

Office of Accommodation and Inclusion

Use of Service Animals and Service Animals in Training

Introduction

The University of Findlay is committed to providing accommodations to an otherwise qualified individual with a disability to making reasonable modifications in its services, programs or activities. The university recognizes that service animals may be an effective accommodation for these students. The Americans with Disabilities Act Amendments Act of 2008 (ADAAA) and the Department of Justice defines a *service animal* as any dog that is individually trained 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. The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. If they meet this definition, animals are considered service animals under the ADAAA.

Service animals are working animals, not pets. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Students, faculty, staff and visitors are allowed to bring service animals onto college property. Staff conducting the evaluation shall not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal. Staff conducting the evaluation may ask:

1. Is the animal required because of a disability?
2. What work or task the animal has been trained to perform? Documentation, such as proof that the animal has been certified, trained, or licensed as a service animal is not required.

Persons with disabilities are permitted to be accompanied by their service animals in all areas of campus where members of the public, program participants, clients, customers, patrons, or invitees are allowed to go or as the activity pertains to curriculum or employment responsibilities.

Emergency Situations

If University personnel are aware that a service animal is present when an emergency occurs, then the aforementioned personnel will notify the responding emergency personnel that a service animal is present with a handler who is disabled. University personnel will relay information concerning the type of service animal.

In the event of a building evacuation, emergency personnel may try to rescue both the handler and the service animal. The service animal may have to be left behind however in some circumstances.

Exclusion of Service Animals and Service Animals in Training

There are instances when a service animal may be restricted as the ADAAA authorizes places of public accommodation to impose restrictions if these are based on safety requirements.

The ADAAA permits inquiries such as, if an animal is a service animal or what tasks the animal has been trained to perform. A person with a disability cannot be asked to remove their service animal from the premises unless: (1) the animal is out of control and the animal's owner does not take effective action to control it (for example, a dog that barks repeatedly during a class) or (2) the animal is not housebroken. If an animal is properly excluded, the individual with a disability shall be provided the opportunity to obtain goods, services, and accommodations without having the service animal on the premises.

If a particular service animal behaves in a way that poses a direct threat to the health or safety of others, has a history of such behavior, or is not under the control of the handler, that animal may be excluded.

Miniature horses

In determining whether reasonable accommodation can be made to allow a miniature horse into a specific facility, the following factors for consideration are permissible: (A) The type, size, and weight of the miniature horse and whether the facility can accommodate these features; (B) Whether the handler has sufficient control of the miniature horse; (C) Whether the miniature horse is housebroken; and, (D) Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements necessary for safe operation.

Use of Service Animals on Campus

Anyone on campus, inclusive of Faculty, Staff, Students and Visitors requiring the use of a service animal *should* contact the Office of Accommodation and Inclusion. Staff will evaluate the required documentation from an appropriate professional and make recommendations. The presence of such animals may, however, present health, safety, security and programmatic issues for all members of the university community. To preserve the mission of the university, to recognize the rights and obligations of all members of the community and to ensure the

health, safety, security and educational needs of all these members the following criteria and requirements have been adopted. The same is true for individuals who desire, and are qualified, to serve as trainers for service dogs.

Responsibilities of Persons Using or Training Service Animals

Under the ADA, the dog must already be trained before it can be taken into public places. Ohio Code 955.43 protects the rights of people with disabilities and trainers handling service dogs or service dogs in training. "When either a blind, deaf or hearing impaired, or mobility impaired person or a trainer of an assistance dog is accompanied by an assistance dog, the person or the trainer, as applicable, is entitled to the full and equal accommodations, advantages, facilities, and privileges of all public conveyances, hotels, lodging places, all places of public accommodation, amusement, or resort, all institutions of education, and other places to which the general public is invited, and may take the dog into such conveyances and places, subject only to the conditions and limitations applicable to all persons not so accompanied."

Any student who wishes to bring, use, and/or train a service animal must meet all requirements of this policy. A student who seeks to train a service animal must present documentation that he or she is part of an authorized or certified training program. This obligation is on-going and a later failure to meet all requirements may result in removal or exclusion of the animal.

A student who plans to serve as a trainer of a service animal in training must be housed in a house, apartment or townhouse. In the event the building residents and/or their parents register legitimate complaints about the behaviors of the service animal in training or its impact on student health, the student serving as trainer must be willing to relocate to a space designated by the Director of Housing and Residence Life or designee.

Documentation

For a student using a service animal:

- The student should present documentation from their doctor, therapist, or other medical provider to the Accommodation and Inclusion office that he or she has a covered disability and that the animal is required because of the disability and what work or task the animal has been trained to perform.
- A photo of the animal.
- An emergency contact person living off-campus.
- License Requirement: the animal must meet the licensing requirement of Hancock County, OH and wear any tags designated by the county. May provide for alternative licensing for animals from out of county or state.
- Health Requirement: the animal must have been vaccinated against diseases common to that type of animal as recommended by the American Veterinary Medical Association. In addition, the animal must be otherwise in good health, i.e., no communicable diseases, and open sores with control of fleas, ticks, and related pests and odor. The university has continuing authority to direct that a service animal receives veterinary attention.

For a student training a service animal in training:

- The student should present documentation from the authorized or certified training program and what work or task the animal is being trained to perform.
- A photo of the animal.
- License Requirement: the animal must meet the licensing requirement of Hancock County, OH and wear any tags designated by the county. May provide for alternative licensing for animals from out of county or state.
- Health Requirement: the animal must have been vaccinated against diseases common to that type of animal as recommended by the American Veterinary Medical Association. In addition, the animal must be otherwise in good health, i.e., no communicable diseases, and open sores with control of fleas, ticks, and related pests and odor. The university has continuing authority to direct that a service animal receives veterinary attention.

Behavioral Requirements for Service Animals (SAs) and Service Animals in Training (SAiT)

- Health and Safety: The student bringing a SA or SAiT on campus is responsible for the safety, health, behavior and actions of the animal at all times.
 - SA or SAiT must be immunized according to state and local regulations. If local statutes require, the service animal must wear a vaccination tag.
 - The service animal must be in good health. Handlers may be asked to leave a classroom, office or other university property if SA or SAiT is visibly ill or becomes ill.
 - The SA or SAiT must be clean. Temporary un-cleanliness due to weather conditions is understood.
 - Properly dispose of waste and/or litter in dumpsters and exterior trash receptacles. **NO** SA or SAiT waste may be disposed of in interior trash receptacles, sinks, toilets or drains.
- Leash, Harness or Teather: The student must keep the SA or SAiT on a leash/lead when working or in a space not inclusive of animals, unless either the handler is unable because of disability or the use of a leash/lead would interfere with the animal's task; wandering off leash is not permitted.
- Animal Behavior and Exclusions:
 - The student must be in full control of the animal at all times. If a particular SA or SAiT is out of control and the handler does not take effective action to control it, or if it is not housebroken, that animal may be excluded.
 - When the owner or trainer leaves the SA or SAiT in a residential room unattended, the SA or SAiT must be confined in an animal safe crate or kennel. The roommate of the trainer cannot attend to the animal in the absence of the trainer unless he or she has received the necessary training from a certified or authorized service dog training program. The roommate would have to provide relevant documentation that demonstrates he or she has received the previously stated training/certification.

- The animal must not be allowed in spaces considered unsafe for the animal itself or spaces whereas the handler/trainer cannot control the animal through use of leash, harness or tether. Such areas include but are not limited to: medical facilities, labs, mechanical rooms, the barns or other similar locations that the animal's presence may constitute a danger or a fundamental alteration of the program or activity conducted in the area.
- The SA or SAiT must not obstruct or disturb any space or activity of the academic program including but not limited to: residence halls, classrooms and labs, other campus buildings or recreational areas, roads, walkways, and passages on any part of campus, legitimate campus activities and any other university programs, spaces or activities.
- The animal must not engage in other behaviors or noises that are disruptive to others including but not limited to: excessive barking, excessive whining, excessive growling, excessive grooming, excessive sniffing people, or intrusion into the personal belongings of others, and tables in eating areas.
- Financial Responsibility of Owners and Trainers: Regardless of insurance coverage, the student serving as trainer bears the final responsibility to pay for the damages that the service animal may cause.
- Exclusion and Handler Conduct
 - First and/or minor offense- Email from the Office of Accommodation and Inclusion summarizing the allegation of noncompliance and reminding the student-owner of the SA and SAiT policies. Student-owner must acknowledge.
 - Second and/or moderate offense- Meeting with the Office of Accommodation and Inclusion director and the Assistant Dean of Students to discuss the allegation of non-compliance and review the SA and SAiT policies. The student-owner must submit an action plan for the SA and SAiT to meet the behavioral standards set forth in this document.
 - Third and/or serious offense- Meeting with the Office of Accommodation and Inclusion director and the Assistant Dean of Students to discuss allegation(s) of non-compliance and appropriateness of the SA and SAiT to remain on campus.

This agreement is subject to modification by both parties.

I have read and agree to the preceding requirements of the Service Animal Policy for The University of Findlay.

Student Signature

Date

Staff Signature

Date