

## SERVICE AND ASSISTANCE ANIMAL POLICY

### I. Purpose of the Policy

This document explains Illinois College's policy toward animals utilized to serve individuals with disabilities. It is the purpose of this policy to articulate the conditions under which animals are permitted access to College grounds and facilities.

Questions should be referred to Disability Services in the Center for Academic Excellence.

### II. Definitions

#### A. Service Animal

Under the Americans with Disabilities Act (ADA) a "service animal" is defined as "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. . . The work or task performed by a service animal must be directly related to the individual's disability . . ." (28 C.F.R. Part 35.104). Under limited circumstances, a miniature horse can be used in place of a trained dog. (28 C.F.R. 35.136(i)). Service animals are working animals and are not considered "pets." Pursuant to the ADA, dogs whose sole function is to provide comfort or emotional support do not qualify as service animals.

#### B. Assistance Animal

Under the Fair Housing Act (FHA), individuals with a disability may be entitled to keep an "assistance animal" as a reasonable accommodation in housing facilities provided the assistance animal is necessary to afford the person with a disability an equal opportunity to use the housing unit or participate in the housing service if there is an identifiable relationship or nexus between the individual's disability and the assistance the animal provides (73 Fed. Reg. 63834.63835). For animals to be designated as "assistance animals" students are required to demonstrate that their animal is a reasonable accommodation for an emotional or mental health disability (defined as an impairment that substantially limits one or more major life activities). Demonstrating this need requires documentation from a treating medical or mental health provider (not related to the student) certifying that the assistance animal is part of a prescribed treatment plan for the disabling condition that alleviates one or more identified symptoms or effects of a person's disability.

It is important to note that assistance animals may be identified by various names, including "companion animal," "therapy animal," or "emotional support animal."

#### C. Pet

A domesticated animal kept in the home for pleasure and companionship, rather than for the purpose of assisting persons with disabilities. A pet is considered neither a service animal nor an assistance animal. Pets are not, therefore, covered by these requirements and related policies. Residents are not permitted to keep pets, except fish, on college property.

#### D. Individual with a Disability

An individual with a disability is a person who has a physical, sensory, psychiatric, intellectual, and/or other mental impairment that substantially limits one or more major life activities.

### III. Procedures for Bringing a Service or Assistance Animal to Campus

#### A. Service Animal

While not required, Illinois College strongly encourages students to notify Disability Services prior to bringing their service animal onto campus. Providing prior notification allows the College to best assist the individual with a disability in making arrangements for the accommodation of the service animal.

If it is not readily apparent, the individual with a disability may be asked whether the animal is required because of a disability and what work or task the animal has been trained to perform.

#### B. Assistance Animal

An individual with a disability who lives in campus housing and wishes to seek permission to have an assistance animal in campus housing must submit a request to Disability Services in advance of bringing the animal to campus. The individual with a disability is required to provide documentation of the disability and the disability-related need for an assistance animal. Demonstrating this need requires documentation from a treating medical or mental health provider (not related to the student) which certifies that the assistance animal is part of a prescribed treatment plan for the disabling condition which alleviates one or more identified symptoms or effects of the individual's disability.

This written request should include documentation that the animal is in compliance with all required Illinois state and local requirements associated with licensing, vaccinations, and other health regulations. All roommates of the student must sign a roommate agreement allowing an animal to be in residence with them. In the event that one or more roommates do not approve, either the student and approved animal, or the non-approving roommate(s), as determined by Disability Services in conjunction with the Office of Residential Life may be moved to a different location.

Disability Services will decide whether or not to approve the request following its review of the written request, medical certification, and roommate agreement.

A request for an assistance animal must be completed for each new academic year.

### IV. Policy

#### A. Service Animal

Illinois College welcomes the presence of trained service animals assisting individuals with disabilities on its campus and in areas open to the public, consistent with the provisions of this policy and applicable law. A service animal is generally permitted to be on college property in any place where the animal's handler is permitted to be. There are, however, certain locations and activities at which no animal may

be present for health and safety reasons. Such prohibited areas may include, but are not necessarily limited to the following:

- Research and teaching laboratories;
- Other research facilities where the animal may compromise the integrity of research;
- Food preparation areas;
- Mechanical rooms/custodial closets;
- Areas where protective clothing is necessary; and
- Areas where there is a danger to the service animal.

Exceptions to restricted areas may be granted on a case-by-case basis by Disability Services in conjunction with the department/program chair responsible for the restricted area, as appropriate. Any questions about whether a certain area is a restricted area should be addressed to Disability Services.

The ADA requires that all service animals be harnessed, leashed, or tethered. The only exception is when these devices interfere with the service animal's work or when the individual's disability prevents using these devices. In the case of such an exception, the animal's handler must maintain control of the animal through voice, signal, or other effective controls.

The College prohibits members of the college community and visitors from interfering in any way with a service animal or the duties it performs.

## B. Assistance Animal

Assistance animals approved by Disability Services are allowed for an individual with a disability as a housing accommodation within the individual's private residential area. Assistance animals must generally be kept in the individual's room or apartment at all times. When the assistance animal is transported outside (*e.g.*, for veterinary appointments, to allow the animal to relieve itself, etc.) it must be in an animal carrier or controlled by a leash, harness, or other tether. All assistance animals, if taken outside the private residential area, must also wear identification tags with contact information, and if applicable, vaccination information.

Unless otherwise specifically approved by Disability Services, assistance animals are prohibited from all other areas of campus, including but not necessarily limited to other residence halls, administrative offices, library, classrooms, auditoriums, dining areas, and athletic venues.

Animals deemed dangerous or that pose a potential risk to the campus community, as per 720 ILCS 5/48-10, are not permitted.

## C. Responsibilities of the Student Owner/Handler of a Service or Assistance Animal

### 1. General Responsibilities

- a. The student owner/handler of a service or assistance animal is responsible for ensuring that the animal's behavior, noise, odor, and waste do not exceed reasonable standards as outlined herein. The student agrees to abide by all other generally applicable residential policies and understands that the exception which allows a service or assistance animal does not constitute an exception to any other residential policy.

- b. The student owner/handler is responsible for ensuring the animal does not interfere with the routine activities and daily operations of the residential areas or cause difficulties for students or staff who reside and work in these areas. Members of the residential community must be sensitive to individuals with allergies to or fear of animals. In the event the presence of an animal creates a problem due to another student's allergies or fear, then the Office of Residential Life and Disability Services will work to address the situation with the students involved so that a reasonable solution can be achieved that is protective of the rights of both students.
- c. The student owner/handler is financially and legally responsible for the actions of the service or assistance animal, including but not limited to actions which cause bodily injury to others or property damage to College property or to the personal property of others. For example, the College may require the student owner/handler to pay for replacement of furniture, carpet, drapes, wall coverings, etc. due to pest infestation, lack of cleanliness, incontinence, etc. The student owner/handler will be responsible for any expenses that exceed the ordinarily required expenses for cleaning and repair of academic and housing facilities which are customarily assessed after a student vacates a residential facility or during regular health and safety inspections by the Office of Residential Life. The College will bill the student's account for any such extraordinary repair, treatment, replacement, and/or other costs.

## 2. Animal Behavior

- a. Animals must not be allowed to disrupt the residential community (e.g., barking continuously, growling, yowling, howling, etc.).
- b. Service or assistance animals must interact and behave well with other service or assistance animals without incident.

## 3. Animal Health & Wellbeing

- a. All animals must have all required vaccinations necessary to maintain the animal's health and prevent contagious diseases. All animals should be spayed or neutered. The College reserves the right to request updated verification at any time.
- b. If state or local licenses are required for the animal, they must be obtained and kept current in compliance with the local jurisdiction requirements. The Office of Residential Life and Disability Services reserve the right to request proof of licensing at any time.
- c. All animals residing on campus must be housed in acceptable conditions within the residential area (e.g., appropriately sized crate/carrier, ability to move freely through the residential area, etc.).
- d. All animals must be treated humanely. If mistreatment is reported, Disability Services will review the report with the student. Any reports of mistreatment may be referred to the Dean of Student Success review of violation of College community standards and policies or the rules and responsibilities set forth herein.

- e. Animals must be boarded should the student leave his/her residence for more than 24 hours. Should the student be away from the residence for more than 10 hours, adequate arrangements for the animal to have appropriate care must be made by the student.

#### 4. Animal Cleanliness and Waste

- a. The student is responsible for properly containing and disposing of all animal waste as follows:
  - i. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and tied securely before being disposed of in outdoor trash receptacles. Litter boxes should be placed on mats so that feces and urine are not tracked onto carpeted surfaces.
  - ii. Outdoor animal waste, such as dog feces, must be immediately retrieved by the student, placed in a plastic bag and securely tied before being disposed in outdoor trash receptacles. For visually impaired students, a designated area for service and assistance animal waste will be agreed upon in advance.
  - iii. In the event that the student does not get the animal to their designated relief area and the animal has an “accident,” it is the student’s responsibility to remove and properly dispose of any waste. Indoor “accidents” are expected to be cleaned with appropriate disinfectant cleaning supplies.
- b. The student must see that the animal’s cleanliness is maintained. This includes taking care of any excess fur, odor, and taking reasonable precautions to avoid flea, tick, or pest infestations. The student has an obligation to make sure that the residential area is as clean as those without an animal. Regular and routine cleaning of floors, kennels, cages, and litter boxes must occur. The odor of an animal emanating from the residence is not acceptable.
- c. Animals may not be bathed in the shower rooms, bathtubs, water fountains, or sinks of campus housing. Students should work with Disability Services to identify an appropriate area to bathe the service or assistance animal.
- d. Students should also work with Disability Services to identify the most appropriate locations to launder animal bedding using campus washing and drying facilities.

#### D. Violation of Rules and Responsibilities

Any violation of these rules and responsibilities will be reviewed by Disability Services and other appropriate personnel on campus. Any students in violation of these rules and responsibilities may face disciplinary action and may, depending on the totality of the circumstances, be required to remove the animal.

A decision to require removal of a service or assistance animal will be made initially by Disability Services working in conjunction with the Office of Residential Life. If a student disagrees with the decision, the student will be permitted an appeal of that decision to the Dean of Student Success. The Dean of Student Success will review all pertinent information and may decide to affirm the decision, overturn the decision, or impose conditions upon the continued presence of the service or assistance animal. The decision of the Dean of Student Success will be the final decision.

Notwithstanding the foregoing, Illinois College has the right to immediately address any situation that is potentially harmful to the health and safety of others, including, but not limited to, requiring the immediate removal of an assistance or service animal or entry into the student's private residential area.

#### E. Removal of Animal

In addition to the reasons set forth in Paragraph D, above, Illinois College may ask the student to remove an animal from the premises if:

- the animal is not housebroken;
- the animal is out of control and the student does not take effective steps to control it;
- the animal causes substantial property damage to the property of others;
- the animal's presence results in a fundamental alteration of the College program; or
- the animal poses a direct threat to the health and safety of others, such as if the animal bites another person without provocation or demonstrates unprovoked aggressive behavior toward another person or animal (even if there is only a single occurrence of such behavior).

Should the service or assistance animal require removal from the premises for any reason, the student is expected to fulfill his/her housing obligations for the remainder of the housing agreement.

If an animal is banned from campus, the student with a disability will have the right to engage in a deliberative process to determine if effective participation can occur with other appropriate accommodations.

#### F. Emergency Response

Should an emergency situation occur which requires evacuation or other action from the student, College personnel will attempt to keep the animal and the student together. However, the College's primary efforts will be toward ensuring the physical safety of the student and all other students, which may necessitate leaving the animal behind in certain emergency situations.

In the event that the student owner/handler requires transportation by emergency personnel, every effort will be made to keep the animal with the student. When it is not possible to keep the animal with the student owner/handler, the College may contact the emergency contact on file and/or a local animal welfare agency for temporary boarding until the student owner/handler is able to return to campus or retrieve the animal. In this event, the student will be responsible for boarding costs.

College personnel will not be required to provide care or food for any animal including, but not limited to, removing the animal during an emergency. In such an event, College personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal.

V. Acknowledgement and Release of Information Consent

With my signature below, I verify that I have read and understand the above, and I agree to abide by the requirements applicable to service and assistance animals. I understand that if I fail to meet the requirements set forth in the agreement, Illinois College has the right to require removal of the animal, and I will be nonetheless required to fulfill my housing, academic, and all other obligations for the remainder of the term.

I give permission for Disability Services to disclose to others impacted by the presence of my animal, including the Office of Residential Life staff and potential and/or actual roommate(s) and 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 animal and/or resolving any potential issues associated with the presence of the animal. I will hold Illinois College harmless from any liability for disclosing such information.

I further recognize that the presence of the animal may be noticed by others visiting or residing in campus housing and agree that the Office of Residential Life or Disability Services staff may acknowledge the presence of the animal, and explain that under certain circumstances animals are permitted on campus for persons with disabilities.

\_\_\_\_\_  
Student Name

\_\_\_\_\_  
Academic Year

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Disability Services Signature

\_\_\_\_\_  
Date