

Policy Title: **Service and Assistance Animals, Animal Mascots, and Pets**
Category: University Policy
Policy Owner: Title IX Coordinator/Equity and Inclusion Policy Specialist
Review Period: Annually
Effective Date: Originally Effective in April of 2014; Revision Effective September 2, 2015

Purpose

The purpose of this policy is to provide direction and process information for accommodating persons with disabilities who may be served by a Service Animal or Assistance Animal, as well as provide direction and process information for animal and pet interactions on campus and at campus events. Questions about this policy, any related policy or procedure, and/or requests for accommodations to academic, living, working, transportation, or other arrangements, may be directed to any of the following:

- *Human Resources (Employees and Visitors): 515-271-3676 or drakehr@drake.edu*
- *Coordinator for Student Disability Services, Michelle Laughlin (Students): 515-271-1835 or michelle.laughlin@drake.edu*

Policy

Drake University prohibits discrimination on the basis of disability in its educational programs, student activities, University activities open to visitors, and in employment. The Iowa Code, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, the Fair Housing Act, and their accompanying regulations, current or future, will prevail in implementing this policy as it relates to Service Animals and Assistance Animals. In general, these laws address when an entity such as the University must provide reasonable accommodations to a student or employee or visitor with a disability in order to afford the individual equal opportunity to participate in the University's programs, activities, and services.

Scope

The policy expressed above governs all Drake University students, employees and third parties present and participating in the University's educational and working environment.

Definitions

- **Service Animal:** A *Service Animal* is defined, for purposes of this policy, as a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. A formal "certification" of the animal by a trainer is not required. No other animals qualify as Service Animals, except for miniature horses or simians may be used in limited circumstances.
- **Assistance Animal:** An assistance 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 may perform one or more disability-related functions. While dogs are the most

common type of assistance animal, other animals can also be assistance animals.

- **Pet:** A *Pet*, for purposes of this policy, is any other animal that does not meet the definition of a Service Animal or Assistance Animal.

Campus Building Policy

Pets are normally not allowed in campus buildings unless they are a part of a controlled science lab or they are also Service/Assistance Animals which are required to accommodate a person with a disability. With the exception of fish in residential housing, Pets are not allowed according to University policy. Students and employees are only eligible for an exception to the no pet policy if the animal meets the definition of either a Service Animal or an Assistance Animal and the requester has provided appropriate documentation to that effect.

Drake University reserves the right to remove any misbehaving or threatening animals (as determined by Drake personnel) from any University premises.

Exceptions to the Campus Building Policy

- **Campus Outdoor “Recognized” or “Official” Events**—Pets are allowed for outdoor recognized campus events. A *Recognized or Official event is one that is scheduled for a University function or gathering and/or secured with a Letter of Agreement. A special pet area may be designated for an event.*
- **Animal Mascot Events:** Pets are allowed for “Recognized” animal mascot campus events, e.g. Drake basketball games, Drake Relays, etc. subject to the conditions applicable to each such event. Pet owners and handlers may need to sign a “Waiver, Liability Release and Indemnification Agreement” form before their pet is present at such an event. Depending on the scope of event activities, an owner or a handler may be required to provide proof of general liability insurance evidenced through a Certificate of Insurance, listing Drake as additional insured.

Requests for the Use of Service/Assistance Animals

- For students to request an accommodation, please contact the University’s disability coordinator at 515-271-1835 or via email at michelle.laughlin@drake.edu. The student will need to complete a Service/Assistance/Accommodate Form in the Student Disabilities Services Office located in Old Main, Room 107. For employees or visitors to request an accommodation, please contact Human Resources at 515-271-3133 or via email at drakehr@drake.edu.
- A requester must establish the following regarding a Service/Assistance animal:
 - A request for a Service Animal must include information to verify (1) The service animal is required because of a disability, and (2) The work or tasks which the animal has been trained to perform. (Deterring crime or providing emotional support, well-being, comfort, or companionship are not approved uses for a Service Animal under the current federal regulations.)
 - A request for an Assistance Animal must relate to use in a residential setting and must

include information to verify: (1) The person seeking to use and live with the animal has a disability — i.e., a physical or mental impairment that substantially limits one or more major life activities, and (2) The animal works, provides assistance, performs tasks or services for the benefit of a person with a disability, or provides emotional support that alleviates one or more of the identified symptoms or effects of a person's existing disability.

- The University will allow bona fide Service/Assistance Animals unless doing so would impose an undue financial and administrative burden or would fundamentally alter the nature of the University's services. The request may also be denied if: (1) the specific animal in question 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 animal in question would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation.
- A trainer of a Service or Assistance Animal in training also will be allowed access with a service or assistance dog in training under similar standards as provided above. However, the trainer does not need to meet any of the above requirements with respect to disability-related inquiries. For employees, Drake University can restrict an employee from attending to a service animal in training while on the job unless the employee requires the assistance of a service animal in order to perform the individual's job.
- Drake University reserves the right to request additional clarification or documentation to facilitate the requested accommodation.

Responsibilities of Animal Trainers

Any student and or employee or visitor who wishes to bring, use, and/or train a Service Animal or Assistance Animal on campus must meet all requirements of this policy, except as noted above. Approval is needed prior to having any animal live with a student or employee on-campus during training.

Responsibilities of Persons Using Service Animals or Assistance Animals

Students or employees requesting a Service/Assistance Animal to be on-campus and/or to live on-campus must meet the following requirements in addition to making the appropriate request pursuant to this policy. If an accommodation is granted, the owner/handler will have to abide by the agreements below, in addition to completing the *Agreement for the Owner/Handler Responsibilities for Service and Assistance Animals on Campus* found in the Appendix section of this policy:

- Health Requirement: the animal must have been vaccinated against diseases common to that type of animal as recommended by the American Veterinary Medical Association. In addition, the animal must be otherwise in good health, i.e., no communicable diseases, and open sores, uncontrolled fleas, ticks and related pests and/or odor.
 - o The university has continuing authority to direct that a Service/Assistance Animal on its campus receive veterinary attention.
- Adequate proof of liability insurance coverage, if applicable. Regardless of insurance coverage, the owner/handler bears the ultimate responsibility for paying for any damages that the Service/Assistance Animal may cause.

- The owner/handler of a Service/ Assistance Animal on campus is responsible for the safety, health, behavior and actions of the animal at all times.
- Service/Assistance animals must be harnessed, leashed, or tethered while in public places unless these devices interfere with the animal's work or the person's disability prevents use of these devices. In that case, the person must use voice, signal, or other effective means to maintain control of the animal. If the Service/Assistance Animal needs to be left in a residential room or office unattended, the animal must be confined in an animal safe cage, crate or kennel.
- The Service/Assistance Animal must not obstruct or disturb any University space or activity including but not limited to: residence halls, classrooms, labs, other campus buildings, recreational areas, roads, walkways, passages, campus activities and any other University programs or spaces.
- Human Resources (employees or visitors) or the Student Disability Services Office (students) will explain any additional expectations for animals on campus and/or living on campus in University housing, including maintaining cleanliness, properly storing food, and disposing of animal waste.

Conflicting/Competing Disability Accommodations

Students and employees with medical conditions that are adversely affected by Service Animals or Assistance Animals should contact the Student Disability Services Office (student inquiries) or Human Resources (employee inquiries) if they have a health or safety related concern about exposure to a Service Animal or Assistance Animal. Students and employees registering concerns may be asked to provide medical documentation that describes their conditions allowing a determination to be made as to whether the condition is disabling and, if so, what reasonable accommodations may be appropriate.

Access

Service Animals will be allowed in all academic areas. Assistance Animals which are not also Service Animals, including most emotional support Assistance Animals, will be only allowed in the privately assigned residential room and outside dwellings, pursuant to FHA/HUD and corresponding regulations.

The Service/Assistance Animal may not be allowed in spaces that may be considered unsafe for the animal itself or persons using the areas. Such areas include but are not limited to: medical facilities, labs, mechanical rooms, swimming pools or other similar locations that the animal's presence may constitute a danger or a fundamental alteration of the program or activity conducted in the area.

Removal of Service Animal from a University-Owned Housing Unit or Campus

- If a Service/Assistance Animal becomes disruptive, aggressive and/or poses a direct threat to the health or safety of others, the resident owner/handler will be required immediately to remove the Service/Assistance Animal from University property. This behavior includes but is not limited to excessive barking or other noise, growling at other persons, and biting other persons. The resident owner/handler of a Service/Assistance Animal is expected to report such incidents to Student Disability Services Office within 24 hours of the occurrence.
- A Service/Assistance Animal that makes excessive noise in a residence hall can be very disruptive to other residents. A disruptive service animal in a classroom can also hinder the learning of other students. If the Service/Assistance Animal exhibits this behavior, the resident owner/handler will be required to remove the Service/Assistance Animal until the inappropriate behavior can be brought under control.
- Owners/handlers must ensure that Service/Assistance Animals are reasonably clean and do not create unpleasant odors that bother other persons. An excessively unclean or unkempt Service/Assistance Animal may be removed from campus until the problem is resolved.
- Failure to uphold and abide by these policies described here could result in a resident owner/handler not being permitted to keep the Service/Assistance Animal in University-owned housing units.
- A Service/Assistance Animal that has been abandoned/left behind in a residence hall when the residence halls are closed for break or after a resident moved out of the residence hall may be removed and turned over to animal control.

Student and Employee Etiquette for Owners/Handlers and their Service/Assistance Animals

The following rules should be followed by members of the Drake University campus community, including those in the residence halls:

- Service/Assistance animals are working companions and are not considered pets. Other persons should not touch a Service/Assistance animal when it is harnessed or without the permission of the resident user/handler. It distracts the animal from the task at hand.
- Other persons should not feed a Service/Assistance animal when it is harnessed or without the permission of the owner/handler.
- Other persons should not deliberately startle a Service/Assistance Animal when it is harnessed or off leash. Animals react differently to noise than humans, even with the level of training that such animals may receive.

Visitors with Service Animals

All visitors to campus with Service Animals must adhere to the same animal control, behavior and safety guidelines as students attending the University. Upon request, visitors with Service Animals should be prepared to provide Public Safety, Residence Hall Desk Staff, or other University staff with identification for their Service Animal. The University recommends that the service animal wear some type of commonly recognized identification symbol designating it as a service animal (tag, license, vest, etc.).

Appendix

Agreement for the Owner/Handler Responsibilities for Service and Assistance Animals on Campus

The following expectations are the responsibilities of the owner/handler of the Service/Assistance Animal (or any other handler, including family members or personal assistants):

- Cleanliness is mandatory for Service and Assistance Animals living in campus housing and/or being in campus buildings. Proper grooming and regular baths should keep any unpleasant animal odor to a minimum. Service/Assistance Animals will not be bathed in the shower rooms of a residence hall. Rather, veterinary offices, groomers, or a family home is appropriate for bathing animals.
- Flea/pest control is essential and adequate preventive measures should be taken. If flea/pest problems develop, it must be dealt with immediately and in an effective manner or the animal will be removed from campus until the problem is resolved. Cost for pest remediation may be assessed to the owner/handler.
- Consideration of others must be taken into account when providing maintenance and hygiene of Service/Assistance Animals.
- Food for animals must be kept in a secure and covered storage container (plastic or paper bags are not sufficient to keep out pests).
- Service/Assistance Animals must always be kept under control; animals must be on leash/lead whenever possible; wandering off leash/lead is not permitted.
- Disturbing animal vocalizations must be kept to an absolute minimum. Quiet hours policies in the residence halls should be observed as noted in the Residence Hall Code of Conduct.
- Service/Assistance Animals must have their droppings picked up and placed in a plastic bag and deposited in a trash can appropriate for disposal of such waste.
- The animal must not be allowed to display any behaviors or noises that are disruptive or upsetting to others, such as barking, whining, growling or engage in rubbing against people while traveling through the residence halls. This includes aggressive behaviors. The animal must not initiate contact with someone without the resident owner/handler's direct permission.
- The resident owner/handler will be responsible for providing appropriate bedding for the Service/Assistance Animal.
- The resident owner/handler is responsible for the cost to repair any damage done by the animal to University property.
- In University-owned housing units, whenever a work-order is requested or room inspection is performed, the resident owner/handler must remove the Service/Assistance Animal to another room or cage, crate or kennel the animal when Facilities/Residence Life staff are present to perform the repair/inspection.
- Resident owners/handlers will be responsible for any cleaning necessary due to the presence of the Service/Assistance Animal. Urine spills indoors must be promptly cleaned up. Animal feces must be cleaned up immediately and disposed of properly. This includes resident rooms, University common areas and exterior property such as courtyards, walkways, etc.
- Resident owners/handlers living with a Service/Assistance Animal in University-owned housing units are strongly encouraged to maintain renter's insurance, including liability coverage for the animal.

When transported outside the privately assigned residential room, the animal must be in an animal carrier or controlled by a leash or harness at all times.

Removal of Service/Assistance Animal from a University-Owned Housing Unit or Campus:

- If a Service/Assistance Animal becomes aggressive or poses a direct threat to the health or safety of others, the owner/handler will be required immediately to remove the Service/Assistance Animal from University property. This behavior includes excessive barking, running around without a leash, or growling/biting others. The owner/handler of a Service/Assistance Animal is expected to report such incidents to Student Disability Services Office (students) or Human Resources (employees or visitors) within 24 hours of the occurrence.
- A Service/Assistance Animal that makes excessive noise in a residence hall can be very disruptive to other residents. A disruptive animal in a classroom can also hinder the learning of other students. If the Service/Assistance Animal exhibits this behavior, the owner/handler will be required to remove the Service/Assistance Animal from campus until the inappropriate behavior can be brought under control.
- An excessively unclean or unkempt Service/Assistance Animal may be removed from the campus until the problem is resolved. Failure to uphold and abide by these policies described here could result in the owner/handler not being permitted to keep their Service/Assistance Animal in University-owned housing units.

Drake has the right to remove an animal if:

- It poses a direct threat to the health or safety of the owner/handler or others.
- The owner/handler does not comply with the owner/handler's responsibilities outlined in the guidelines for having a Service Animal or Assistance Animal on campus.
- The animal causes uncontrollable disturbances.
- The animal has been abandoned or left in a University building (including residential housing) during University closings.

I have read and understand the Guidelines above and Drake University's *Service and Assistance Animals, Animal Mascots, and Pets Policy* and agree to follow all policies, procedures, and guidelines within.

Name of Requesting Student/Employee: _____

Drake ID Number: _____

Signature: _____ **Date:** _____

For Office Use (Original must be filed with Student and/or Employee Information)

Term/Year Approved: _____

Student Disability Services or HR Approval (Approver's Name): _____

Approver's Signature: _____ **Date:** _____

Additional Notes: