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| Title: | Disability Services: Service/Assistance Animal Policy | Type: | Student Affairs |
| No: SA 9002 | | Approval Date: | 11-14-14 |
| Responsible Office: VPSA, Disability Services | | Approved By: | MAccapadi, VPSA |
| Next Review: 2019 | | Revision No: | |

I. Purpose

Rollins College is committed to equal access and does not discriminate against persons with disabilities in its policies, procedures, programs, or employment processes. The College recognizes its obligations, under Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Fair Housing Act ("FHA"), Florida Statute § 413.08, and the Americans with Disabilities Act of 1990 ("ADA"), to provide an environment that does not discriminate against persons with disabilities. According to the ADA, a "person with a disability" includes "any person who (i) has a physical or mental impairment which substantially limits one or more of such person's major life activities, (ii) has a record of such impairment, or (iii) is regarded as having an impairment. The Disability Services Accommodation Policy clarifies procedures for all Rollins students (defined as students in all programs: A&S/CPS, Hamilton Holt, and the Crummer Graduate School of Business) implemented by the College to assess and accommodate persons with disabilities.

II. Definition

Service Animals: Service animals are defined by the ADA 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, 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.

Assistance Animals: Assistance animals are defined under the FHA and Section 504 as animals that work, provide assistance, or perform tasks for the benefit of a person with a disability, or provide emotional support that alleviates one or more identified symptoms or effects of a person's disability. An Assistance Animal is one that is necessary to afford the person with a disability an equal opportunity to participate in educational programs or activities or use and enjoy college housing. Assistance Animals may provide physical assistance, emotional support, calming, stability and other kinds of assistance. Assistance Animals are not required to be individually trained or certified to perform work or tasks that would qualify them as "service animals" under the ADA. Assistance Animals that are not service animals under the ADA may still be permitted, in certain circumstances, in Rollins' programs, activities, and housing pursuant to a reasonable accommodation under Section 504 and the Fair Housing Act.

Service/Assistance Animal Handler: A person with a disability that a service animal assists or a

personal care attendant who handles the animal for a person with a disability.

Public accommodation: A place or service offering to the public accommodations, advantages, facilities or privileges whether in the nature of goods, services, lodgings, amusements or otherwise. A place of public accommodation does not include any institution, bona fide club or place of accommodation, which is in its nature distinctly private.

III. Procedure or Application

Students must contact the Disability Services Office to access services for Service/Assistance Animals.

Inquiries Regarding Service Animals: In general, Rollins will not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a Service Animal. Rollins may ask:

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

Rollins **cannot require documentation**, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, Rollins may not make any inquiries 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).

Specific questions related to the use of service animals on the Rollins campus by visitors can be directed to the Director of Disability Services via e-mail, gridgeway@rollins.edu, or phone, (407) 646-2345.

Inquiries Regarding Assistance Animals: In general, when requesting a reasonable accommodation to have an Assistance Animal in Rollins' programs, activities, or housing, Rollins will make two inquiries to determine whether an animal qualifies as an Assistance Animal. Rollins may ask:

3. Whether the person seeking the accommodation has a disability; and
4. Whether the person making the request has a disability-related need for the Assistance Animal.

Accommodation Request Process: When it is not readily apparent that a person seeking an accommodation has a disability or a disability-related need for an Assistance Animal, Rollins may ask the person seeking the accommodation to submit reliable documentation of a disability and their disability-related need for an Assistance Animal. Reliable documentation should be from a physician, psychiatrist, social worker, or other mental health professional, which establishes that an individual has a disability and that the Assistance Animal provides some type of disability-related assistance or emotional support.

The determination of whether a person has a disability-related need for an Assistance Animal involves an individualized assessment. A request for a reasonable accommodation for an Assistance Animal will not be denied, unless granting the accommodation would impose an undue financial and administrative burden or would fundamentally alter the nature of Rollins' programs or services. The request may also be denied if: (1) the specific Assistance Animal poses a direct

threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation, or (2) the specific Assistance Animal would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation.

In order to ensure a determination is made prior to the start of the academic year, students who are submitting documentation to request having an Assistance Animal in on-campus housing should submit supporting medical documentation to Disability Services by June 15 for review and determination before the beginning of each academic year. Students matriculating in spring semesters should submit paperwork by November 1. Requests for reasonable accommodations for Assistance Animals made after these deadlines will be considered, but may not result in a determination prior to the start of the semester. All final accommodation determinations will be communicated in writing to the student through the Office of Disability Services.

Accommodation Appeal Process: If a student is dissatisfied with the determination of their accommodation request the student may appeal this decision by resubmitting the accommodation request to the Accommodation Advisory Committee for further review. New medical documentation or other relevant facts not part of the original determination must be submitted to the Office of Disability Services if the student would like such information considered as part of the review.

Students may appeal determinations made by the Accommodation Advisory Committee by submitting a written request to the Vice President of Student Affairs (VPSA). The VPSA and the Vice President and Treasurer (VPT) will review the appeal. The Office of Disability Services will notify the student in writing of the final determination of accommodations

IV. Related Policies or Applicable Publication

Rollins generally allows Service Animals in all places of public accommodation to which the general public is invited, when the Service Animal is accompanied by an individual with a disability or a trainer of the Service Animal.

Service Animals will also generally be allowed in all buildings, classrooms, residence halls, meetings, dining areas, recreational facilities, activities and events when the animal is accompanied by an individual with a disability who indicates the Service Animal is trained to provide, and does provide, a specific service to them that is directly related to their disability.

Rollins may not permit Service Animals when the animal poses a substantial and direct threat to health or safety or when the presence of the animal constitutes a fundamental alteration to the nature of the program or service. Rollins will make those determinations on a case-by-case basis.

Handler Responsibilities: Students, faculty and staff who wish to bring a Service/Assistance animal to campus are strongly encouraged to partner with Disability Services, especially if other academic accommodations are required. Additionally, students who plan to live in on-campus housing must inform Disability Services that they plan to have a Service/Assistance animal with them in student housing. Advance notice of a Service/Assistance Animal for on-campus housing may allow more flexibility in meeting student's specific requests for housing.

Handlers are responsible for any damage or injuries caused by their animals and must take appropriate precautions to prevent property damage or injury. The cost of care, arrangements and responsibilities for the wellbeing of a Service/Assistance Animal are the sole responsibility of the

handler at all times.

Service/Assistance Animal Control Requirements:

- The animal should be in full control of the handler at all times.
- To the extent possible, the animal should be unobtrusive to other individuals and the learning, living, and working environment.
- **Identification** – It is not required, but recommended that the animal wear some type of commonly recognized identification symbol, identifying the animal as a working animal, but not disclosing disability.
- Animals cannot be confined in vehicles at any time. In the event animals are left in vehicles law enforcement will be notified and permitted to use any reasonable means to remove the animal. The owner will be responsible for the charges incurred and any and all property damage.

Animal Etiquette: To the extent possible, the handler should ensure that the animal does not:

- Sniff people, restaurant tables or the personal belongings of others.
- Display any behaviors or noises that are disruptive to others, unless part of the service being provided to the handler.
- Block an aisle or passageway for fire egress.

Waste Cleanup Rule: Cleaning up after the Service/Assistance Animal is the sole responsibility of the handler. In the event that the handler is not physically able to clean up after the animal, then individuals should use marked Service Animal waste areas when such areas are provided. Facilities will assign the area based on where the handler is working/residing. (Accessible area will be assigned by Rollins Facilities Management, and will be maintained by their personnel).

Housing Requirements: Service/Assistance Animals living with students, faculty or staff in college housing:

- The Office of Disability Services must approve Service/Assistance Animals before entering campus housing.
- Assistance Animals are not permitted outside of on-campus housing (unless accompanied by handler in a public accommodation area). Assistance Animals are not permitted in classrooms, administrative offices, common spaces, or other student living areas, except if approved by Rollins as a reasonable accommodation.
- Cat litter boxes or other such waste cleanup must occur regularly. Animal feces should be disposed of in a plastic bag and taken directly to the residence hall or apartment dumpster for disposal. Feces are not to be disposed of in any trash receptacles or through the college sewer system. Cat litter boxes should be cleaned and changed in accordance with the manufacturer's recommendations.
- Animal accidents within housing must be cleaned immediately with appropriate cleaning products.
- Regular and routine cleaning of floors, kennels, cages and litter boxes must occur. Odors other than normal healthy animal scents are not acceptable.

- If an animal becomes flea infested, a professional exterminator contracted by the college at the handler's expense must attend to flea infestation promptly.
- Animals must not be allowed to disrupt others (e.g. barking continuously, growling, howling), unless it is part of the service being provided to the handler.
- Animals, which constitute a direct threat to the health or safety of staff, residents or property as determined by the Director of Disability Services, must be removed from the premise within seven (7) days of notification to the handler from the Office of Disability Services.
- If college officials determine the animal to be an immediate threat, animal control will be summoned to remove the animal.
- All liability for the actions of the animal (bites, scratches, etc.) is the responsibility of the handler/owner.
- When the handler/resident moves out of on-campus room/apartment or no longer lives with the animal the Office of Residence Life will assess damages caused by the animal and charge accordingly.

Violation of any of the housing requirements may result in the handler/resident having to find alternative off-campus housing for the animal and, as warranted, may result in the resident being in breach of the housing contract.

Campus Emergency Response: In the event of a campus emergency, the emergency response team that responds should be trained to recognize service animals and be aware that the animal may be trying to communicate the need for help. The animal may become disoriented from the smell of smoke in a fire or laboratory emergency, from sirens or wind noise, or from shaking and moving ground. The handler or animal may be confused from the stressful situation. The team should be aware that the animal is trying to be protective and, in its confusion, is not to automatically be considered harmful. The team should make every effort to keep the animal with its handler. However, the team's first effort should be toward the handler; this may necessitate leaving the animal behind in certain emergency evacuation situations.

Conflicting Disabilities: Some people (roommates/fellow students/professors) may have allergic reactions to animals that are substantial enough to qualify as disabilities. Rollins will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities and to resolve the problem as efficiently and expeditiously as possible. Students requesting allergy accommodations should contact the Disability Services Office. Staff requesting allergy accommodations should contact Human Resources.

Removal of Service/Assistance Animals: Animals can be removed for violations of any of the expectations outlined within this policy. This includes animals that are not in proper control, waste issues, or violations of the housing requirements.

Service Animal Trainer: A Service Animal being trained has the same rights as a fully trained Service Animal when accompanied by a trainer and identified as such in any place of public accommodation. Handlers of Service Animals in training must also adhere to the requirements for service animals and are subject to the removal policies as outlined in this policy.

Trainers are not permitted to bring Service Animals into those portions of the campus that are not generally open to the public. These areas would include student-housing, classrooms, and other areas of campus that people from the general public are not permitted to go into.

V. Appendices/Supplemental Materials

Not applicable.

VI. Rationale for Revision

Not applicable.