

**University of Massachusetts Dartmouth
Division of Student Affairs**

Policy Title	UMass Dartmouth Service and Assistance Animal Policy
Policy Number	STU-C16-001
Effective Date	January 21, 2016
Responsible Office	Student Affairs: Center for Access and Success/Housing and Residential Education
Related Policies	

I. Policy Statement

The University allows Approved Service and Assistance Animals per the Americans with Disabilities Act (ADA) and the Fair Housing Act (FHA) respectively.

II. Purpose

A. Service Animal

A "Service Animal" is defined by the Americans with Disabilities Act (ADA) as a dog that assists people who have various disabilities including but not limited to: those who are blind or visually impaired, deaf or hard of hearing, physically disabled, calming a person with Post Traumatic Stress Disorder (PTSD), and those with chronic or mental health conditions. Service Animals are working animals, not pets, and are trained to provide a task that is directly related to the person's disability. Service Animals assisting a person with a disability are allowed in classrooms and other campus environments including but not limited to: dining services, academic buildings, student center, and the library.

B. Assistance Animal

Assistance Animals are prescribed to individuals with a disability to alleviate one or more identified symptoms related to the individual's condition. Assistance Animals are **not considered Service Animals** and are not within the purview of the Americans with Disabilities Act. An Assistance Animal does not assist a person with a disability with daily living activities and is not allowed to accompany a person with a disability at all times. In accordance with the Fair Housing Act (FHA), assistance animals are allowed **ONLY** in the residence hall or campus apartment. These animals are not allowed in academic buildings, dining hall, library, or other campus areas.

III. Definitions

Approved Animal

An "Approved Animal" is a Service Animal or Assistance Animal that has been deemed a reasonable accommodation under this policy.

Pet

A "pet" is any domesticated or tamed animal that is kept as a companion and for ordinary use. A pet is not considered a Service Animal or an Assistance Animal and therefore is not covered under these policies, procedures, and protocols. Residents of University Housing are not allowed to keep pets, other than fish contained in a maximum ten-gallon tank.

IV. Procedures

A person with a Service Animal **may or may not** be registered with The Center for Access & Success (Disability Services) on campus.

1. Faculty and staff can assume that a dog accompanying a student or other person in the classroom and other campus environments is a Service Animal (or a Service Animal in training per Massachusetts law). The dog **may or may not** have an identifying leash, jacket, or certificate.

If you have questions as to whether a dog is a Service Animal, you are allowed by law to ask these questions (**and only these questions**). You are encouraged to speak with the person privately rather than in front of a class or group.

(a) Is the dog a Service Animal required because of a disability?

(b) What work or task has the dog been trained to perform?

You are not allowed to ask the nature of the person's disability. Many disabilities are not apparent.

Service Animals must be under the control of the owner and not be disruptive in any way. If a dog is disruptive, you may ask that the dog (**not the student**) be removed.

2. Service Animals are allowed to accompany their owner at all times and in all places on campus except where animals are specifically prohibited.

3. Do not pet, touch, or feed a Service Animal unless invited to do so.

4. Never deliberately startle a Service Animal.

Requesting a Service Animal in University Housing

1. Submit a **Reasonable Housing Accommodation Request Form** to the Director of Housing and Residential Education so the student can be assigned to best location considering the student's preferences and needs.

2. Requests for Service Animals in Housing **DO NOT** require documentation of a disability. Rather, students should answer only relevant questions on the request form regarding a Service Animal.

3. When the request for an animal is approved, Housing and Residential Education will request a meeting to thoroughly review the protocols and procedures related to having an animal in your residence.

4. Upon approval of a Service Animal, the student's roommate(s) will be notified (if applicable) that an Approved Animal will be residing in their shared living space and a form will be obtained acknowledging their approval.

Requesting an Assistance Animal in University Housing

1. Submit a **Reasonable Housing Accommodation Request Form** and, as well, documentation of a disability to the Director of Housing and Residential Education in Oak Glen Hall.

2. Documentation must be current (within last six months) and include the name and credentials of the evaluator.

a) The following **generally** would be professionals considered qualified to verify the individual's disability: physicians, psychologists, psychiatrists, and social workers.

b) The document must contain a rationale specifically stating how the animal serves as an accommodation for the disability and how it alleviates one or more identified symptoms related to the individual's condition.

c) The document must contain a rationale statement on how the animal is needed by the student to participate and take pleasure in residential living at the University.

3. A committee (Director of the Center for Access And Success, a representative from the office of Counseling and Student Development, Director of Health Services, Housing Assistant Director) will:

- Review the student's submitted documentation and Americans with Disabilities Act (ADA) Reasonable Housing Accommodation Request Form
- Request additional information/clarification from student and/or evaluator/medical provider as necessary to process housing accommodation request.
- All housing accommodations are determined on a **case-by-case basis**.

4. If the request for an Assistance Animal is approved, Housing and Residential Education will request a meeting to thoroughly review the protocols and procedures related to having an animal in your residence.

5. Upon approval of an Assistance Animal, the student's roommate(s) will be notified (if applicable) that an Approved Animal will be residing in their shared living space and a form will be obtained acknowledging their approval.

Deadlines

The deadlines for requesting an Assistance Animals and Service Animals are as follows:

July 1 for the fall semester

December 1 for the spring semester

Applications submitted after these dates will be considered, but the University cannot guarantee meeting the accommodation request even for a newly diagnosed condition.

Roommate/Suitemate Acknowledgement

All roommates or suitemates of the owner of an Approved Animal must sign an agreement allowing the animal to reside with them. If the roommate or suitemate does not approve of the arrangement, the owner and animal may be moved to a new location to be determined by Housing and Residential Education.

Conflicting Health Conditions

Students with medical conditions(s) that are affected by animals, such as severe allergies, asthma, or other respiratory conditions, should notify their Resident Director immediately if they have a medical or health concern regarding exposure to the Service or Assistance Animal.

The University will also reasonably accommodate an individual with a medical condition that involves living in close proximity to Service or Assistance Animals in a timely fashion. Staff members will consider the conflicting needs and/or accommodations of all persons involved.

Owner's Responsibility in University Housing

1. The owner is fully responsible for assuring the Approved Animal does not unreasonably interfere with the routine activities of the residence and/or cause difficulties for the students that reside there. The owner is solely responsible for the care and supervision of the Approved Animal.

2. The owner is financially responsible for all actions of the Approved Animal including property damage or bodily injury. The owner is responsible for replacement or repair costs to furniture, carpet, window, wall covering, etc. The owner is expected to cover these costs at the time of the repair and/or at move-out.

3. The owner is responsible for any expenses incurred that are above and beyond standard cleaning or repairs that are determined after the student and Approved Animal vacate the premises. The University reserves the right to bill the owner's student account for unmet obligations.

4. Per University protocol, all student residences are inspected once a week. At this time, staff will be on alert for fleas, ticks, or other pests. If detected, the residence will be treated using the approved pest control methods deemed

appropriate by the University. The owner will be financially responsible for any pest control expense that is above and beyond standard pest management in the residential hall or suite.

5. Approved Animals may not be left unattended overnight in University Housing or for any prolonged amount of time to be in the care of another student. The Approved Animal must be taken with the owner.
6. Any violation of the above rules may result in the immediate removal of the Approved Animal from the University. It may also be referred to the Student Conduct process if needed. At that time, the owner will be afforded all rights of due process and appeal as outlined in University protocol.
7. The owner is responsible to fulfill the remaining financial obligation of his/her housing contract should the animal be removed from the premises for any reason.
8. The University reserves the right to relocate the owner and the Approved Animal as necessary in accordance to current contractual agreements.
9. **Service Animals** are free to travel with their owner throughout all areas of University. At all times, **Assistance Animals** must be contained within the privately assigned residential area (room, suite, apartment) except when transported outside the private residential area controlled by a leash or harness or in an animal carrier.
10. When outside the residence, the owner of an Assistance Animal shall carry proof that the animal is an Approved Animal.
11. In the event of owner's inability to maintain occupancy (based on illness, hospitalization, student conduct including interim suspension), the University assumes no responsibility or care for the animal, and the owner must make provisions for animal's care and well-being in such an instance.
12. The owner will comply with the Animal Health and Well-Being requirements in Section IX.

Guidelines for Maintaining an Approved Animal

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

A. Care and Supervision

The owner is required to maintain control of the Approved Animal at all times. This person is also fully responsible for cleanup of the Approved Animal's waste, and when appropriate, escort the animal to a designated area to be determined by the owner's Resident Director.

Indoor animal waste, such as cat litter, must be placed in a securely tied, sturdy plastic bag and disposed of in an outside trash dumpster. Litter boxes should be placed on mats so that the waste is not tracked onto carpeted surfaces.

B. Animal Health and Well-Being

1. In accordance with the Town of Dartmouth, Massachusetts' ordinances and regulations, Approved Animals must be immunized against diseases common to that type of animal. For example, dogs, cats, and ferrets must have current rabies vaccination and have a rabies vaccination tag. All local licensing requirements must be followed.
2. Approved Animals, other than dogs and cats, to reside in University housing must have a clean bill of health from a licensed veterinarian annually. Documentation can be in the form of a statement from the vet regarding the animal's health or a vaccination certificate.
3. Licensing: The University reserves the right to request documentation showing that the Approved Animal has been licensed per Massachusetts law.
4. Service Animals must be trained properly.
5. If appropriate, the animal must be tethered unless the tether would prohibit the animal's ability to perform its service.

6. The University reserves the right to place other reasonable conditions or restrictions on the animal depending on the characteristics and nature of the animal.

C. Removal of Approved Animal

The owner is required to keep the Approved Animal under control (voice control, signals, other means) at all times – disruptive, off leash, out of control, aggressiveness toward other people or animals, consistently in poor health or unclean, excessive barking or growling, not house-broken - will not be tolerated.

- The University reserves the right to exclude/ remove an Approved Animal when:
- The animal poses a direct threat to the health, safety, and well-being of others
- The owner does not adhere to the policies outlined in the Owner's Responsibilities in University Housing section above
- The animal causes substantial physical damage to the property of others or poses an undue financial and administrative burden to the University

D. Damage and Liability

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

E. Areas Off Limits to Service Animals

The University may forbid the use of Service Animals in certain locations of the campus because of health and safety concerns (where the animals can be in danger, or where their use may interfere with the integrity of research). Areas of animals' restriction may include but are not limited to the following areas: a classroom with research and/or demonstration animals, facility equipment rooms, and research laboratories. Other sites may include areas where protective clothing is necessary, wood and metal shop, rooms with heavy machinery, and areas outlined in state law as being inaccessible to animals.

Exemptions to restricted areas may be approved on a case-by-case basis by the Center for Access and Success Director and the appropriate department representative; however, the person directing the restricted area has the final decision.

F. Areas Off Limits to Assistance Animals

All areas except for the privately assigned living space in housing are off limits to approved Assistance Animals.

V. Responsibility

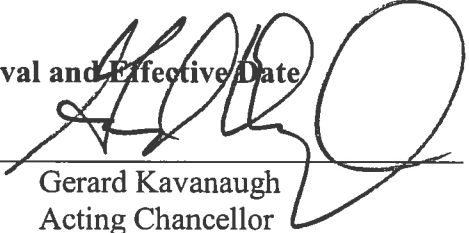
Questions regarding the UMass Dartmouth Service and Assistance Animal Policy directed to Student Affairs, the Center for Access and Success, and to the office of Housing and Residential Education

VI. Attachments

None

VII. Approval and Effective Date

Approved:


Gerard Kavanaugh
Acting Chancellor

Date:

1/27/16