

University Policy 400.07
SERVICE AND ASSISTANCE ANIMALS

Responsible Administrator: Vice President for Student Development and Services

Responsible Office: Student Development and Services

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Authority: Office of the President

Policy Statement

The University recognizes the importance of Service Animals, Service Animals in Training, and Assistance Animals to individuals with disabilities. It is the policy of Claflin University to adhere to the Americans with Disabilities Amendments Act 2008 (ADAAA). This policy addresses animals utilized for disability accommodation services.

Statement of Purpose

Claflin University is committed to allowing people with disabilities the use of a Service or Assistance Animal on campus to facilitate their full-participation and equal access to the University's programs and activities. This policy establishes guidelines to ensure that people with disabilities, who require the use of Service or Assistance Animals as a reasonable accommodation, receive the benefit of the work or tasks performed by such animals as well as the therapeutic support they provide.

Specific requirements and guidelines concerning the appropriate use of and protocols associated with Service and Assistance Animals are set forth below and on the following pages. The University reserves the right to amend this policy as circumstances require.

Applicability

This policy is applicable to persons on the Claflin University campus who require service and assistance animals.

Definitions

1. A Service Animal is an animal whose sole function is to provide comfort or emotional support. In addition, a "Service Animal" is one individually trained to do work or perform tasks for the benefit of an individual with a disability. Examples of such work or tasks include guiding a person with impaired vision, alerting a person with a hearing impairment, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack and performing other duties.

Service Animals are working animals, not pets. The work or task a Service Animal has been trained to provide must be directly related to the person's disability.

2. An Assistance Animal is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or (b) an animal that provides emotional support, which alleviates one or more identified symptoms or effects of a person's disability. Some, but not all, animals that assist persons with disabilities are professionally trained. Other assistance animals are trained by their owners. In some cases, no special training is required. One must consider whether or not the animal performs the assistance or provides the benefit needed as a reasonable accommodation by the person with the disability. Unlike a Service Animal, an Assistance Animal does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times. Assistance Animals may be considered for access to university housing; however, they are not permitted in other areas of the University (e.g., libraries, academic buildings, classrooms, labs, and the student center).
3. Individuals who train a Service Animal are those who are qualified to train animals to aid and guide persons with disabilities. Those individuals are afforded the same rights as those individuals who require the assistance of a service animal. If you are training an animal to aid and guide persons with disabilities, you must contact Disability Services, the Department of Residence Life, and comply with the requirements set forth in this policy.
4. A pet is **not** considered a Service Animal or an Assistance Animal. Rather, a pet is an animal kept for ordinary use and companionship. Individuals are not permitted to keep or bring pets on University property or in University housing. A pet is not covered by this policy.
5. An Approved Animal is a Service Animal or an Assistance Animal that has been granted as a reasonable accommodation under this policy.
6. The Owner is the student or other covered person who has requested the accommodation and has received approval to bring the approved Service Animal or Assistance Animal on campus.

Requirements for Service Animals

Individuals planning to bring their Service Animals to university buildings and at university events are required to follow the steps outlined below:

1. A residential student seeking to keep a Service Animal in University housing must make a formal request to Residence Life. To do so, the residential student must submit the appropriate "Housing Accommodation Form." This form is due to

Residence Life no later than June 1 for new students and December 1 for returning students. While applications submitted after these dates will be accepted and considered, Claflin University cannot guarantee that it will be able to meet late applicants' accommodation needs.

2. The Offices of Disability Services and Residence Life will arrange a meeting with the residence student requesting that a Service Animal be housed in University housing. This policy will be carefully reviewed with the residence student at that time.
3. Upon approval of a Service Animal, staff in Residence Life will be notified as appropriate.
4. Upon approval of a Service Animal, the residence student's roommate(s), suitemate(s) or apartment mate(s) will be notified (if applicable) to solicit their acknowledgement of the approval, and notify them that the approved animal will be residing in shared assigned living space. All roommates, suitemates or apartment mates of the owner must sign an agreement acknowledging that the Service Animal will be in residence with them. In the event that one or more roommates, suitemates or apartment mates do not approve, either the owner and the Service Animal or the non-approving roommates or suitemates, as determined by Residence Life may be moved to a different location. (Please see the "Roommate/Suitemate Acknowledgement" form attached to this policy.)

Assistance Animals

Assistance Animals may not be brought into University housing without expressed approval of University officials. A resident student requesting permission to keep an Assistance Animal in University housing must make a formal request to Residence Life. To make a request, students will need to complete the steps below:

1. The resident student should submit the appropriate Housing Accommodation Form, as well as documentation of their disability to be reviewed. This form is due to Residence Life no later than June 1 for new students and December 1 for returning students. While applications submitted after these dates will be accepted and considered, Claflin University cannot guarantee that it will be able to meet late applicants' accommodation needs, including any needs that develop during the semester.
2. Documentation of the need for an Assistance Animal should generally include the following information:
 - a. Verification of the student's disability from the attending physician, psychiatrist, or other mental health professional;
 - b. A statement on how the animal serves as an accommodation for the documented disability, and
 - c. A statement on how the need for the assistance animal relates to the ability of the student to succeed at the University; and.

- d. Current documentation of items requested which are dated within the last 12 months.
3. Residence Life will review documentation and consult with necessary campus colleagues to consider the request. This policy will be carefully reviewed with the residence student at that time.
4. Upon approval of an Assistance Animal, Residence Life will notify the student via email.
5. Upon approval of an Assistance Animal, the residence student's roommate(s), suitemate(s) or apartment mate(s) will be notified (if applicable) to solicit their acknowledgement of the approval, and notify them that the approved animal will be residing in shared assigned living space.
 - a. All roommates, suitemates or apartment mates of the owner must sign an agreement acknowledging that the Assistance Animal will be in residence with them; that form is attached to this policy.
 - a. In the event that one or more roommates, suitemates or apartment mates do not approve, either the owner and the Assistance Animal or the non-approving roommates or suitemates, as determined by Residence Life may be moved to a different location.

Conflicting Health Conditions

Residence Life personnel will make a reasonable effort to notify residents where the Approved Animal will be located. Students with medical condition(s) that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) are asked to contact Residence Life if they have a health or safety related concern about exposure to a Service or Assistance Animal. The University is prepared to also reasonably accommodate individuals with such medical conditions that require accommodation when living in proximity to Service or Assistance Animals. Residence Life will resolve any conflict within one week (5 business days) of a complaint. Staff will consider the conflicting needs and/or accommodations of all persons involved.

Owner's Responsibilities for Approved Service and Assistance Animals in Residence Facilities

1. The owner is responsible for assuring that the Approved Animal does not unduly interfere with the routine activities of the residence hall/apartment area or cause difficulties for residing students.
2. The owner is financially responsible for the actions of the Approved Animal including bodily injury or property damage. The owner's responsibility covers, but is not limited to, replacement of furniture, carpet, window, wall covering, and the like. The owner is expected to cover these costs at the time of repair and/or move-out.
3. The owner is responsible for any expenses incurred for cleaning above and beyond a standard cleaning or for repairs to University premises that are assessed after the

student and Approved Animal vacate the residence. The University shall have the right to bill the student account of the owner for unmet obligations.

4. The owner must notify Residence Life in writing if the Approved Animal is no longer needed or is no longer in residence. To replace an Approved Animal, the owner must file a new "Housing Accommodation Form."
5. The owner's residence may be inspected for pests once a semester or as needed; Residence Life will schedule the inspection. If pests are detected through inspection, the residence will be treated using approved fumigation methods by a University-approved pest control service. The owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls.
6. All roommates or suitemates of the owner must sign an agreement allowing the approved animal to be in residence with them. In the event that one or more roommates or suitemates do not approve either the owner and animal or the non-approving roommates or suitemates, as determined by the appropriate Housing staff, may be moved to a different location.
7. Service Animals may travel freely with their owner throughout University Housing (and other areas of the University).
8. Assistance Animals must be contained within the privately assigned residential area (room, suite, apartment) at all times, except when transported outside the private residential area in an animal carrier or controlled by leash or harness. When outside the residence hall/apartment area, the owner of an Assistance Animal shall carry an approved accommodation letter from Residence Life that the animal is an Approved Animal.
9. Approved Animals may not be left overnight in University housing to be cared for by another student. Approved Animals must be taken with the student if they leave campus for a prolonged period.
10. Residence Life may relocate the owner and Approved Animal as necessary.
11. The owner agrees to continue to abide by all other residential policies. Reasonable accommodation which may constitute an exception to a policy that otherwise would prohibit having an animal does not constitute an exception to any other policy.
12. Any violation of the above rules may result in immediate removal of the Approved Animal from the University and may be reviewed through the Student Conduct. The owner will be afforded all the rights and procedures provided by that process.
13. Should the Approved Animal be removed from the premises for any reason, the owner is expected to fulfill his/her housing obligations. The owner will comply with animal health and well-being requirements described in this policy.

Guidelines for Maintaining an Approved Service and Assistance Animal

The following guidelines apply to all Approved Animals and their owners, unless the nature of the documented disability of the owner precludes adherence to these guidelines, and permission for a variance from the guidelines has been granted.

A. Care and Supervision

- a. Care and supervision of the animal are the responsibility of the owner who benefits from the Approved Animal's use. The owner is required to maintain control of the animal at all times.
- b. The owner is also responsible for ensuring the clean-up of the animal's waste and, when appropriate, must toilet the animal in areas designated by the University consistent with the reasonable capacity of the owner. Outdoor animal waste, such as dog feces, must be immediately retrieved by the owner, placed in a plastic bag and securely tied before being disposed of in outside trash dumpsters. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and securely tied up before being disposed of in outside trash dumpsters. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces.

B. Animal Health and Wellness

- a. Vaccination – in accordance with local ordinances and regulations the animal must be immunized against diseases common to that type of animal. Dogs must have current vaccination against rabies and wear a rabies vaccination tag. Although not mandated, cats should have the normal shots required for a healthy animal. Documentation of vaccinations should be provided and maintained at the University.
- b. Health – animals to be housed in university housing must have an annual clean bill of health from a licensed veterinarian. Documentation can be a vaccination certificate for the animal or a veterinarian's statement regarding the animal's health. The University has authority to direct that the animal receive veterinary attention.
- c. Licensing – the University reserves the right to request documentation showing that the animal has been licensed as a Service or an Assistance Animal.
- d. Training – service animals must be properly trained to do work or perform tasks for the benefit of the individual with a disability.
- e. Control – the Service and Assistance Animal must be on a leash, unless the leash would inhibit the animal's ability to be of service. Otherwise, the Service and Assistance Animal must be under voice control.
- f. Other Conditions – Disability Services may place other reasonable conditions or restrictions on the animals depending on the nature and characteristics of the animal.

C. Requirements for Faculty, Staff, Students, and Other Members of the University Community

Members of the University community are required to abide by the following practices:

- a. They are to allow a Service Animal to accompany its owner at all times and in all places on campus, except where animals are specifically prohibited.
- a. They are not to touch, pet, or feed a Service or Assistance Animal.
- b. They are not to startle a Service or Assistance Animal, deliberately.
- c. They are not to separate owners from their Service or Assistance Animal.
- d. They are not to inquire for details about the owner's disabilities. The nature of a person's disability is a private matter.

D. Removal of Approved Animal

The University may exclude/remove an Approved Animal when:

- a. The animal poses a direct threat to the health or safety of others.
- b. The animal's presence results in a fundamental alteration of the University's program.
- c. The owner does not comply with owner's responsibilities in University housing.
- d. The animal or its presence creates an unmanageable disturbance/interference with the campus community.

E. Damage

Owners of Approved Animals are solely responsible for any damage to persons or University property caused by their animals.

F. Areas Off Limits to Service Animals

The University may prohibit the use of Service Animals in certain locations because of health and safety restrictions (e.g. where the animals may be in danger, or where their use may compromise the integrity of research).

Restricted areas may include, but are not limited to, the following areas: custodial closets, boiler rooms, facility equipment rooms, areas where protective clothing is necessary, rooms with heavy machinery, and areas outlined in state law as being inaccessible to animals. Exceptions to restricted areas may be granted on a case-by-case basis.

G. Areas Off Limits to Assistance Animals

All areas except for privately assigned living space in housing are off limits to approved Assistance Animals without prior authorization from Residence Life.

By my signature below, I verify that I have read, understand and will abide by the Guidelines outlined here and I agree to provide the additional information required to complete my request for a reasonable accommodation under Residence Life Services and Assistance Animal Policy.

Resident/Owner:

Signature: _____ *Date:* _____

Housing and Residential Life Representative:

Signature: _____ *Date:* _____



Roommate/Suitemate Acknowledgement

By my signature below, I understand that I will share the room/common areas of my assigned residential space with the animal approved by this agreement. Should I have any concerns regarding the care and control of the approved animal, I will discuss my concerns with the approved animal's owner. If the approved animal owner and I cannot come to an agreement, I will proceed to discuss my concerns with Residence Life and then the Office of Student Development and Services.

Resident's Name

ID Number

Date

Resident's Name

ID Number

Date

Resident's Name

ID Number

Date

Resident's Name

ID Number

Date



Approved Animal Registration Form

Owner's Name:

Owner's ID Number:

Owner's Address:

Owner's Telephone: _____ **Work:**

Animal's Name:

Type of Animal:

Physical Description of Animal:

Alternate Caregiver for Animal If Owner is Unavailable:

Name:

Address:

Telephone Number:

Please attach the Veterinarian's verification that the animal has all Veterinary-recommended vaccinations to maintain the animal's health and prevent contagious disease. Also include a copy of South Carolina's required animal license.