

## **Policy Regarding Approval and Use of Service Animals, Assistance Animals, and Emotional Support Animals on the Fitchburg State University Campus**

Fitchburg State University (“the University”) recognizes the importance of Service Animals and Assistance/Support Animals to individuals with disabilities. The University has established this policy to assist students with disabilities, as well as clarify the rights and responsibilities of all parties. Set forth below are specific requirements and guidelines concerning the appropriate use of and protocols associated with Service Animals and Assistance/Support Animals.

Fitchburg State University reserves the right to amend this Policy as circumstances require.

### **SECTION I : DEFINITIONS**

#### **1. Approved Animal**

An “Approved Animal” is a task-trained Service Animal that meets the definition below (Section I - 4), or an Assistance/Support Animal defined in (Section I -2), that has been registered with the University, and allowed access to university housing pursuant to the [HUD Policy](#).

#### **2. Assistance/Support Animal**

An “Assistance Animal” or “Support Animal” is an animal that provides emotional support, which alleviates one or more identified symptoms or effects of a person's disability. An Assistance/Support Animal is not a Service Animal.

Some, but not all, animals that assist persons with disabilities are professionally trained. Other Assistance Animals are trained by their owners.

Unlike a Service Animal, an Assistance/Support Animal does not assist a person with a disability with activities of daily living, nor is it permitted to accompany a person with a disability at all times, and in all spaces on the Fitchburg State University campus.

Assistance/Support Animals may be considered for residence in University housing, but they are not permitted in any other area on campus.

#### **3. Owner**

The “Owner” of a Service Animal or Assistance/Support Animal is the student, employee, Service Animal trainer, or other person with a disability who is entitled to bring their Service Animal on campus, or who has requested and received as an accommodation the ability to bring their Assistance/Support Animal into University housing.

#### **4. Service Animal**

A "Service Animal" is a dog or miniature horse that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. In some cases, a miniature horse may be permitted as a Service Animal. Examples of the work or tasks performed by Service Animals include but are not limited to the following:

- 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) experiencing a period of acute symptoms

By definition, Service Animals are working animals, not pets. The work or task that a Service Animal has been trained to provide must be directly related to an individual's disability. Animals whose sole function is to provide comfort or emotional support do not qualify as Service Animals.

5. **Service Animals in Training**

Individuals qualified to train dogs to aid and guide persons with disabilities are afforded the same rights as those individuals who require the assistance of a Service Animal in Massachusetts. If you are training a dog to aid or guide persons with disabilities, you must contact Disability Services, register the dog, and comply with the requirements set forth in this policy.

6. **Pet**

A “pet” is an animal kept for ordinary use and companionship. A pet is considered neither a Service Animal nor an Assistance/Support Animal. Students who wish to have a pet on University property, or keep pets in University housing, should refer to policies regarding such (*e.g., the Housing Occupancy Agreement*).

**SECTION II : PROCEDURES TO IDENTIFY SERVICE ANIMALS IN UNIVERSITY HOUSING**

Students seeking to bring a Service Animal to campus and to reside in University housing are asked to follow the steps outlined below:

1. A student seeking to keep a Service Animal in University housing can notify the Disability Services Office of their intent. Disability Services staff may work with the University Housing and Residential Life Office to ensure that an appropriate space is identified.
2. Please note that requests for Service Animals in housing do NOT require documentation of disability. Rather, the student is expected to state only that the dog is required because of a disability and what work or tasks the dog has been trained to perform as per the Americans with Disabilities Act (ADA). Students are not required to present medical documentation of a disability or any training documentation for the dog, and students are not required to have the dog demonstrate its ability to perform the identified work or task.
3. As many residential spaces on campus involve communal living (*e.g., one or more roommates*), care must be taken to ensure that impacted individuals (*e.g., roommates*) are taken into consideration in a circumstance where a Service Animal resides in campus housing. Often, this involves Housing and Residential Services staff coordinating communications with roommates, suitemates, or others

### **SECTION III : PROCEDURES FOR REQUESTING ASSISTANCE/SUPPORT ANIMALS IN UNIVERSITY HOUSING**

Assistance/Support Animals may not be brought into University housing without the approval of the University (i.e., the ability to bring an Assistance/Support Animal into University housing is viewed as a disability accommodation, and as such, typical and appropriate procedures for securing accommodations are indicated). The procedures for requesting Assistance/Support Animals to be allowed in University housing are outlined below.

1. A student requesting an accommodation to keep an Assistance/Support Animal in University housing is asked to submit, to the Disability Services Office, the Disability Application for Services Form <https://fitchburgstate-accommodate.symplicity.com/> If documentation related to an individual's disability is not already on file with the Disability Services Office, such will (also) be requested from the student.
2. Documentation of the need for an Assistance/Support Animal should follow Disability Services' guidelines for the documentation of a disability, and should generally include the following information:
  - a. Verification of the student's disability from a physician, psychiatrist, social worker, mental health professional, or other qualified professional who can diagnosis the condition for which the student is registered;
  - b. A statement from the health care provider as to how the animal serves as an accommodation for the indicated disability;
  - c. A statement from the health care provider as to how the need for the animal relates to the ability of the student to use and enjoy the living arrangements provided by the University; and
  - d. Documentation of items requested above from the health care provider dated within the most recent 6 months.
3. The Assistance/Support Animal Review Committee (chaired by the Director of Disability Services or designee ) will review accommodation requests on an as-needed basis. Determinations will be made regarding the appropriateness and completeness of accompanying documentation, and whether such requests meet policy guidelines.
4. In the event that the University denies a student's request for an Assistance/Support Animal, the student will have the opportunity to appeal such decisions to the Dean of Students, Vice President for Student Affairs, and/or the University's ADA Coordinator. Students will receive information about the appeals process upon notification of the University's decision to deny the request for an Assistance/Support Animal in University housing.
5. Upon the approval of an Assistance/Support Animal to reside in campus housing, the Director of Housing and Residential Services or designee will notify the residential building staff as appropriate.
6. Upon the approval of an Assistance/Support Animal to reside in campus housing, the Director of Housing and Residential Services or designee will, if applicable, notify the student's roommate(s) or suitemate(s) to solicit their acknowledgement of the approval, and notify them that the approved animal will be residing in shared assigned living space.

## **SECTION IV : CONFLICTING HEALTH CONDITIONS IN CAMPUS HOUSING**

Housing personnel will make a reasonable effort to notify resident students in the residence building where a Service or Assistance/Support Animal will be located. Students with medical condition(s) that are affected by animals (*e.g.*, respiratory diseases, asthma, severe allergies) are asked to work with the Housing and Residential Life Office, if they have a concern about exposure to a Service or Assistance/Support Animal. The University is prepared to also reasonably accommodate individuals with such medical conditions that require accommodation when living in proximity to Service or Assistance/Support Animals.

## **SECTION V : OWNER'S RESPONSIBILITIES IN UNIVERSITY HOUSING**

1. The Owner is responsible for ensuring that the Approved Animal does not unduly interfere with the routine activities of the residence or cause difficulties for students who reside therein.
2. The Owner is financially responsible for the actions of the Approved Animal, including actions that result in bodily injury and property damage. The Owner's responsibility covers, but is not limited to, the replacement of furniture, carpet, window, wall covering, and like expenses. The Owner is expected to cover these costs at the time of repair and/or at move-out.
3. The Owner is responsible for any cleaning expenses and/or for repairs to University premises, that are assessed after the student and animal vacate the residence. The University shall have the right to bill the Owner for any unmet financial obligations.
4. The Owner must notify Disability Services in writing if the Approved Animal is no longer needed or is no longer in residence. To replace an Approved Animal, the Owner must submit a new Disability Housing Accommodation Form:  
<https://www.fitchburgstate.edu/student-support/disability-services/>
5. The Owner's residence may be inspected for fleas, ticks or other pests once a semester or as needed. The applicable housing office for the Residence Hall will schedule the inspection. If fleas, ticks or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a University - approved pest control service. The Owner will be billed for the expense of any pest treatment and/or pest management.
6. Service Animals may travel freely with their Owner throughout University Housing and other areas of the University.
7. Assistance/Support Animals must be contained within the privately assigned residential area at all times, in the room, suite, or apartment, except when transported outside the private residential area in an animal carrier or controlled by leash or harness. The Owner of an Assistance/Support Animal shall be able to reasonably provide documentation from Disability Services that the animal is an Approved Animal pursuant to this Policy.
8. Approved Animals may not be left overnight in University Housing to be cared for by another student. Animals must be taken with the student if he or she leaves campus overnight or for a prolonged period.
9. The University has the ability to relocate the Owner and the Approved Animal, as

necessary, according to current contractual agreements.

The Owner agrees to continue to abide by all other residential policies. An allowance of an Approved Animal that might constitute an exception to a Policy that otherwise would prohibit having an animal does not constitute an exception to any other Policy.

10. Should the Approved Animal be removed from the premises for any reason, the Owner is expected to fulfill his/her housing obligations for the remainder of the housing contract.
11. The Owner undertakes to comply with animal health and well-being requirements as set forth in Section VI, item C below.
12. Any violation of the above rules and responsibilities may result in the immediate removal of the animal from the University. Such decisions may be reviewed through the Student Conduct Process and the Owner will be afforded all rights of process and appeal as outlined in that process.

## **SECTION VI : GUIDELINES FOR MAINTAINING AN APPROVED ANIMAL AT FITCHBURG STATE UNIVERSITY**

### **1. Introduction**

The following guidelines apply to all Approved Animals and their Owners, unless the nature of the documented disability of the Owner precludes adherence to these guidelines, and permission for a variance from the guidelines has been granted by Disability Services.

### **2. Care and Supervision:**

The care and supervision of the animal are the responsibility of the Owner, the individual who benefits from the Approved Animal's use. The Owner is required to maintain control of the animal at all times. Responsibility for ensuring the cleanup of the animal's waste lies with the Owner of the animal. The University has identified appropriate toileting areas for animals that use outdoor spaces for such: owners of Approved Animals will be provided these appropriate locations upon acknowledgement and approval of the Approval Animal.

Indoor animal waste (e.g., cat litter, for an approved Assistance/Support Animal) must be placed in a sturdy plastic bag and securely tied up before being disposed of in outside trash dumpsters. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces. Owners of service animals who need additional toileting areas beyond their assigned residence hall must request this need with the Office of Disability Services.

### **3. Animal Health and Well-being**

Vaccination: in accordance with local ordinances and regulations <https://www.mass.gov/info-details/massachusetts-law-about-animals>, the animal must be immunized against diseases common to that type of animal. Dogs must have a current vaccination against rabies and wear a rabies vaccination tag. Although not mandated, cats should have the normal shots required for a healthy animal.

1. **Health:** animals, other than dogs or cats, to be housed in University housing must have an annual clean bill of health from a licensed veterinarian. Documentation can be a vaccination certificate for the animal or a veterinarian's statement regarding the animal's health. The University has authority to direct that the animal receive veterinary attention.
  2. **Licensing:** The University reserves the right to request documentation showing that the animal has been licensed in compliance with Massachusetts law, which requires that every dog be licensed and provides that service dogs are exempt from the license fee.
  3. **Training:** Service Animals must be properly trained.
  4. **Leash:** if appropriate, when outside of the Owner's immediate residence, the animal must be on a leash, unless the leash would inhibit the animal's ability to be of service.  
**Other Conditions:** The University may place other reasonable conditions or restrictions on an animal, depending on the nature, characteristics and behavior of the animal.
  5. **Requirements for Faculty, Staff, Students, and Other Members of the University:**  
All persons are required to abide by the following practices:
    - a. they are to allow a Service Animal to accompany its Owner at all times and in all places on campus, except where animals are specifically prohibited due to environmental or safety hazards.
    - b. they are not to touch or pet an Approved Animal unless invited to do so;
    - c. they are not to feed an Approved Animal;
    - d. they are not to deliberately startle an Approved Animal;
    - e. they are not to separate or to attempt to separate an Owner from his or her Approved Animal; and
    - f. they are not to inquire for details about the Owner's disability, which is a private matter and protected by ADA requirements.
4. **Removal of Approved Animal:**  
The University may exclude/remove an Approved Animal under the following circumstances:
- a. the animal is not housebroken;
  - b. the animal is out of control and the Owner does not take effective action to control it;
  - c. the animal poses a direct threat to the health or safety of others;
  - d. the animal's presence results in a fundamental alteration of University programs, services or activities; or
  - e. the Owner does not comply with Owner's Responsibilities (see above) in University Housing
5. **Appeals:**  
If the University has required that an Approved Animal be removed from campus, the Owner may appeal the decision in writing to the Dean of Students, Vice President for Student Affairs, and/or the University ADA Coordinator. In all cases, a detailed, written appeal must be submitted within five (5) business days after written notification of the sanction. The student must write an appeal letter that specifically addresses the reason for the appeal. The Dean of Students, Vice President for Student Affairs, and/or University ADA Coordinator will review the written appeal and will notify the student on the status of the case.

6. **Damage**  
Owners of Approved Animals are solely responsible for any damage to persons or University property caused by their animals.
  
7. **Areas Off Limits to Service Animals**  
The University may prohibit the use of Service Animals in certain locations due to health and safety concerns (*e.g.*, where the animals may be in danger, or where their use may compromise the integrity of research). Restricted areas may include, but are not limited to, the following areas: custodial closets, boiler rooms, facility equipment rooms, areas where protective clothing is necessary if the animal has not donned the appropriate protective clothing, wood and metal shops, motor pools, rooms with heavy machinery, and areas outlined in state law as being inaccessible to animals.  
Exceptions to restricted areas may be granted on a case-by-case basis by contacting Disability Services and the appropriate department representative; the person directing the restricted area has the final decision.
  
8. **Areas Off Limits to Assistance/Support Animals**  
With the exception of privately assigned living space in housing, all areas at Fitchburg State University are off limits to approved Assistance/Support Animals without prior authorization from Disability Services. [HUD: Fair Housing Equal Opp/Assistance Animals](#)

## **ADDENDUM**

### **Type of Animals Allowed**

The type/size of animal may result in denial as a reasonable accommodation. An exotic animal may not be approved as a reasonable accommodation in the same way as a domestic animal.

For instance, many exotic, wild, and agricultural animals (including but not limited to ducks, chickens, pigs and pot bellied pigs, miniature goats, etc.) are not appropriate as an ESA. Venomous and illegal animals are strictly prohibited from being an ESA.

### **Request Deadlines**

To request to bring a new ESA to campus, a student must have completed their Disability Services Application for Services and Housing Accommodations. A student must also have submitted relevant documentation **no fewer than six weeks prior to the start of the move-in period**. This notice allows sufficient time for Fitchburg State Disability Services to review all necessary documentation, and for Housing and Residential Services to take into account all residents' needs when making placements.

If Disability Services requires additional documentation to consider a student's request, the approval process will likely take longer than six weeks. Students are therefore encouraged to plan ahead and submit their request well in advance of the start of a term in residence.

Fitchburg State University cannot guarantee that accommodation requests made after the designated deadline can be considered for the current term. Generally, requests for an ESA in a given term cannot be approved once that term has commenced.

### **When considering an ESA, here are some questions to consider and ask yourself:**

1. How will you access supplies (e.g. food, litter, cleaning supplies) for your animal while you are living on campus?
2. How much time and attention will your animal require from you on a daily basis to stay healthy and happy?
3. How much time will it take to clean up after your animal?
4. What is the size of the animal? Will it have sufficient space to be healthy and happy in your room in residential life?
5. What veterinary clinic will you be using for your animal? How will you get to and from the clinic if your animal is ill or needs vaccinations while at school?
6. What are the licensing and vaccination requirements for your animal? Is your animal in compliance with those requirements?
7. What will you do with your animal when you need to be out of town or off campus for an extended period of time? How will you get it to and from campus?
8. What will happen to your animal when the school year is complete? Will you be able to take your animal with you when the school is complete? How will you move it from location to location?
9. Who will take care of your animal in case of an emergency?

## **Emergency Protocol**

In the event of an emergency, college officials and emergency responders will prioritize the safety and well-being of students, faculty, staff, and guests on campus. Officials and responders are not responsible for removing animals during an emergency, and may not be held responsible for the care, injury to, or loss of the animal.

The owner of the ESA must provide Fitchburg State University's Disability Services Office with an updated emergency plan regarding the evacuation of the ESA should the owner become unable to care for the ESA. The ESA Owner must provide the name and contact information of two emergency contacts. These contacts should be people who can provide care for, and make care-based decisions for the animal in the event that the Owner is unable to do so. Fitchburg State University is not responsible for the care of an ESA when its owner has left campus, regardless of the circumstances involved.

Please note: Emergency contacts must be able to retrieve the animal from campus, care for the animal, and make decisions regarding animal's wellbeing.

### **Emergency Contact 1**

Name:

Phone:

Address:

Relationship:

Signature of Contact:

### **Emergency Contact 2**

Name:

Phone:

Address:

Relationship:

Signature of Contact:

**SERVICE ANIMAL AND ASSISTANCE ANIMAL REGISTRATION FORM**

**NAME OF ANIMAL OWNER:**

**REGISTRATION DATE:**

**TYPE OF ANIMAL:**

**DESCRIPTION OF ANIMAL:**

**SECTION I. AGREEMENT BETWEEN OWNER AND FITCHBURG STATE UNIVERSITY**

I, the undersigned, assume all responsibility for supervising the animal that I have registered with Fitchburg State University.

I assume all liability for any actions of my service/support animal.

I accept responsibility for carrying out all reasonable requests made by my roommates and/or the University regarding the University community and the personal health, safety, and comfort directly related to the presence of my animal.

I have read the University's **SERVICE ANIMAL AND ASSISTANCE/SUPPORT ANIMAL POLICY** regarding on-campus animal ownership and agree to abide by the procedures and responsibilities listed in that Policy, as well as any others that may be added at a later date of which the University informs me.

I understand that animal related complaints will be investigated by the Director of Community Standards and/or the Executive Director of Housing and Residential Services and/or appropriate designee and that sanctions may be imposed.

I understand that I have the right to appeal any sanctions so imposed.

**STUDENT NAME (Print):**

**STUDENT SIGNATURE /DATE:**