; petting a service animal when the animal is working distracts the animal from the task at hand.
  - Not feed a service animal. The service animal may have specific dietary requirements. Unusual food or food at an unexpected time may cause the animal to become ill.
  - Not deliberately startle a service animal.
  - Not separate or attempt to separate a partner/handler from his or her service animal.
- Develop an emergency evacuation plan to include the service animal.

In the event of an emergency, emergency responders should be trained to recognize service animals and to be aware that the animal may be trying to communicate the need for help. The animal may become disoriented from the smell of smoke from a fire or laboratory emergency, from sirens or wind noise, or from shaking and moving ground. The partner and/or animal may be confused by the stressful situation. The emergency responders should be aware that the animal is trying to be protective and, in its confusion, is not to be considered harmful. The emergency responders should make every effort to keep the animal with its partner. However, the emergency responders' first effort should be toward the partner; this may necessitate leaving an animal behind in certain emergency evacuation situations.

To help ensure appropriate emergency responder response, the EASTCONN policy and administrative regulation on service animals shall be disseminated to local law enforcement and fire departments.

EASTCONN staff shall not assume or take custody or control of, or responsibility for, any service animal or the care or feeding thereof.

The owner or handler of a service animal shall be solely responsible for:

1. Supervision and care of the animal, including any feeding, exercising, clean up and waste/stain removal.
2. Leashing and properly restraining the animal at all times.
3. Damages to EASTCONN buildings, property and vehicles caused by the animal.

4. Injuries to students, employees, volunteers and visitors caused by the animal.
5. Annual submission of documentation of vaccinations and immunizations.

Employees with service animals are expected to adhere to the same workplace standards as other employees. This includes following all safety protocols, maintaining a clean and professional workspace, and being mindful of coworkers.

In shared workspaces, employees should ensure that their service animals do not interfere with other employees' work, break times, or general activities. If other employees are uncomfortable or have concerns about the service animal, these issues should be addressed directly through Human Resources or supervisors, ensuring that respect and understanding are maintained.

### **Service Animal Access to Workplace Facilities**

Service animals are permitted to access areas of the workplace where employees with disabilities need assistance. This includes:

- Office spaces.
- Meeting rooms.
- Break rooms and kitchens.
- Restrooms.
- Other common areas as necessary for the employee's work.

Service animals will not be permitted in areas where they may pose a direct threat to the health or safety of others (e.g., food preparation areas or laboratories) unless specific precautions are in place.

### **Areas Off Limits to Service Animals**

- A. *Mechanical Rooms/Custodial Closets:* Mechanical rooms, such as boiler rooms, facility equipment rooms, electric closets, elevator control rooms and custodial closets, are off-limits to service animals. The machinery and/or chemicals in these rooms may be harmful to animals.
- B. *Areas where protective clothing is necessary:* Any room where protective clothing is worn is off-limits to service animals. Examples include chemical laboratories, wood shops, metal/machine shops and photography dark rooms.
- C. *Areas where there is danger to the service animal:* Any room, including a classroom, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface; where there are hot materials on the floor; where there is a high level of dust; or where there is moving machinery is off-limits to service animals.

Access to off-limits areas may be granted on a case-by-case basis, if warranted under the



particular circumstances of such case. For instance, a laboratory instructor in a classroom or teaching laboratory with moving equipment may grant entry to a service animal, depending on the nature of the equipment or class and the best interest of the animal. For example, the equipment may have moving parts at a height such that the tail of a large dog could easily be caught, and thus a large service dog would be kept out; on the other hand, a very small service dog may be shorter than any moving parts and, thus, permitted in the classroom or laboratory.

### **Exclusion of Service Animal**

Human Resources or designee may exclude a service animal from EASTCONN buildings, property and/or vehicles under the following circumstances:

1. The presence of the animal poses a direct threat to the health and safety of others.
2. Service animals that are ill will not be permitted in EASTCONN facilities.
3. Service animals that are unclean and/or bedraggled may be required to leave EASTCONN facilities. An animal that becomes wet from walking in the rain or mud or from being splashed by a passing automobile, but is otherwise clean, should be considered a clean animal. Animals that shed in the spring sometimes look bedraggled. If the animal in question usually is well groomed, it will be considered tidy even though its spring coat is uneven and messy-appearing or it has become wet from weather or weather-related incidents.
4. The owner or handler is unable to control the animal.

If any service animal is out of control in the school setting or during EASTCONN transportation and the animal's handler does not take effective action to control it, the permission granted pursuant to this regulation may be immediately revoked. The employee having custody and control of the service animal will be required to remove the animal from the premises immediately.

5. The presence of the animal significantly disrupts or interferes with the educational process, and/or fundamentally alters the school program or activity.

A service animal that is unruly or disruptive (e.g., barking, running around, bringing attention to itself) may be excluded from EASTCONN facilities. If the improper behavior happens repeatedly, the partner may be told not to bring the animal into any facility until the partner takes significant steps to mitigate the behavior. Mitigation can include muzzling a barking animal or refresher training for both the animal and the partner. If the animal materially disrupts or interferes with the business activity of the program, school activities or student learning, or the animal's presence would result in a fundamental alteration of any program, it may be excluded from the workplace. However, annoyance on the part of others is not considered an unreasonable risk to property or others to justify

the removal of a service animal.

6. The animal is not housebroken.

If a service animal is excluded from EASTCONN premises based upon the above reasons, the employee with a disability shall be given the opportunity to propose other accommodations to perform the essential functions of their job without having the service animal on the premises.

If Human Resources or designee excludes a service animal from the workplace, they must document the reasons for such exclusion and notify the Executive Director. The Executive Director or designee will make a determination on whether a service animal will be allowed to return to the workplace and, if possible, notify the employee with the disability in writing of the decision within five school days of the initial exclusion.

### **Complaint Procedure**

If there are concerns or complaints about the presence or behavior of a service animal, employees should report these issues to Human Resources. Human Resources will address the situation promptly and in accordance with company policies, ADA, and state law. Any complaints about discrimination or harassment related to the use of service animals will be taken seriously and investigated.

### **Termination of Service Animal Accommodation**

EASTCONN may terminate the accommodation of a service animal if:

- The animal is found to be out of control and the employee does not take effective action to control the animal.
- The animal is not housebroken or poses a direct threat to the health or safety of others.
- The employee no longer requires the service animal as part of a reasonable accommodation.

In these cases, the employee will be offered alternative accommodations as necessary.

### **Liability**

EASTCONN may hold the owner or handler of a service animal liable for any property damage caused by the animal to the same extent required by other EASTCONN policy or administrative regulations that impose liability for property damage. In addition, either the owner or handler, or both, may be liable for personal injury caused by the animal or related to the presence of the animal in the workplace.

This policy is designed to comply with the Americans with Disabilities Act (ADA), Section 504



of the Rehabilitation Act of 1973, and the Connecticut Fair Employment Practices Act (CFEPA). EASTCONN will continue to monitor developments in federal and state law and will update this policy as necessary.

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