



Animals on Campus Procedure

Number: SS-402

Policy Number (if applicable): 2.17

Office of Primary Responsibility: Accessibility Resources Office

Effective Date: Revised July 2021

Purpose:

To promote a safe and welcoming environment for all members of the Hocking College Community Hocking College has developed these procedures to comply with Titles II and III of the Americans with Disabilities Act of 1990 (“ADA”), Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act (“FHA”), and Ohio laws. All of these laws prohibit discrimination based on disability.

Definitions:

Accessibility Resources Office -- the Accessibility Resources Office collaborates with individuals, faculty, residence life, and staff to ensure that individuals with disabilities have equal access to all Hocking College programs and activities.

Campus Building – any College controlled and/or managed building and/or office.

Disability – as defined by the ADA, a disability is a physical or mental impairment that substantially limits one or more major life activities of a person, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered.

Educational Animal - Educational Animals are canines used in the Animal Assistive Therapy (AAT) program. As part of the program, they are permitted to reside in the residence halls and enter training facilities and classroom buildings for educational purposes. These animals are approved by the AAT program manager. Handlers of Educational Animals must abide by the general responsibilities for Residential Animals.

Emotional Support Animal (“ESA”) - a category of animals that do not need any specialized training and are there purely to give comfort. They provide necessary emotional support to an individual with a mental or psychiatric disability which alleviates one or more identified symptoms of an individual’s disability.

Handler – person accompanying an animal or responsible for bringing it to campus.

Pets – pets include all animals on campus that are accompanied by an individual, except for ESAs, Service Animals or Educational Animals. Pets are not allowed in campus buildings. Pets are allowed on the campus grounds when leashed and under control.

Service Animal - any dog or miniature horse 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. The work or task that the dog or miniature horse performs must be directly related to the individual’s disability, and can include a wide variety of services. The provision of emotional support, well-being, comfort, or companionship do not constitute work or a task for the purpose of this definition.

Procedures:

- I. Service Animals and Students:** Students seeking to have a Service Animal on campus are encouraged to contact the Accessibility Resources Office at (740)753-7103. Generally, Handlers may be accompanied by their Service Animal in all Campus Buildings, public areas, and in other locations where College activities are held, unless a specific restriction applies as discussed below. When it is not obvious or readily apparent that the Service Animal is trained to do work or perform tasks for an individual with a disability, the College may make two inquiries to determine whether an animal qualifies as a Service Animal. The College may ask:

- (1) If the dog or miniature horse is required because of a disability, and (2) What work or task the dog or miniature horse has been trained to perform.

When determining the reasonableness of accommodating an individual that relies on a miniature horse as a Service Animal, the College may consider whether the miniature horse is housebroken and under the Handler’s control. In addition, the College may assess whether the facility can accommodate the miniature horse’s type, size, and weight, and whether the miniature horse’s presence will compromise legitimate safety requirements necessary for safe operation of the facility.

Follow up questions may be asked for the purpose of understanding and clarifying the answers to the above two questions.

- II. ESAs and Students:** Students with a documented disability may seek a reasonable accommodation that includes the right to keep an ESA with them in College housing. ESAs are generally only permitted in College housing. Requests involving ESAs are

evaluated similarly to any other request for accommodation and must be directed to the Accessibility Resources Office at (740)753-7103. Students requesting an ESA will need to provide current documentation from a qualified professional they have an ongoing relationship with that names the disability and describes the functional limitations of the disability.

III.

An ESA is allowed in College housing only as long as it is necessary because of the Handler's disability. The Handler must notify the Accessibility Resources Office in writing if the ESA is no longer needed or is not in the residence. To replace the ESA, the request for a new animal will be processed as a request for reasonable accommodation and the student must follow the procedures in this document and the Reasonable Accommodation Policy when requesting a different animal.

The student must provide written consent to the Accessibility Resources Office to disclose information regarding the request for and presence of the ESA to those individuals who may be impacted by the presence of the animal including, but not limited to, Residence Life personnel and potential and/or actual roommate(s)/neighbors(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.

III. Responsibilities of Animal Handlers of Service Animals, ESAs and Educational Animals:

Handlers must follow Hocking College Policies and Procedures, the Department of Residence Life & Housing, the Residential Animal Agreement stipulations, and the Student Handbook while on campus with animals. All actions of animals will be attributed to the Handler and may result in violations of these policies and procedures.

IV. Removal of Animals: An animal may be ordered to be removed by the College for the following reasons:

- (1) **Direct Threat:** A Handler will be directed to remove an animal that the College determines to be a substantial and direct threat to the health and safety of individuals. Animals should be healthy with updated vaccines and immunizations.
- (2) **Out-of-Control Animals:** A Handler may be directed to remove an animal that is out-of-control when the Handler does not take effective action to control it. If the improper behavior happens repeatedly, the Handler may be prohibited from bringing the animal into any College facility until steps to mitigate the behavior have been taken.
- (3) **Non-housebroken Animals:** A Handler may be directed to remove an animal that is not housebroken.

- (4) **Student Agreements:** A Handler may be directed to remove an animal for failing to follow one or more of the stipulations in the Department of Residence Life and Housing Residential Animal Agreement.

If the College requests the removal of an animal, the Handler must remove the animal immediately. Once the animal is removed, the College will work with the Handler to address the problem, determine reasonable alternative accommodations, and/or opportunities to participate in the service, program, or activity without having the animal on the premises.

- V. **Conflicting Needs/Health Concerns:** Complaints of allergies by other individuals or other individuals' fear of animals are not valid reasons for denying access or refusing services to individuals with animals otherwise permitted under this policy. When a person who is allergic to an animal and a person who relies on an animal must spend time in the same room, for example, in a classroom, they both should be accommodated. Decisions for such accommodations will be made by the appropriate College staff (depending on status of individuals involved – i.e., student, employee, or visitor) and in accordance with applicable laws, regulations, and guidance.

- VI. **Restricted Access Areas:** All animals, including Service Animals, ESAs and Educational Animals, may be restricted from specific areas of the College when consistent with other policies, state, and/or federal laws, or regulations. Examples of the restricted areas may include food preparation areas, animal research facilities and grounds, medically sensitive patient and clinical areas, and biologically sensitive or hazardous research sites.

The Accessibility Resources Office is available to assist in evaluating reasonable accommodations for Handlers that are impacted by these restrictions.

Grievance Procedures: Handlers who receive notice to remove an animal may file a grievance. The grievance procedure for students is outlined in the Accessibility Resource Office Grievance Procedure at <https://www.hocking.edu/academic-support>.

- VII. **Public Etiquette Towards Service Animals:** Faculty, staff, students, and visitors should avoid the following:

- (1) Petting a Service Animal, as it may distract them from their task at hand.
- (2) Feeding a Service Animal.
- (3) Deliberately startling a Service Animal.
- (4) Separating or attempting to separate a Handler from their Service Animal.