

## **Service Animal Policy**

Assumption University is committed to providing reasonable accommodations to all students with disabilities as required by the Americans with Disabilities Act (ADA) as amended and Section 504 of the Rehabilitation Act of 1973. Assumption University permits the use of a Service Animal by individuals with a disability in any area open to the general public.

The policy applies to any Service Animal whose user or handler is participating in the University's programs or activities or who is on the university's campus, including University Housing. This policy includes students, employees and third parties. The policy applies to all Service Animals, including working Service Animals, Service Animals in training and Service Puppies.

In those instances where the animal's purpose is not readily apparent the University is allowed to make the following two inquiries to determine whether an animal qualifies as a service animal:

- (1) Is the dog required because of a disability?
- (2) What work or task has the dog been trained to perform?

### **DEFINITION:**

This definition is provided by Title III of the Americans with Disabilities Act of 1990 (ADA), as amended. Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purpose of this definition. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, 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, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

For the purpose of this document, whenever the word Service Animal is used, the above definition is implied.

Guide and Hearing Trainees: Massachusetts law allows animals that are being trained to be guide dogs for the blind, hearing assistance dogs, or assistance animals for persons with physical impairments to access Assumption University facilities.

User/Handler will provide the University with evidence that puppy is a bona fide Service Dog candidate supplied by an authorized Service Dog organization, and is one that the Service Dog organization expects will return for specialized training when the puppy is old enough (i.e., proof that puppy is not a program dropout and will, in fact, be given up after the raising period is over).

### **Policy Guidelines for Service Animals on Campus**

The scope of this policy is to set forth the university's policy, guidelines and requirements with respect to the admittance and use of service animals on its campus or in other university programs.

It is the policy of Assumption University that service animals assisting individuals with disabilities are generally permitted in all Assumption University facilities, programs, and activities except as described below or otherwise governed by applicable law.

Assumption University encourages, but does not require, students to make themselves known to the University should they desire to have a service animal accompany them in academic classes, activities, or services on campus.

If a student plans to have their service animal live with them in residence, we require that you provide notice to the University. Notice is used solely to ensure the appropriate housing placement/accommodation is made. Students should provide notice to the University by contacting the Student Accessibility Services Office at 508-767-7500 and/or the Office of Residential Life at 508-767-7505.

Assumption University is not responsible for the care, supervision or financial expenses associated with service animals.

### **Areas Restricted to Service Animals**

The University may prohibit the use of Service Animals in certain locations where Service Animals may be in danger, or where their use may pose a risk.

Access to restricted areas may be granted on a case-by-case basis by contacting the appropriate department and or Student Accessibility Services. The University will pursue an interactive process to determine whether or not admission of the Service Animal will be granted or denied.

### **Responsibilities of the Owner/Handler**

The owner/handler is responsible for the cost, care, supervision and safety of their Service Animal, including:

- Compliance with any state and/or town laws pertaining to animal licensing, vaccination, and owner identification.
- Keeping the animal under control, on a leash, harness or other tether, at all times outside of the owner's private quarters or work area. When a leash, harness or tether is not in use, the service animal must be otherwise under the owner's control (e.g., voice control, signals, or other effective means).
- Feeding and walking the animal, and properly disposing of its waste or soliciting assistance to dispose of its waste. All animal waste should be disposed of in exterior trash receptacles.
- Additionally, the owner is not permitted to leave the animal overnight in campus housing to be cared for by any individual other than the owner.

### **Financial Responsibilities of the Owner**

A person who has a service animal on campus (including University Housing) is financially responsible for property damage, beyond reasonable wear and tear, caused by his or her service animal including but not limited to the cost of any pest treatment beyond "standard pest management, cost of repairs, replacement or cleaning of facilities or furnishings, and any bodily injury or personal injury caused to other persons by the service animal.

## **Removal of Service Animal**

Any Service Animal may be removed from campus temporarily or excluded from campus permanently if the animal is unruly and disruptive (e.g. barking; running around, off leash or out of control; aggressiveness toward others [people or animals]; disruption or interruption of classes), in ill health, or habitually unclean or unhealthy to the extent that the animal's behavior or condition poses a direct threat to the health or safety of others or otherwise causes a fundamental alteration in the University's services, programs, or activities. If such behavior or condition persists, the owner may be directed not to bring the animal into public campus areas until the problem is rectified.

In the event that restriction or removal of a Service Animal is determined to be necessary, reasonable accommodations will be provided to ensure the individual equal access to the activity.

## **Conflicting Disabilities**

Assumption University is aware that persons at the University have a condition or disability that may precipitate an allergic reaction to the Service Animal. Persons who have asthma, allergies or other medical issues with the animal are to be directed to make their complaint to the Student Accessibility Services. This individual will be asked to provide medical documentation that identifies the condition(s) and will allow determination to be made as to whether the condition is disabling and whether there is a need for an accommodation. Action will be taken to consider the needs of both persons to resolve the problem as efficiently and effectively as possible.

## **Etiquette for Members of the Assumption University Community**

Service Animals are working and are not considered pets. Assumption University faculty, staff and students should refrain from the following interaction with the Service Animal:

- Prevent a Service Animal from accompanying its handler at anytime and anywhere on campus except where specifically prohibited.
- Should not pet, feed, or otherwise distract a Service Animal who is "on duty".
- Startle, tease, or taunt the Service Animal.
- Attempt to separate the Service Animal from its handler.

## **Appeals Process**

If a student believes that they are being denied appropriate access with their Service Animal, the student should contact Student Accessibility Services. If their concern is not resolved at this level, the student may submit a formal appeal in writing within a timely fashion to the Associate Vice President for Academic Affairs for Undergraduate Studies or the Dean of the School of Graduate and Professional Studies.

Once the formal appeal is received, the Associate Vice President for Academic Affairs for Undergraduate Studies or the Dean of Graduate and Professional Studies will review the written appeal in light of all relevant information. The appeals process must be completed within 30 days from the time the appeal is referred to the Associate Vice President for Academic Affairs for Undergraduate Studies or Dean of the School of Graduate and Professional Studies depending on the student's program of study.