



ROLLINS COLLEGE POLICY

Title: Accessibility Services: Assistance Animal	Type	Student Affairs
No: SA 9002	Approval Date: 3-18-2019	
Responsible Office: VPSA, Accessibility Services	Reviewed/Approved: Policy Committee, 1-31-2019; President's Cabinet, 3-18-2019; President, 3-18-2019. Rev. 1. Administrative Update only. Original, M. Accapadi, VPSA.	
Next Review: 2023-2024	Revisions: No. 2: Revised focus on Assistance Animals rather than Service Animals throughout; housing requirements, campus emergency response, and conflicting disabilities sections made consistent with current practice on campus; appeal process added. No. 1: Updated 4-27-2017 for CLA governance and name change.	

I. Purpose/Introduction/Rationale

Rollins College ("Rollins") 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. This policy clarifies procedures related to service and assistance animals for all Rollins students, defined as students in the College of Liberal Arts (CLA), the Hamilton Holt School (Holt), and the Crummer Graduate School of Business (Crummer), implemented by the College. Rollins reserves the right to limit the spaces on campus where assistance animals are permitted.

II. Definitions

Service Animals: A service animal, as defined by Title II and Title III of the ADA, means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Under Title II and III of the ADA, service animals are limited to dogs. However, entities must make reasonable modifications in policies to allow individuals with disabilities to use miniature horses if they have been individually trained to do work or perform tasks for individuals 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 more broadly 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 campus 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 campus housing pursuant to a reasonable accommodation under Section 504 and the Fair Housing Act.

Service/Assistance Animal Handler: The “Handler” is 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 Office of Accessibility Services to access services for Service/Assistance Animals.

A. 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 Accessibility Services via e-mail, access@rollins.edu, or phone, (407) 975-6463.

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

1. whether the person seeking the accommodation has a disability; and
2. whether the person making the request has a disability-related need for the Assistance Animal.

C. 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.

Rollins may consider the following factors, among others, as evidence in determining whether the presence of the animal is reasonable or in making housing assignments for individuals with Assistance Animals:

1. the size of the animal is too large for available assigned housing space;
2. the animal's presence would force another individual from housing (e.g. conflicting disabilities);
3. the animal's presence otherwise violates an individual's right to peace and quiet enjoyment;
4. the animal is not housebroken or is unable to live with others in a reasonable manner;
5. the animals' vaccinations are not up-to-date;
6. the animal poses or has posed in the past a direct threat to the individual or others such as aggressive behavior towards or injuring the individual or others; or
7. the animal causes or has caused excessive damage to housing beyond reasonable wear and tear.

Rollins will not limit room assignments for individuals with Assistance Animals to any particular building or buildings because the individual needs an Assistance Animal due to a disability. Rollins reserves the right to assign an individual with an Assistance Animal to a single room without a roommate.

In order to be considered for reasonable animal assistance accommodations, students must supply the above information to the Office of Accessibility Services by the established deadline. These dates will be updated annually and communicated to all students through the department's website. Animal assistance accommodation requests made after the communicated deadlines will be evaluated on a case-by-case basis, and are dependent upon availability and reasonableness of the request. All final accommodation determinations will be communicated in writing to the student through the Office of Accessibility Services.

D. 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 Accessibility 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 Assistant Vice President of Student Affairs, Dean of Students. The Office of Accessibility Services will notify the student in writing of the final determination of accommodations.

IV. Related Policies or Applicable Publications

A. Facilities Access. 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. Access to campus spaces and facilities is limited for Assistance Animals. In general, Assistance Animals are only permitted in residential student's rooms; please see this section, part F. Housing Requirements, below. Rollins reserves the right to limit the spaces on campus where assistance animals are permitted.

B. Handler Responsibilities. Students, faculty and staff who wish to bring an Assistance animal to campus are strongly encouraged to partner with Accessibility Services, especially if other academic accommodations are required. Additionally, students who plan to live in campus housing must request approval from the Office of Accessibility Services to have an Assistance animal with them in campus housing. Additional documentation may be required for approval of Assistance Animals in campus 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 an Assistance Animal are the sole responsibility of the Handler at all times.

C. 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 Handler will be responsible for the charges incurred and any and all property damage.

D. 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; and/or
- block an aisle or passageway for fire egress.

E. Waste Cleanup Rule. Cleaning up after the Service/Assistance Animal in a safe and sanitary manner is the sole responsibility of the Handler.

F. Housing Requirements. Requirements for Service/Assistance Animals living with students, faculty or staff in campus housing are provided below.

1. The Office of Accessibility Services must approve Service/Assistance Animals before entering campus housing.
2. The Handler must abide by current city, county and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other regulations for animals. It is the Handler's responsibility to know and understand these regulations. Rollins has the right to require documentation of compliance with such ordinances, laws and regulations, which may include a vaccination certificate. Rollins reserves the right to request documentation showing that the animal has been licensed.
3. The Handler is required to ensure the animal is well cared for at all times. Any evidence of mistreatment or abuse may result in immediate removal of the Service/Assistance Animal and/or discipline for the individual.
4. Assistance Animals may not be left overnight in campus housing to be cared for by any individual other than the Handler. If the Handler is to be absent from their residence hall overnight or longer, the animal must accompany the Handler or arrangements to care for the animal must be made off-campus. The Handler is responsible for ensuring that the Assistance Animal is contained, as appropriate, when the Handler is not present during the day while attending classes and other activities.
5. Assistance Animals are not permitted outside of campus housing (unless accompanied by Handler in a public 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.
6. Cleanliness Requirements
 - a. 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.
- b. Animal accidents within housing must be cleaned immediately with appropriate cleaning products.
 - c. Regular and routine cleaning of floors, kennels, cages and litter boxes must occur. Odors other than normal healthy animal scents are not acceptable.
 - d. If an animal becomes flea infested, a professional exterminator contracted by the college at the Handler's expense must attend to flea infestation promptly.
7. Disruptions or Threats
- a. 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.
 - b. Animals, which constitute a direct threat to the health or safety of staff, residents or property as determined by the Director of Accessibility Services, must be removed from the premise within seven (7) days of notification to the Handler from the Office of Accessibility Services. If the Handler is able to control the animal or can address the behavior, the Handler will be required to submit an action plan to the Office of Accessibility Services. The plan should include steps to alleviate the issue and a deadline for improved behavior.
 - c. If college officials determine the animal to be an immediate threat, animal control will be summoned to remove the animal.
 - d. All liability for the actions of the animal (bites, scratches, etc.) is the responsibility of the Handler.
8. Life Safety Inspections (LSIs) are conducted on a monthly basis by Residential Life & Explorations. LSIs of rooms with Assistance Animals will include checking for compliance of the guidelines in the Service/Assistance Animals Policy.
9. When the Handler moves out of campus housing or no longer lives with the animal the Office of Residence Life & Explorations will assess damages caused by the animal beyond reasonable wear and tear and charge accordingly.
10. The Handler must provide written consent for the Office of Accessibility Services to disclose information regarding the request for and presence of the Service/Assistance Animal to those individuals who may be impacted by the presence of the animal including, but not limited to, Residential Life & Explorations staff and potential and/or actual roommate(s)/neighbor(s). Such information will be limited to information related to the animal and will not include information related to the individual's disability.

Violation of any of the housing requirements may result in the Handler 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.

G. Campus Emergency Response. Rollins personnel will not be required to provide care or food for any Assistance Animal including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal.

H. 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 Office of Accessibility Services. Staff requesting allergy accommodations should contact Human Resources. After approval of the Assistant Animal and prior to the Assistance Animal being permitted on campus, the Office of

Accessibility Services will communicate with the Handler's roommate(s) to determine if there are any conflicting disability concerns.

I. 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.

Rollins will base such determinations upon the consideration of the behavior of the particular animal at issue, and not on speculation or fear about the harm or damages an animal may cause. Any removal of the animal will be done in consultation with the Office of Accessibility Services and may be appealed to the Accommodation Advisory Committee. The Handler will be afforded all rights of due process and appeal.

Should the Service/Assistance Animal be removed from the premises for any reason, the Handler is expected to fulfill their housing obligations for the remainder of the housing contract.

J. 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. Places of public accommodation would not include campus housing, classrooms, and other areas of campus that people from the general public are not permitted to go into. Any student interested in being a service animal trainer should reach out to meet with the Office of Accessibility Services.

K. Appeal Process. If students are dissatisfied with the outcome of their accommodation determinations, they have the opportunity to submit an appeal. All appeals must be done in writing and submitted to Accessibility Services within ten (10) business days of the original determination. It is the College's expectation that the appeal is written by the student. Accessibility Services submits all appeals to the appellate officer for consideration.

In some cases, the appeal body may choose to return the case to the Accessibility Services for reconsideration. The student will be notified in a timely fashion of the appeal body's determination. Decisions of the appeal body are final.

V. Effective Date

This policy is effective April 1, 2019, and supersedes all previously issued versions.

VI. Appendices/Supplemental Materials

Not Applicable

VII. Rationale for Revision

Rev. 1: 9-22-2016, updated for CLA governance and name change. Rev. 2: 9-28-2018, general review and update.

Acknowledgement and Release of Information Consent Form

I have read and understand the Service/Assistance Animal Policy and I agree to abide by the requirements applicable to Service/Assistance Animals. I understand that if I fail to meet the requirements set forth in the Policy, Rollins College has the right to remove the Service/Assistance Animal and I will be required to fulfill my housing, academic and all other obligations for the remainder of the housing contract.

Furthermore, I give my permission to the Office of Accessibility Services to disclose to others impacted by the presence of my Service/Assistance Animal (e.g. Residential Life & Explorations Staff, potential and/or actual roommate(s)/neighbor(s)) that I will be living with an animal as an accommodation. I understand that this information will be shared with the intent of preparing for the presence of the Service/Assistance Animal and/or resolving any potential issues associated with the presence of the Service/Assistance Animal.

I recognize that the presence of the Service/Assistance Animal may be noticed by others visiting or residing in campus housing and agree that staff may acknowledge the presence of the animal and explain that under certain circumstances Service/Assistance Animals are permitted for persons with disabilities.

Individual Printed Name

Individual Signature

Date

Accessibility Services Representative

Date

Residential Life & Explorations Representative