

## **SERVICE/ASSISTANCE ANIMAL POLICY**

### **Purpose:**

Gordon State College endeavors to provide reasonable accommodations for students who qualify under the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. The college strives to address functional limitations by making reasonable accommodations for each qualifying disability. Examples of accommodations include, but are not limited to, accessible rooms for students with mobility-impairments and visual fire alarm devices for students who are deaf or hard of hearing.

For the purpose of this policy, the term “service animal” refers to “service animals,” and “assistive animals,” as defined by the *Americans with Disabilities Act* and *Fair Employment and Housing Act* respectively. According to this definition, service animals are considered as, “any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items” {28 C.F.R. 36.302(c)(1)}. 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 ADA. [http://www.ada.gov/service\\_animals\\_2010.htm](http://www.ada.gov/service_animals_2010.htm)

According to the Georgia statute amended on July 1, 2007, any person engaged in the training/raising a service animal such as a dog for training as a guide shall, “have the same right to be accompanied by such dog [being trained/raised for training] as the totally or partially blind person, deaf person, or physically disabled person” {OCGA 30-40-2}.

### **Definitions:**

#### **Service Animal**

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. 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 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.

Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal’s work or the individual’s disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task. The work or tasks performed by a service animal must be directly related to the individual's disability. An animal is not a service animal if its mere presence benefits the individual with a disability. A service animal must be trained to respond to the individual's needs. The process must have two steps: Recognition and response.

### **Assistance Animals**

- Per the Fair Housing Act, Gordon State College provides reasonable accommodations for an assistance or emotional support animal in college housing. An assistance animal is not a pet. An emotional support animal is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. Assistance animals perform many disability-related functions, including but not limited to, guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing protection or rescue assistance, pulling a wheelchair, fetching items, alerting person to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support. Typically, an emotional support animal is prescribed to an individual with a disability by a licensed physician with training in the area of the person's disability and is an integral part of a person's treatment process. An emotional support animal is not necessarily a service animal, although in some instances a service animal could qualify as one. Except to the extent that a service animal also qualifies, emotional support animals are only allowed within a person's residence in on-campus housing. Assistance animals must not be taken into the common areas of the residence halls, apartment offices, administrative offices, or public student living areas.

### **Service Animals In-Training**

For residents who have committed to raise and train service animals, the individual may apply for an accommodation directly to the Counseling and Accessibility Services Office. No service animal in-training may enter a housing facility until approval has been granted. In addition, the resident must notify the Student Housing and Residence Life Office in writing if the training program has been concluded and the approved service animal in-training is no longer in residence. To raise and train a new service animal, the resident must file a new request and follow the same procedures as before.

### **Requests for Service Dogs or Assistance Animals in On-Campus Housing**

The learning environment and residential living are central to the Gordon State College experience. It is Gordon State College's policy to permit service animals in the residence hall facilities and assist students and/or guests under the guidelines of the Service Animal Policy. For greatest inclusion of all students, we evaluate requests for housing accommodations and exceptions to the housing policy very carefully.

Students requesting to have assistance animals in on-campus housing will be asked for documentation that they have a disability and will be required to provide verification from a physician substantiating the need for a disability-related assistance animal. The Office of Residence Life will make a reasonable effort to notify residents of the existence of a service or assistance animal in the building.

### **Procedures:**

- 1) Application for On-Campus Housing - Any student desiring to reside in on-campus housing should complete an online housing application through Banner Web. On-campus housing is assigned on a first-come, first-serve basis.
- 2) For residents requesting an accommodation for a service animal, an assistance animal, or who have committed to raise and train service animals, they must apply by registering their disability with Accessibility Services.
- 3) Students seeking an accommodation for a Service Dog or Assistance Animal in on-campus housing will be asked to sign a release of information form for Residence Life.
- 4) The Accessibility Services Office will review completed requests that have all required documentation and make a recommendation to the Office of Residence Life.
- 5) The request for a reasonable accommodation in a residence hall for a service or assistance animal should be reviewed by the Accessibility Services Office 30 days prior to moving in to a residence hall or as soon as possible.
- 6) If approved, Accessibility Services will provide an accommodation letter to the Office of Residence Life granting approval of the request.

**Requirements: Students should review these procedures carefully as they will be required to sign the agreement prior to residing in on-campus housing.**

**If approved, the following Agreement for Maintaining a Service Animal and guidelines will apply to all students and their approved animals who use Gordon State College facilities. Students should review these requirements carefully.**

### **Animal Behavior**

1. An exception to the **Pets** section, as listed in the Guide to Highlander Living, is granted for service animals provided that their behavior, noise, odor, and waste do not exceed reasonable standards for a well behaved animal and that these factors do not create unreasonable disruptions to the campus community.
2. Dangerous, poisonous, and/or illegal animals are not permitted.

3. The approved service animal must be maintained by the student/owner at all times, and must be transported in an animal carrier or controlled by leash or harness.

### **Animal Health and Well-Being**

1. All service/assistance animals must be in good health and have all veterinarian recommended vaccinations to maintain the animal's health and prevent contagious diseases. Documentation of vaccinations is due at time of approval.
2. If state or local licenses are required for the service animal, they must be obtained and kept current in compliance with the local jurisdiction (i.e. dog license) requirements.
3. All service/assistance animals must wear identification tags with contact information and, if applicable, vaccination information.
4. All service/assistance animals must be treated humanely. If mistreatment is reported, a Gordon State College Official will review the report with the student. The College judicial process may be initiated as a result of a report of mistreatment.

### **Animal Cleanliness**

1. Students/owners are responsible for properly containing and disposing of all animal fecal waste.
  - a) Indoor service animal waste, such as cat litter, must be placed in a sturdy plastic bag and tied securely before being disposed in outside trash dumpsters. Litter boxes should be placed on mats so that feces and urine are not tracked onto carpeted surfaces.
  - b) Outdoor services animal waste, such as dog feces, must be immediately retrieved by the student/owner placed in a plastic bag and securely tied before being disposed in outside trash dumpsters. For visually impaired residents, a designated area for service animal waste will be agreed upon in advance with the Office of Residence Life.
  - c) Animal feces, defined as cat litter box contents and any solid animal waste, must be disposed of properly. It is the owner's responsibility to remove feces from College grounds, dispose of it in a plastic bag, and then place that bag in the garbage dumpsters outside. Cleanup must occur IMMEDIATELY. Animal feces may not be disposed of in any trash receptacle or through the sewer system inside of any building at Gordon State College. Waste MUST be taken to dumpster disposal located near residence hall facilities.
  - d) Regular and routine cleaning of floors, kennels, cages, and litter boxes must occur. The odor of an animal emanating from the residence hall room or unit is not acceptable.
  - e) When the resident moves out of his/her apartment or residence hall room or no longer owns the animal, the apartment or residence hall room will be assessed to determine if damage to department property can be attributed to the animal. Residence Life maintains the right to conduct residence hall room inspections periodically for the purpose of assessing damage caused by the animal or otherwise determine the resident's compliance with this procedure.

## **Student Responsibilities**

1. The student must register with Accessibility Services and receive approval for an accommodation to have each service/assistance animal in Gordon State College facilities prior to having a service/assistance animal enter the facility. Regular reviews of the student's individual needs will be conducted at the discretion of Accessibility Services.
1. The student is responsible for ensuring that the service/assistance animal does not interfere with the routine activities and daily operations of the college or cause difficulties for students or staff attending and working there. Sensitivity to individuals with allergies and to those who fear animals is important to ensure the peace of the college community.
2. The student is financially and legally responsible for the actions of the service animal such as bodily injury or property damage, including but not limited to, any replacement of furniture, carpet, drapes, or wall covering, etc. Gordon State College shall have the right to bill the student's account for necessary repair and/or replacement costs.
3. The student's classrooms may be inspected for fleas, ticks, or other pests once per term or as needed. Gordon State College staff will schedule the inspection. If fleas, ticks, or other pests are detected through inspection, the room will be treated using approved fumigation methods by a Gordon State College approved pest control service. The student will be billed for the expense of any pest treatment above and beyond normal required pest management.
4. The student must notify the Director of Counseling and Accessibility Services in writing if the service animal is no longer needed as a service animal. To replace a service animal the student must file a new request with Accessibility Services.
5. In the event a student lives in campus housing: All roommates, suitemates, or apartment mates of the student must sign an agreement allowing the service animal to be in the residence with them. In the event that one or more roommates or apartment-mates do not approve, the non-approving roommates or apartment-mates, as determined by the Director of Residence Life, may be moved to a more suitable location.
6. The student is encouraged to maintain a suitable containment area in their dorm room to contain the service animal. In the event that the student becomes ill or incapacitated the student must have current contact information on file for a person to come and retrieve the animal and take custody of animal as soon as is reasonably possible.
7. Any violation of these policies will be reviewed through the Gordon State College student conduct process and the student will be afforded all rights of due process and appeal as outlined in that process.
8. Animals cannot be left unattended overnight at any time. If the owner must be away, they must either take the animal with them, or make arrangements for them to be cared for off-campus.
9. Animal accidents within the residence hall room or apartment must be promptly cleaned up using appropriate cleaning products.
10. Any flea infestation must be attended to promptly by a professional extermination company at owner's expense. Owners are expected to promptly notify building services and arrange for extermination when a flea problem is

noted. Animal owners may take some precautionary measures such as: flea medications prescribed by veterinarians, flea and tick collars, taking your animal to the veterinarian for flea and tick baths; however, College Staff may not use chemical agents and insecticides to exterminate fleas and ticks. Because not all of the precautions listed here can prevent flea and tick infestations, the owner is responsible for extermination costs after vacating the apartment or residence hall room.

11. Animals must not be allowed to disrupt others (e.g., barking continuously, growling, yowling, howling, etc.). Animals which constitute a threat or nuisance to staff, residents or property, as determined by the Director or official designee, must be removed within seven (7) days of notification. If Gordon State College Public Police determines that the animal poses an immediate threat, animal control may be called to remove the animal. If the behavior of an animal can be addressed by the owner and the owner can change the behavior of an animal so that the pet does not have to be removed, then a written action plan must be submitted by the owner. The action plan must outline the action that will take place to alleviate the problems and also must give a deadline as to length of time the plan will take. Any action plan must meet the approval of the Director. The day after the deadline for removal from the apartment, College Staff will do a residence hall room or apartment inspection to check damages and infestation and then the mandatory cleaning and extermination will be scheduled. Any animal owner found not adhering to the removal directive will be subject to disciplinary action; which could include contract cancellation.
12. An animal must not be involved in an incident where a person experiences either the threat of or an actual injury as a result of the animal's behavior.
13. The animal owner will take all reasonable precautions to protect Gordon State College staff and residents; as well as the property of Gordon State College and of the residents.
14. The owner will notify Residence Life and/or Gordon State College Public Safety if the animal has escaped its confines and is unable to be located within twelve (12) hours.
15. All liability for the actions of the animal (bites, scratches, etc.) is the responsibility of the owner.
16. Violations of the aforementioned guidelines may result in the resident finding alternative off-campus housing for the animal and, as warranted, may result in the resident being in breach of their housing agreement.
17. The animal owner has an obligation to make sure that the residence hall room is as clean as the original standard. Damages and extraordinary cleaning caused by the animal are the responsibility of the resident. Replacement or repair of damaged items will be the financial responsibility of the owner.

I have read and understand the policies and procedures:

Student Name \_\_\_\_\_ Student ID # \_\_\_\_\_

**Signatures**

**Student** \_\_\_\_\_ **Date** \_\_\_\_\_

**Director of Residence Life (or official designee)**

\_\_\_\_\_ **Date** \_\_\_\_\_

Revised July 2014/Approved by Cabinet 7/28/2014