

FITCHBURG STATE UNIVERSITY
SERVICE ANIMAL AND ASSISTANCE ANIMAL POLICY

Fitchburg State University (“the University”) recognizes the importance of Service Animals and Assistance Animals to individuals with disabilities. It has accordingly established this Policy to assist students with disabilities.

This Policy seeks to ensure that students with disabilities who require the use of Service or Assistance Animals receive the benefit of the work or tasks performed by a Service Animal or the therapeutic support provided by an Assistance Animal.

Fitchburg State University is committed to allowing students with disabilities the use of a Service Animal on campus to facilitate their full participation and equal access to the University’s programs and activities.

Set forth below are specific requirements and guidelines concerning the appropriate use of and protocols associated with Service Animals and Assistance Animals. Housing and Residential Services has additional requirements because of requirements associated with on-campus living (Please see Registration/Application form).

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

SECTION I DEFINITIONS

A. Service Animal

A "Service Animal" is a dog 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. No other animal qualifies as a Service Animal.

Examples of the work or tasks performed by Service Animals 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 that a Service Animal 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.

B. 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. If you are training a dog to aid and guide persons with disabilities, you must contact Disability Services, register the dog, and comply with the requirements set forth in this Policy.

C. Assistance Animal

An "Assistance Animal" is an animal that provides emotional support, which alleviates one or more identified symptoms or effects of a person's disability. An Assistance 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 the Owners. In some cases, no special training is required.

Unlike a Service Animal, an Assistance 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.

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

D. Pet

A "Pet" is an animal kept for ordinary use and companionship. A pet is not considered a Service Animal or an Assistance Animal. Students are not permitted to bring pets on University property or keep pets in University housing.

E. Approved Animal

An "Approved Animal" is a Service Animal that has been granted as a reasonable accommodation under this Policy, or an Assistance Animal that has been allowed access to University housing pursuant to the Policy.

F. Owner

The "Owner" is the student, employee, Service Animal trainer, or other person with a disability who has requested and received as an accommodation the ability to bring his/her Service Animal on campus, or the student who has requested and been allowed to keep their Assistance Animal in University housing.

SECTION II. PROCEDURES TO REQUEST SERVICE ANIMALS IN UNIVERSITY HOUSING

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

1. A student seeking to keep a Service Animal in University housing must make a written request to Disability Services. Applications will be accepted on a first come first serve rolling basis, taking into account available space, the student's needs and student's preferences. Student's are encouraged to file their request as soon as possible.

2. Requests for Service Animals in housing do NOT require documentation of disability. Rather, if it is not obvious what service an animal provides to the student, the student is required to state only that the dog is required because of a disability and what work or tasks the dog has been trained to perform. 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. The Service and Assistance Animal Review Committee will review written requests for a service and/or assistance animal submitted to disability services. The Committee will determine if there is sufficient information to approve the request. Once the Committee approves the request, it shall arrange a meeting with the requestor. This Policy will be carefully reviewed with the person at that time. The committee is made up of the Director of Housing and Residential Services or designee (when it involves on-campus living), Disability Services Coordinator or designee, and the Dean of Student and Academic Life or designee, and may involve other administrators depending on the nature of the request.
4. Upon the approval of a Service Animal to reside in campus housing, the Director of Housing and Residential Services or designee will notify the residential building staff as appropriate.
5. Upon the approval of a Service 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 of the Service Animal, and notify them that the Service Animal will be residing in shared assigned living space.
6. The student must fill out a registration form which includes An Agreement Between the Owner and Fitchburg State University, and, where applicable, a Roommate/Suitemate Acknowledgement.

SECTION III. PROCEDURES FOR REQUESTING ASSISTANCE ANIMALS IN UNIVERSITY HOUSING

Assistance Animals may not be brought into University housing without the express approval of the University. The procedures for requesting Assistance Animals to be allowed in University housing are outlined below.

1. A student requesting permission to keep an Assistance Animal in University housing must make a written request to the Disability Services. To do so, the student must submit the appropriate "Request Form for Disability Accommodations," as well as documentation of their disability. <http://www.fitchburgstate.edu/campus-life/student-services/disability-services/>

A student seeking to keep an Assistance Animal in University housing must make a written request to Disability Services. Applications will be accepted on a first come first serve rolling basis, taking into account available space, the student's needs and student's preferences. Student's are encouraged to file their request as soon as possible.

2. Documentation of the need for an Assistance Animal should follow Disability Services' guidelines for documentation of disability, and should generally include the following information:

- a. Verification of the student's disability from a physician, psychiatrist, social worker, or other mental health professional;
 - b. A statement from the health care provider as to how the animal serves as an accommodation for the verified 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 Service and Assistance Animal Review Committee will review written requests for a service and/or assistance animal submitted to disability services. The Committee will determine if there is sufficient information to approve the request. Once the Committee approves the request, it shall arrange a meeting with the requestor. This Policy will be carefully reviewed with the person at that time. The committee is made up of the Director of Housing and Residential Services or designee (when it involves on-campus living), Disability Services Coordinator or designee, and the Dean of Student and Academic Life or designee, and may involve other administrators depending on the nature of the request.
 4. In the event that the University denies a student's request for an Assistance Animal, the student will have the opportunity to appeal such decisions to the Dean of Student and Academic Life and the Assistant Vice President for Human Resources and Payroll Services and/or the designated ADA Coordinator.

Students will receive information about the appeals process upon notification of the University's decision to deny the request for an Assistance Animal in University housing.
 5. Upon the approval of an Assistance 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 Animal to reside in campus housing, the Director of Housing and Residential Services or designee will, if applicable, the University will 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 the Approved Animal will be located. Students with medical condition(s) that are affected by animals (*e.g.*, respiratory diseases, asthma, severe allergies) are asked to contact Disability Services if they have a health or safety related concern about exposure to a Service or Assistance 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 Animals.

All conflicts should be referred to Disability Services, which will attempt to resolve conflicts in a timely manner. Disability Services will consider the conflicting needs and/or accommodations of all persons involved. In the event that an agreement cannot be reached, Disability Services' resolution of the conflict will be final and not subject to appeal.

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 Request form.
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. For students in the Residence Halls and/or Apartment shares: all roommates or suitemates of the Owner must sign an agreement allowing the Approved Animal to be in residence with them. In the event that one or more roommates or suitemates do not approve, either the Owner and animal or the non-approving roommates or suitemates, may be relocated as determined by the Office of Housing and Residential Services.
7. Service Animals may travel freely with their Owner throughout University Housing and other areas of the University.
8. Assistance Animals must be contained within the privately assigned residential area (room, suite, or apartment) at all times, except when transported outside the private residential area in an animal carrier or controlled by leash or harness. When necessary to be present outside of

the residence, the Owner of an Assistance Animal shall carry proof that the animal is an Approved Animal pursuant to this Policy.

9. 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 s/he leaves campus overnight or for a prolonged period.
10. The University has the ability to relocate the Owner and the Approved Animal as necessary according to current contractual agreements.
11. 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.
12. 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.
13. The Owner undertakes to comply with animal health and well-being requirements as set forth in Section VI, item C below.
14. Any violation of the above rules and responsibilities may result in the immediate removal of the animal from the University. Such decision 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

A. 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.

B. 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.

The Owner is also responsible for ensuring the cleanup of the animal's waste and, when appropriate, must toilet the animal in areas designated by the University consistent with the reasonable capacity of the Owner. Indoor animal waste, such as cat litter, 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.

C. Animal Health and Well-being

1. Vaccination: in accordance with local ordinances and regulations <http://www.mass.gov/eohhs/gov/departments/dph/>, 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.
2. 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.
3. 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.
4. Training: Service Animals must be properly trained.
5. Leash: if appropriate, the animal must be on a leash, unless the leash would inhibit the animal's ability to be of service.
6. Other Conditions: Disability Services may place other reasonable conditions or restrictions on the animals depending on the nature, characteristics and behavior of the animal.
7. 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.

E. 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;
- e. the Owner does not comply with Owner's Responsibilities in University Housing; or

F. 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 Student and Academic Life, in consultation with the Assistant Vice President of Human Resources and Payroll and/or designated 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 Student and Academic Life and the Assistant Vice President of Human Resources and Payroll and/or designated ADA coordinator will review the written appeal and will notify the student on the status of the case.

G. Damage

Owners of Approved Animals are solely responsible for any damage to persons or University property caused by their animals.

H. 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, 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.

F. Areas Off Limits to Assistance Animals

With the exception of privately assigned living space in housing, all areas at Fitchburg State University are off limits to approved Assistance Animals without prior authorization from Disability Services.

FITCHBURG STATE UNIVERSITY

SERVICE ANIMAL AND ASSISTANCE ANIMAL REGISTRATION FORM

NAME OF ANIMAL OWNER: _____

REGISTRATION DATE _____

END 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 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 Dean of Student and Academic Life and/or the 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.

By my signature below, I verify that I have read, understand and will abide by the **SERVICE ANIMAL AND ASSISTANCE ANIMAL POLICY** and I agree to provide the additional information required to complete my Request for an Approved Animal under the University's **SERVICE ANIMAL AND ASSISTANCE ANIMAL POLICY**.

Resident Owner Name: _____

Resident Owner Signature: _____ Date _____

Disability Services Representative: _____ Date _____

Housing Representative: _____ Date _____

Parent or Guardian (if under 18): _____ Date _____

If a Student is Requesting a Service Animal or Assistance Animal in a Residence Hall or Apartment Share, Section II below must be completed.

SECTION II. ROOMMATE/SUITEMATE ACKNOWLEDGEMENT

By my signature below, I understand that I will share the common areas of my assigned residential space with the animal approved by this agreement. Should I have any concerns regarding the care and control of the approved animal, I will discuss my concerns with the approved animal's Owner and then with Disability Services, 978-665-4020, if the approved animal Owner and I cannot come to an agreement.

_____ Resident's Name

_____ Resident's Name

_____ Resident's Name

_____ Resident's Name

_____ Resident's Name

_____ Resident's Name

_____ Resident's Name