

Policy Concerning Assistance Animals in Campus Housing

In compliance with relevant law, including Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and the Fair Housing Act (“FHA”), individuals with disabilities who require the use of service or assistance animals as a reasonable accommodation for their disability may be permitted to bring such animals on campus as long as they comply with Anna Maria College’s (the “College”) policies, procedures and rules regarding such animals as stated in this Policy Concerning Service Animals and Assistance Animals in Campus Residence Halls Policy (the “Policy”).

1. Service Animals (Dogs)

A service animal is defined as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Only dogs may serve as service animals. The task must be directly related to the person’s disability.

The College welcomes the presence of service animals assisting people with disabilities on campus consistent with the provisions of this policy and applicable law. Students who require the assistance of a service dog must meet each academic year with a Clinician in the Health and Counseling Services office to show that the dog is required because of a disability and to confirm what work or tasks the dog has been trained to perform. There is no requirement to provide training certification and there is no requirement to provide a demonstration of services.

While a student need not identify the specific nature of his/her disability, if the need for a service animal is not readily apparent, the College may request additional documentation in support of the request for the purpose of determining whether an animal qualifies as a service animal, namely: (i) that the service animal is required due to the functional limitations of the requesting individual’s disability; and (ii) what work or tasks the service animal has been trained to perform for the benefit of the student.

For requests that are denied, students are encouraged to contact the Health & Counseling Services office to discuss the reason for denial and any specific requirements that are identified as missing from a request and/or supporting documentation. Students may submit additional or updated documentation for reconsideration and may ask to have their request reviewed by a different clinician if they wish.

If an acceptable arrangement is not able to be reached through this collaborative review and discussion process, students may submit a written appeal to the Vice President of Student Affairs.

II. Assistance Animals under the Fair Housing Act & Section 504

Animals that don’t qualify as Service Animals may still qualify as Assistance Animals under The Fair Housing Act (FHA). The FHA defines assistance animals as an animal that: (i) works, provides assistance, or performs tasks for the benefit of a person with a disability, or (ii) provides emotional support that alleviates one or more identified symptoms or effects of a person’s disability.

A student requesting to have an assistance animal in college housing must either submit a written request to, or meet with a Clinician in the Health and Counseling Office and provide information each academic year that confirms all of the following:

- (i) documentation of a qualifying disability (physical or mental impairment that substantially limits one or more major life activities or bodily functions¹).

¹major life activities and bodily functions are: seeing, hearing, walking, breathing, performing manual tasks, caring for one’s self, learning, speaking, and working. The term “substantially limits” suggests that the limitation is “significant” or “to a large degree”

- (ii) (ii) documentation that the animal requested does work, performs tasks, provides assistance and/or provides emotional support that alleviates one or more of the identified symptoms or effects of the existing disability and
- (iii) (iii) a statement on how the need for the assistance animal relates to the ability of the student to use and gain benefit from college housing.

Please note that all of these requirements must be met, and the timeline specific to the academic year of the request must be followed, for a request to be granted by the College.

Students submitting clinical documentation in support of their request should ensure their provider has included contact information and, whenever possible, licensing information with their written supporting information. Health and Counseling providers will verify an active license and practice location for all referring providers.

A request may be denied if:

- a. The specific assistance animal in question poses a direct threat to the health or safety of others that cannot be reduced or eliminated by other reasonable accommodation.
- b. The specific assistance animal in question would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation.

For requests that are denied, students are encouraged to contact the Health & Counseling Services office to discuss the reason for denial and any specific requirements that are identified as missing from a request and/or supporting documentation. Students may submit additional or updated documentation for reconsideration and may ask to have their request reviewed by a different clinician if they wish.

If an acceptable arrangement is not able to be reached through this collaborative review and discussion process, students may submit a written appeal to the Vice President of Student Affairs.

III. Rules Governing Service and Assistance Animals on Campus

A. General Rules Applying to both Service and Assistance Animals

1. Upon approval of a request for either a Service Animal or ESA in campus housing, the Office of Health and Counseling will notify the Director of Residence Life. The Director of Residence Life will make a housing assignment in a suitable residence in a hall designated as "animal compatible." There will be "animal compatible" housing in each style of housing available on campus (freshman housing, suite style housing, upper class corridor housing), although not necessarily in each residence hall or every floor. There will also be "animal free" housing wings/floors in each style of housing available on campus.
2. No extra deposit will be collected for residents approved to have a service animal or ESA on campus, however the resident will be responsible for any damage or excess cleaning required upon vacating the room. 1 major life activities and bodily functions are: seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, speaking, and working. The term "substantially limits" suggests that the limitation is "significant" or "to a large degree"
3. Proof that the service animal or ESA meets required local health codes (vaccinations, registration when appropriate) must be presented before the animal is brought to campus. Dogs must have current vaccination against rabies and wear a rabies vaccination tag. Local licensing requirements must be followed. All dogs will be required to show proof of licensing. Copies of appropriate vaccination certificates must be presented and kept on file in the Residential Life and Housing Office and the College may request updated verification regarding a service animal's vaccinations during the period that the animal is permitted on the College's campus.

4. Service animals and ESAs must be supervised directly by the handler, and the handler must retain full control of the animal at all times while on College property. The animal must be in an animal carrier or controlled by a harness, leash or tether, unless these devices interfere with the animal's work, the individual's disability prevents using the devices, or the animal is an ESA or Service Animal within the Student's housing. In those cases, control of the animal must be maintained through voice, signal, or other effective controls.
5. It is the student's responsibility to ensure that the assistance animal is healthy and clean. Animals must be clean and well groomed, and effective measures should be taken at all times for flea and tick control. It is also the student's responsibility to keep living areas clean and to properly collect and dispose of animal waste.
6. Residence hall floors and wings that are designated as animal compatible for certain individuals will be posted as such. Any residents with allergies or other concerns should address those concerns with the Director of Residence Life for possible accommodation.
7. The student is responsible for the care and supervision of the service or assistance animal. The College is not responsible for the care or supervision of the animal. Failure by a student to properly care for a service or assistance animal or to maintain a clean environment may result in the revocation of permission to have a service or assistance animal on campus.
8. The College may place other reasonable conditions or restrictions on service or emotional support animals depending on the particular facts and circumstances, including the nature and characteristics of the service or assistance animal.
9. Violations of the rules applicable to service and assistance animals in this Policy may result in the removal of the animal from campus property, in the sole discretion of the College.

B. Additional Rules Governing Service Animals

1. Service dogs permitted under this Policy are permitted anywhere the student has a need to be on campus.

C. Additional Rules Governing Assistance Animals

1. The presence of an assistance animal approved under the FHA guidelines is restricted to areas where the student would normally go while living in the residence hall (i.e., hallways, lounges, laundry room). Assistance animals are not allowed in classrooms, administrative offices, dining halls, athletic facilities or any other non-residential facilities. Assistance animals are not allowed in the common kitchen areas of the residence halls under any circumstances.
2. Dangerous, poisonous, and illegal animals are not permitted as assistance animals.

IV. Additional Responsibilities for Students with Service or Assistance Animals in College Housing

The following list contains requirements that student with a service or assistance animal, must follow:

1. The student is responsible for assuring that the service or assistance animal does not unduly interfere or adversely affect the routine activities of the College housing or other residents. In addition, the student must ensure that the service or assistance animal does not pose a threat to the health, safety, or property of anyone in the College community. If the College determines that the service or assistance animal threatens the health, safety, or property of anyone in the College community, the College will take appropriate measures, up to, and including, a determination that the service or assistance animal may no longer be permitted on campus. The student must have a written emergency plan in place with The Office of Residence Life should there ever come a time when the animal is unable to remain on campus.

2. The student is financially responsible for the service or assistance animal, including for any bodily injury or property damage caused by the service or assistance animal. The student's financial responsibility may include replacement of furniture, carpet, window, wall covering, and costs of damage to other College owned property, or property of others, caused by the service or assistance animal. The student is expected to cover these costs at the time of repair.

3. The student is responsible for any expenses incurred for required cleaning above and beyond a standard cleaning caused by the service or assistance animal. Any such expenses will be assessed after the student and service or assistance animal vacate the applicable College Housing. The College shall bill the student account for unmet obligations.

4. The student must notify the Office of Health and Counseling and the Office of Residential Life and Housing, in writing, if the service or assistance animal is no longer needed or is no longer in residence or a replacement service or assistance is needed. The College may require additional information, in its sole discretion, consistent with the procedures described in this policy, as applicable.

5. The student is responsible for informing their roommates and/or suitemates of their approval for a Service or Assistance animal in campus housing. Prior consent for an animal by roommates/suitemates is not required as part of the request or approval process for Service or Assistance animals. Individuals who do not wish to be housed in the same room or suite as an approved Service or Assistance animal may request a room change following the Department of Residential Life and Housing's standard room change request process.

6. The College may relocate the student and service or assistance animal if necessary to accommodate other residents with medical condition(s) who are affected by animals, or in other circumstances as deemed appropriate in the sole discretion of the College.

7. The student must continue to abide by all other College policies, including housing policies. 8. Any violation of this Policy may result in immediate removal of the service or assistance animal from the College. V. Notice and Education to College Community Where appropriate in the sole discretion of the College, Disability Services staff may provide notice or offer targeted training to members of the College community most likely to come in contact with an assistance animal.