

## **SERVICE AND ASSISTANCE ANIMAL POLICY**

*Department of Housing and Residence Life, Furman University*

Revised June 2017

It is the policy of the University that residents are generally prohibited from keeping animals in or near campus housing (other than fish in containers not to exceed 10 gallons) for any length of time for any reason. However, the University welcomes the presence of trained service animals assisting people on campus in areas open to the public and in campus housing consistent with the provisions of the University's Service and Assistance Animal Policy and applicable law. The University is also pleased to allow approved assistance animals that are necessary to provide individuals with disabilities an equal opportunity to use and enjoy campus housing consistent with the provisions of the University's Service and Assistance Animal Policy and applicable law.

Furman University has established the following policy regarding Service and Assistance Animals. Furman is committed to allowing people with disabilities the use of a Service or Assistance Animal on campus to facilitate their full-participation and equal access to the University's programs and activities. Set forth below are specific requirements and policy concerning the appropriate use of and protocols associated with Service Animals and Assistance Animals. Furman reserves the right to amend this policy as circumstances require.

### **Section I. Definitions**

#### **A. Service Animal**

A "Service Animal" is a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. In some cases, a miniature horse may be permitted as a Service Animal. Other animals, whether wild or domestic, do not qualify as Service Animals. Examples of such work or tasks include guiding a person with impaired vision, alerting a person with a hearing impairment, 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, and/or performing other duties. Service Animals are working animals, not pets. The work or task a Service Animal has been trained to provide must be directly related to the person's disability. 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.

#### **B. Service Animal in Training**

Individuals qualified to train animals to aid and guide persons with disabilities are afforded the same rights to those individuals who require the assistance of a Service

Animal. If you are training an animal to aid and guide persons with disabilities, you must contact the Student Office of Accessibility Resources (SOAR) and the Department of Housing & Residence Life, and you must comply with the requirements set forth in this policy.

C. Assistance Animal

An “Assistance Animal” is one that is necessary to afford a person with an emotional or psychiatric disability an equal opportunity to use and enjoy University housing. An assistance animal may provide physical assistance, emotional support, calming, stability or other types of assistance that alleviates one or more identified symptoms or effects of a person's disability. Some, but not all, animals that assist persons with disabilities are professionally trained. Other Assistance Animals are trained by their owners. In some cases, no special training is required. One must consider whether or not the animal performs the assistance or provides the benefit needed as a reasonable accommodation for the person with the disability. Unlike a Service Animal, an Assistance Animal does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times. Assistance Animals may be considered for access to university housing, however, they are not permitted in other areas of the University (e.g. libraries, academic buildings, classrooms, labs, student center, etc.).

D. Pet

A “Pet” is an animal kept for ordinary use and companionship. A pet is not considered a Service Animal or an Assistance Animal. It is not covered by this policy. Pets (other than fish in containers not to exceed 10 gallons) are permitted on campus property only in outdoor areas open to the public and provided they are controlled by a leash or harness.

E. Owner

The “Owner” is the student or other person with a Service Animal or approved Assistance Animal.

**Section II. Service Animals**

In compliance with federal law, Furman generally allows Service Animals in its buildings, classrooms, residence halls, meetings, dining areas, recreational facilities, activities and events when the animal is accompanied by an individual with a disability and the service animal is trained to provide, and does provide, a specific task or work for the individual that is directly related to their disability. In general, Furman will not ask about the nature or extent of the disability of a person with a Service Animal but may make two inquiries to determine whether an animal qualifies as a Service Animal:

1. Whether the animal is required because of a disability; and
2. What work or task the animal is trained to perform.

Furman will not require documentation, such as proof that the animal has been certified, trained or licensed as a service animal. In addition, Furman generally will not inquire about a Service Animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g. the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair or providing assistance with stability or balance to an individual with an observable mobility disability).

Furman may disallow a Service Animal if the animal poses a substantial and direct threat to health or safety or when the presence of the animal constitutes a fundamental alteration to a program or service.

Students seeking to have a Service Animal reside in University housing should follow the steps outlined below:

1. Submit a Housing Accommodation Form to the SOAR office;
2. Affirm that the service animal is required due to disability;
3. Describe the specific tasks or work that the animal has been trained to perform; and
4. Provide documentation from a veterinarian that the animal has a clean bill of health and/or current vaccinations.

This information should be provided to the SOAR office no later than June 1<sup>st</sup> for new students and February 1<sup>st</sup> for returning students. While applications submitted after these dates will be accepted and considered, Furman University cannot guarantee that it will be able to meet late applicants' housing accommodation needs, including any needs that develop during the semester.

Upon approval of a Service Animal to live in University housing, staff in the Department of Housing and Residence Life will contact the student, review this policy with them, and have them complete an Acknowledgment and Release of Information Consent form (Release).

Once the student has submitted the completed Release, the Department of Housing and Residence Life will contact the student's roommate(s) and obtain signed copies of the Roommate consent Form. The information shared with the roommate(s) will be limited to notice about the animal's presence and will not include any information about the student's disability or the reason the animal is required.

- a. All roommates, suitemates or apartment mates of the Owner must sign an agreement acknowledging that the Service Animal will be in residence with them.

- b. In the event that one or more roommates, suitemates or apartment mates do not agree, the Department of Housing & Residence Life will make any necessary housing changes.

### **Section III. Assistance Animals**

Assistance Animals may not be brought into University housing without express approval of University officials. A resident student requesting permission to keep an Assistance Animal in University housing must make a formal request to SOAR. To make a request, students will need to complete the steps below:

1. The resident student should submit the appropriate “Housing Accommodation Form,” as well as an Assistance Animal Verification form. These forms are available online at <http://www2.furman.edu/sites/disability/Pages/default.aspx>.
2. Provide documentation from a veterinarian that the animal has a clean bill of health and/or current vaccinations.

This information should be provided to the SOAR office no later than June 1<sup>st</sup> for new students and February 1<sup>st</sup> for returning students. While applications submitted after these dates will be accepted and considered, Furman University cannot guarantee that it will be able to meet late applicants’ housing accommodation needs, including any needs that develop during the semester.

Upon approval of a Service Animal to live in University housing, staff in the Department of Housing and Residence Life will contact the student, review this policy with them, and have them complete an Acknowledgment and Release of Information Consent form (Release).

Once the student has submitted the completed Release, the Department of Housing and Residence Life will contact the student’s roommate(s) and obtain signed copies of the Roommate consent Form. The information shared with the roommate(s) will be limited to notice about the animal’s presence and will not include any information about the student’s disability or the reason the animal is required.

- a. All roommates, suitemates or apartment mates of the Owner must sign an agreement acknowledging that the Service Animal will be in residence with them.
- b. In the event that one or more roommates, suitemates or apartment mates do not agree, the Department of Housing & Residence Life will make any necessary housing changes.

### **Section IV. Conflicting Health Conditions**

Students with medical condition(s) that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) are encouraged to register with SOAR. If a student with a medical condition that is affected by animals has a health or safety related concern about exposure to

a Service Animal or Assistance Animal, the student must contact SOAR to request any housing accommodations related to exposure to the animal. If the student raising a concern about the Service Animal or Assistance Animal has not previously registered with SOAR, they will be asked to provide medical documentation that identifies the condition(s) as a disability, and a determination will be made regarding the need for an accommodation. The University will reasonably accommodate individuals with such medical conditions that require accommodation when living in proximity to Service or Assistance Animals.

In resolving any such conflict, Furman will consider the needs, accommodations and/or time of requesting accommodation of all persons involved.

### **Section V. Owner's Responsibilities for Approved Service & Assistance Animals in Residence Halls/Apartments**

The following guidelines apply to all Approved Animals and their Owners, unless the nature of the documented disability of the Owner precludes adherence to these guidelines, and permission for a variance from the guidelines has been granted.

1. Care and supervision of the Approved Animal are the responsibility of the Owner. The Owner is required to maintain control of the animal at all times. If appropriate, the Approved Animal must be on a leash, unless a leash would interfere with a Service Animal's ability to be of service. In that event, the Service Animal must be under voice control.
2. The Owner is also responsible for ensuring the prompt cleanup of the animal's waste and, when appropriate (e.g. with dogs), must toilet the animal in areas designated by the University.
3. The Owner is responsible for assuring that the Approved Animal does not unduly interfere with the routine activities of the residence hall/apartment area or cause difficulties for students who reside there.
4. The Owner is financially responsible for the actions of the Approved Animal including bodily injury or property damage. The Owner's responsibility covers but is not limited to replacement of furniture, carpet, window, wall covering, and the like. The Owner is expected to cover these costs at the time of repair and/or move-out.
5. The Owner is responsible for any expenses incurred for cleaning above and beyond a standard cleaning or for repairs to University premises that are assessed after the student and Approved Animal vacate the residence. The University shall have the right to bill the student account of the Owner for unmet obligations.
6. The Owner must notify the Department of Housing and Residence Life in writing if the Approved Animal is no longer needed as an Approved Animal or is no longer in

residence. To replace an Approved Animal, the owner must file a new “Housing Accommodation Form.”

7. The Owner's residence may be inspected for pests once a semester or as needed. The Department of Housing and Residence Life will schedule the inspection. If pests are detected through inspection, the residence will be treated using approved fumigation methods by a University-approved pest control service. The Owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls.
8. Service Animals may travel freely with their owner throughout University Housing (and other areas of the University).
9. Assistance Animals must be contained within the privately assigned residential area (room, suite, apartment) at all times, except when transported outside the private residential area in an animal carrier or controlled by leash or harness.
10. When an approved animal is left alone in the room, without another human, it must be kept in a crate, cage, carrier, or other container to insure it will not interfere with University staff who may need to enter the unit.
11. Approved Animals may not be left overnight in University housing to be cared for by another student. Approved Animals must be taken with the student if they leave campus for a prolonged period.
12. The Department of Housing and Residence Life may relocate the Owner and Approved Animal as necessary.
13. The Owner agrees to continue to abide by all other residential policies. Reasonable accommodation which may constitute an exception to a policy that otherwise would prohibit having an animal does not constitute an exception to any other policy.
14. Any violation of the above rules may result in immediate removal of the Approved Animal from the University and may be reviewed through the Student Conduct system and the Owner will be afforded all the rights and procedures provided by that process.
15. Should the Approved Animal be removed from the premises for any reason, the Owner is expected to fulfill his/her housing obligations.
16. The Owner is responsible for all aspects of the Approved Animal's health and well-being, including the following:
  - a. Vaccination: In accordance with local ordinances and regulations, the animal must be immunized against diseases common to that type of animal. Dogs must have current vaccination against rabies and wear a rabies vaccination tag at all times. Cats should have the normal shots required for a healthy animal. The Owner should be prepared to provide documentation showing proof of vaccination upon request.

- b. Health: Animals, other than cats and dogs, must have an annual clean bill of health from a licensed veterinarian. Documentation can be a vaccination certificate or a veterinarian's statement regarding the animal's health. The Owner should be prepared to provide documentation showing proof of an annual clean bill of health upon request. The University has authority to direct that the animal receive veterinary attention.
- c. Licensing: The Owner must comply with applicable licensing requirements. The University reserves the right to request documentation showing that the animal has been licensed in accordance with local licensing requirements.
- d. Training: Approved Animals must be housebroken, as applicable. Service Animals must be fully and properly trained.
- e. Behavior: Approved Animals must be well-behaved. This includes no barking, whining, scratching, chewing or aggression.
- f. Leash: If appropriate, the animal must be on a leash unless the leash would inhibit the animal's ability to be of service.
- g. Furman may place other reasonable conditions or restrictions on the animal depending on the nature and characteristics of the animal.

## **Section VI. Complaints About Approved Animals**

Students other than the Owner may make a complaint about a violation of this policy to SOAR, the Department of Housing and Residence Life or to Student Life under the University's discipline procedures. Service and Assistance Animals on campus have been approved as an accommodation for a student with a disability. Because of this, third-party complaints may not be submitted as complaints about the simple presence of the animal. Complaints may be made, for example, about excessive noise, concerns regarding cleanliness or aggressive behavior.

## **Section VII. Requirements for Faculty, Staff, Students, and Other Members of the University Community**

- 1. Members of the University community are required to abide by the following practices:
  - a. They are to allow a Service Animal to accompany its owner at all times and in all places on campus, except where animals are specifically prohibited due to health or safety restrictions. Furman community members with health or safety concerns related to a Service Animal's presence should contact the SOAR office regarding those concerns. They are not to touch or pet a Service or Assistance Animal unless invited to do so.
  - b. They are not to feed a Service or Assistance Animal.

- c. They are not to startle a Service or Assistance Animal deliberately.
- d. They are not to separate or to attempt to separate an owner from his or her Service or Assistance Animal.
- e. They are not to inquire for details about the owner's disabilities. The nature of a person's disability is a private matter.

A. Removal of Approved Animal

The University may exclude/remove an Approved Animal when 1) the animal poses a direct threat to the health or safety of others, or 2) the animal's presence results in a fundamental alteration of the University's program, or 3) the owner does not comply with Owner's Responsibilities, or 4) the animal or its presence creates an unmanageable or recurring disturbance or interference with the campus community.

B. Damage

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

C. Areas Off Limits to Service Animals

- a. The University may prohibit the use of Service Animals in certain locations because of health and safety restrictions (e.g. where the animals may be in danger, or where their use may compromise the integrity of research). Restricted areas may include, but are not limited to, the following areas: custodial closets, boiler rooms, facility equipment rooms, areas where protective clothing is necessary, rooms with heavy machinery, and areas outlined in state law as being inaccessible to animals.
- b. Exceptions to restricted areas may be granted on a case-by-case basis.

D. Areas Off Limits to Assistance Animals

All areas except for privately assigned living space in housing are off limits to approved Assistance Animals without prior authorization from Housing and Residence Life.

Any denial of a request for a Service Animal or Assistance Animal to live in University Housing or any removal of an Approved Animal may be appealed to Furman's ADA/Section 504 Coordinator following the procedures set forth in Furman's ADA/Section 504 Grievance Policy.

Questions about this policy may be directed to the SOAR office at [soar@furman.edu](mailto:soar@furman.edu) or to the Title IX and ADA/Section 504 Coordinator at [Melissa.nichols@furman.edu](mailto:Melissa.nichols@furman.edu).

**By my signature below, I verify that I have read, understand and will abide by the Service and Assistance Animal Policy and I agree to provide the additional information required to complete my Request for a Reasonable Accommodation under Furman's Service and Assistance Animal Policy.**

Resident/Owner:

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*Signature*

*Date*

Housing and Residential Life Representative:

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*Signature*

*Date*