

Office of Accommodation and Inclusion Use of Service Animals

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

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.

Documentation

For a student using a service animal, the student should:

- Present documentation from their doctor, therapist, or other medical provider to the Office of Accommodation and Inclusion that he or she has a covered disability, 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.

Roommate Consent: Prior to applying, students should discuss with their roommate the potential of a Service Animal living in the housing assignment to gauge their roommate's comfort level with the animal. Roommates will need to agree to living with a SA, prior to the animal being approved by the assistance animal committee. Roommates will receive an email from Microsoft Flow asking if they consent or do not consent to an animal living in their assigned area. If all roommates approve, you and all roommates will receive an approval email with the roommates' name(s) and timestamp who have all consented. If not all roommates consent, you will receive an email to let you know that your application cannot move forward until a change in housing assignment has occurred.

Behavioral Requirements for Service Animals (SAs)

- Health and Safety: The student bringing a SA on campus is responsible for the safety, health, behavior and actions of the animal at all times.
 - SA 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 is visibly ill or becomes ill.
 - The SA 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 waste may be disposed of in interior trash receptacles, sinks, toilets or drains.
- Leash, Harness or Tether: The student must keep the SA 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 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 leaves the SA in a residential room unattended, the SA must be confined in an animal safe crate or kennel.
- The animal must not be allowed in spaces considered unsafe for the animal itself or spaces whereas the handler 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 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: Regardless of insurance coverage, the student owner 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 policies. Student-owner must acknowledge.
 - Second and/or moderate offense- Meeting with the Office of Accommodation and Inclusion director and the Assistant Vice President of Student Life to discuss the allegation of non-compliance and review the SA policies. The student-owner must submit an action plan for the SA 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 Vice President of Student Life to discuss allegation(s) of non-compliance and appropriateness of the SA to remain on campus.