

# California Community Colleges Accessibility Center Service & Emotional Support Animals

October 16, 2025



# What Pacific ADA Center Offers

- Technical Assistance
- Trainings
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# Service Animals & the ADA

# Service Animals Overview

- Under the ADA, state and local governments generally must **modify** “no-pet” policies to allow service animals to be with their handlers (people with disabilities).
  - Unless it would “fundamentally alter” – i.e., completely change the basic nature of the goods or services.
  - EXAMPLE: allowing service animals in food preparation areas.



# Service Animal Questions

Staff may ask two questions:

1. Is the animal required because of a disability?
2. What work or task(s) has the animal been trained to perform?

May not ask about the handler's disability or to see the task performed. **Do you know why?**



# Service Animal Basics



- A service animal is a dog, a dog, and only a dog, with one exception.
- The animal must be individually trained to perform one or more tasks related to its handler's disability.
- The handler can train their own animal.
- The animal's task(s) must be physical, but the handler's disability can be physical, mental, or cognitive.

# Other Animals as Service Animals?



- Government entities may be asked to modify their policies, practices and procedures to allow **miniature horses** as service animals.
- This modification will be necessary unless the entity can demonstrate a fundamental alteration, violation of legitimate safety requirements, or a direct threat.

# Miniature Horse Criteria

- Type, size, and weight of the animal
- Whether the handler has control
- Whether the animal is housebroken
- Whether the animal's presence negatively affects legitimate safety requirements
- Other criteria noted for dogs



# Where Can Service Animals Go?

Almost always, a service animal must be allowed to accompany its handler in all areas of facilities where members of the public are allowed to go.



# Examples of “Work” or “Tasks” for Physical Disabilities

- Navigation for individuals with low vision
- Alerting deaf/hard of hearing individuals to other people and sounds
- Picking up items such as medicine or a phone
- Providing support and assistance with balance and stability
- Assistance during a seizure

# Examples of “Work” or “Tasks” for Psychological/Emotional Disabilities

- Prevent/interrupt impulsive or destructive behavior by pushing and licking its handler’s hand.
- Help someone with post-traumatic stress disorder to remain calm when faced with an anxious situation by leading them over to a place to sit.

# Service Animal Requirements

- No size or breed limits allowed
  - Key is dog's behavior or conduct
- No certification or papers, vest, collar, or licensing required
  - Can require all dogs to be licensed and proof of compliance with city/county health laws.
- Your staff not required to care for a service animal.
  - Always the handler's responsibility



# Number of Service Animals

- No limit on the number of service animals a person can use, but it needs to be reasonable
  - Handler needs to explain what all animals do
- Each service animal would need to do a task that can be described.



# Service Animals in Training

- A service animal in training not covered by the ADA
- California Disabled Persons Act allows disabled persons to bring service animals in training to public places
- Service animals in training must be on a leash and wear a county-issued tag that identifies them as a service animal



# Service Animals are Working

- Service animals are working.
- Do not pet, feed, or talk to a service animal.





# Service Animal Control

- Animal must always be under its handler's control:
- Must have a leash, harness, or other tether unless:
  - Handler is unable to hold the leash or tether because of a disability, but the animal must still be under handler's control by voice or hand signals or
  - Leash or tether would interfere with service animal being able to perform its work or tasks.
- No running around, growling, or barking
- Must be housebroken





# Who Cleans Up After A Service Animal?

- Sometimes, service animals have accidents.
- The handler should clean up after their animal.
- If the handler is not able to clean because of a disability, staff may have to assist.

# Legitimate Safety Requirements

- ADA Title II says entities like community colleges may have legitimate safety requirements for how they operate.
- These safety requirements must be based on actual risks and not generalizations, speculation, or stereotypes about people with disabilities.

# Direct Threat

- A service animal could pose a direct threat if it is out of control.
- Direct threat means “a significant risk to the health or safety of others” that cannot be removed by a modification of policies, practices, or procedures.

# How Do You Know Someone or Something Is A Direct Threat?

An individualized assessment based on **reasonable judgment** and **objective evidence** to determine:

1. nature of the risk, how long it will last, and how bad it will be;
2. likelihood that potential injury will occur; and
3. whether reasonable modifications of policies, practices, or procedures will reduce or remove the risk.

# Excluding A Service Animal

- You may ask a handler to remove a service animal from the premises if:
  - The animal is out of control, and the handler does not take effective action to control it (they get one chance) OR
  - The animal is not housebroken, but accidents happen. If they can, the handler should clean up after their animal.
- Exclude the animal if its behavior poses a direct threat to the health or safety of others



# What Happens After Exclusion?

Staff should:

- Remain calm, respectful, and professional if they must ask a handler to remove their service animal.
- Explain why they are asking that the animal be removed.

Handler may return without the animal

Having a service animal policy HIGHLY recommended



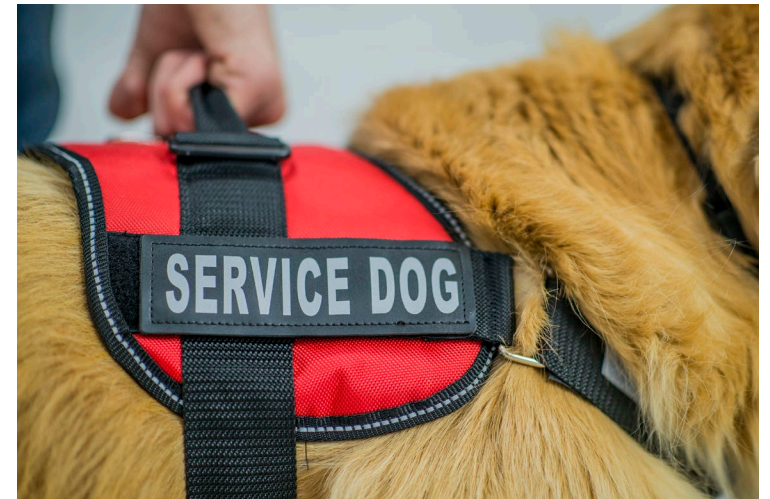
# Charging Fees



- A covered entity may not charge a deposit, surcharge, cleaning fee, or any other fee to a person with a disability as a condition of allowing their service animal.
- If a service animal causes damage, the handler must pay for repairs.

# Service Animal Scenario

- Michael is a student at a community college. He enters with his dog, Ginger.
- Ginger is barking and growling at the other students around him. Michael says Ginger is a service animal, that she is allowed to go anywhere that Michael goes, and Ginger has an official certificate proving she is a service animal.
- **What could/would you do?**





# Service Animal Scenario Answer

- A service animal must always be under the control of its handler.
- Michael must remove Ginger, but then he gets to return to the college if he chooses to do so.
- The college staff do not have to care for the dog.
- Certificates do **not** prove an animal is a service animal.

# Service Animal Overview Questions

# Emotional Support Animals

# Service Animals Are Not Emotional Support Animals (ESA)

- Emotional support (or comfort animals) are not considered service animals.
  - Providing emotional support, well-being, comfort, or companionship is not “work” or a “task”.
- ESAs can be almost any type of animal.
- An ESA doesn’t have to be individually trained to perform one or more task(s).

# Laws That Cover Emotional Support Animals

- An ESA is not covered under the ADA but is covered under the Fair Housing Act (FHA).
  - FHA is enforced by the U.S. Departments of Justice (DOJ) and Housing and Urban Development (HUD).
- ESAs may be allowed in student housing if approved, with appropriate documentation, but not in public places with a no-pet policy.



# Develop an Emotional Support Animal Policy

- California Community Colleges likely has a policy that specifically addresses emotional support animals and whether they are allowed in the housing and other parts of campus.
- This policy could be in addition to or part of the service animal policy.

# Emotional Support Animal Questions



# Time to Test Your Knowledge





# Is This Pit Bull a Service Animal or an Emotional Support Animal?

A pit bull trained to help you stand up



# Is This Collie a Service Animal or an Emotional Support Animal?



A collie trained to tell you when you are going to have a panic attack

# Is This Ferret a Service Animal or an Emotional Support Animal?

A ferret that helps you with your depression



# Resources



# Animal Resources

- [ADA National Network](#)
- [U.S. Department of Justice Service Animal FAQ](#)
- [U.S. Department of Housing & Urban Development Assistance Animals](#)

# Stay in touch with us!

- Toll-Free: 1-800-949-4232 (Voice/Relay)
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- Check out our website:
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# Thank you!

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