

## ***Service and Assistance Animal Policy (2017-2018)***

Florida Southern College values diversity and prioritizes equal access for all students, including those with disabilities. The College is committed to ensuring equal access to the full range of College experiences including curricular, co-curricular, and residential opportunities. The College supports the availability of Service and Assistance Animals to individuals with disabilities and has established the following policy regarding Service and Assistance Animals and Service Animals in Training. The Service and Assistance Animal Policy of Florida Southern College is based on the most recent interpretations of the law, including the Americans with Disabilities Act, the Fair Housing Act, and State of Florida regulations. Florida Southern College reserves the right to amend this policy as circumstances require.

### **Section I: DEFINITIONS**

- A. DISABILITY:** According to the Americans with Disabilities Act, a disability is an impairment that substantially limits one or more major life activities. Major life activities include, but are not limited to, seeing, hearing, walking, standing, lifting, sleeping, speaking, learning, reading, concentrating, thinking, communicating, experiencing emotional and mental healthiness, working, and major bodily functions.
- B. SERVICE ANIMAL:** A Service Animal is 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 but, presently, other animals do not qualify as such. Examples of the work or tasks Service Animals provide 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 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 but are "Assistance Animals" (see below).

### **DETERMINING THE STANDING OF A SERVICE ANIMAL: 2 PERMISSABLE QUESTIONS**

Members of the College community may make two inquiries to determine if a dog (or, under special circumstances, a miniature horse) is a Service Animal, if the need for the animal is not readily apparent:

1. Is this an animal that is required because of a disability?
2. What work or tasks has the animal been trained to perform?

***The Animal Handler may not be asked about the nature of the disability, demonstration of the tasks the animal is trained to perform, or for certification of an animal's Service Animal status.***

Even these two questions may not be asked if the need for the Service Animal is readily apparent (e.g., a dog guiding a person who is blind or vision-limited).

- C. ASSISTANCE ANIMAL:** An Assistance Animal alleviates clearly identified symptoms or effects of a student’s disability by providing assistance, performing beneficial tasks, or affording emotional support. Assistance Animals may be dogs or other animals that do not pose a direct threat to the health or safety of others. The animal must reasonably be able to reside in a college housing setting. Student Disability Services and The Office of Community Living will make that determination. Some Assistance Animals are professionally trained, other Assistance Animals are trained by the owners and, 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 does it accompany a person with a disability at all times but, in certain circumstances, Assistance Animals may reside in college housing pursuant to the Fair Housing Act. Like a Service Animal, an Assistance Animal is not a pet.
  
- D. SERVICE ANIMAL IN TRAINING:** In the State of Florida, a Service Animal being trained has the same rights as a fully trained Service Animal and a Service Animal Trainer has all the rights and responsibilities of a disabled student with a Service Animal. The Trainer will provide the college with evidence that the puppy/dog is a bona fide Service Dog candidate with an authorized Service Animal organization. The puppy/dog must be in good standing with the Training organization. A Service Animal in Training is not a pet.
  
- E. PET:** A “Pet” is an animal kept for ordinary use and companionship. Service Animals, Assistance Animals, and Service Animals in Training are not pets. Residents are not permitted to keep pets, other than fish, on college property or in college housing.
  
- F. ANIMAL HANDLER:** An Animal Handler can be a person with a disability that a Service or Assistance Animal assists, or a Service Animal Trainer. An Animal Handler may also be a Personal Assistant who handles the animal for the disabled person.

The steps for animal approval are outlined in a document that can be obtained in the main office in Student Disability Services (Rogers Bldg. Room 123) or online at

<http://www.flsouthern.edu/campus-resources/student-disability-services.aspx>

## Section II. ANIMALS ON CAMPUS

**Until animals are registered as Service Animals or approved as Assistance Animals or Service Animals in Training through Student Disability Services, these animals will be considered “pets”. Students may not have animals in campus residences or other buildings until the approval process is completed through Student Disability Services. Students will be subject to any and all standard accountability outcomes for having non-approved animals on campus and in community living spaces. Animal accommodations cannot be retroactively**

**applied to appeal pet violations.**

A student who knowingly and willfully misrepresents herself or himself, through conduct or verbal or written notice, as using a Service Animal or as being qualified to use a Service Animal or be a Service Animal Trainer commits a misdemeanor of the second degree under Florida law. Similarly, a student who knowingly and willfully misrepresents himself or herself through conduct or verbal or written notice, as using an Assistance Animal or being qualified to use an Assistance Animal as an accommodation for a disability is subject to sanctions under the Florida Southern College student conduct process.

**Animals on Campus: Service Animals**

Service Animals may travel freely with their owner throughout most areas of campus and community living spaces. Exceptions to Service Animal access may be established for health and safety reasons of the animal or others. Access to restricted areas may be granted on a case-by-case basis by contacting Student Disability Services and the appropriate department representative. These departments will work together to develop a reasonable plan of action.

**Service Animals in the classroom:** Students who require the assistance of a Service Animal in the classroom are encouraged to notify Student Disability Services. Documentation is not required to have a Service Animal in the classroom; however, by registering your Service Animal in advance for classroom experiences, students will be able to:

- Document their need for appropriate academic accommodations
- Receive a letter of accommodation for their instructors at the beginning of each semester
- Have the opportunity to tour specialized classroom facilities, such as laboratories, with the professor to determine how to safely accommodate the Service Animal in those spaces

Additionally, an interactive, personalized conversation between the student and the Coordinator of Student Disability Services could include (at the student's discretion) the history of diagnosed disabilities and accommodations, student goals and concerns, and ways the College and the student can form a supportive partnership.

Upon registering a Service Animal with the College, course faculty, Campus Safety, and other employees who will need to know to expect a Service Animal's presence in the classroom will be notified as appropriate.

**Service Animals in Community Living spaces:** Students must complete the Animal Approval Process (see Animal Approval below) to keep a Service Animal in college housing or for the animal to have access to other shared areas. Completing the Animal Approval Process will ensure the Service Animal meets healthy animal standards, including licensing and vaccinations required by Polk County, FL. Alerting the College to the presence of the Service Animal will allow the College to be more fully prepared to accommodate the animal in housing and elsewhere. The College will enter into an interactive process with the student to address animal placement in the residence halls and final contract processes. While students requesting the accommodation of a Service Animal in campus housing are not required to provide documentation of disability or certification of the dog as a Service Animal, students may be asked to answer two questions relevant to Service Animals:

(1) Is the animal required because of a disability?

(2) What work or task is the animal trained to perform?

Student Disability Services and the Office of Community Living will review the housing being sought and then will arrange a meeting with the student to discuss the rights and responsibilities associated with having a Service Animal on campus, the student's roommate(s) or suitemate(s) will be notified (if applicable) to inform them that the approved Service Animal will be residing in shared assigned living space and the College will seek agreement from the roommates to cohabitate with the Service Animal.

### **Assistance Animals**

**Documentation requirements for Assistance Animals:** Relevant documentation of the need for an Assistance Animal in residential housing follows the Student Disability Services criteria for disability documentation, and should generally include the following information:

- An interactive and personalized conversation between the student and the Coordinator of Student Disability Services including whether the person making the request has a disability, the history of diagnosed disabilities and accommodations, whether the person seeking an Assistance Animal has a disability-related need for the Assistance Animal in their college residence, student goals and concerns, and ways the College and the student can form a supportive partnership

When it is not readily apparent that a person seeking an accommodation has a disability or a disability-related need for an Assistance Animal, the College may ask the person seeking the accommodation to submit reliable documentation of a disability and their disability-related need to have an Assistance Animal in their college residence. This could include:

- On letterhead, a document from a licensed evaluator (e.g., qualified physician, psychiatrist, psychologist, or social worker) that clearly identifies the existence of a verifiable disability **and**
- That identifies the major life activities that are impacted by the disability or disabilities
- Description of the accommodations being requested (note: accommodations in addition to an Assistance Animal can be requested during this process)
- Explanation of how the Assistance Animal will address/alleviate one or more of the identified symptoms or effects of an existing disability
- Statement of how the need of the Assistance Animal relates to the ability of the student to use and enjoy the dwelling provided by the college

The Counseling Center is available to assist with problems related to anxiety and other mental health issues. The Student Health Center offers Acute Care Services. Neither office administers the assessments/evaluations required for documenting disabilities, whether for mental health, learning disabilities, medical conditions or other major life activities. A document that can guide you through the disability documentation process is available in the Student Disability Services main office in Rogers 123 or online at:

<http://www.flsouthern.edu/campus-resources/student-disability-services.aspx>

**Assistance Animals on campus:** Assistance Animals must be contained within the assigned residential area (room, suite, or apartment) or public spaces associated with residential spaces at all times, except when transported outside the residential area in an animal carrier or controlled by leash or harness. In some circumstances, the animal may be permitted elsewhere only with written permission of Student Disability Services. Upon approval of an Assistance Animal, over a Consent Waiver signed by the Animal Handler, Community Living, Campus Safety and other employees who will need to know to expect the presence of the animal will be notified. **The student will receive a written email of animal approval and, upon receiving that notice, may bring the Assistance Animal to the residence.**

**Assistance Animals in Community Living spaces:** A student requesting keeping an Assistance Animal as a disability accommodation in college housing must make a formal request to Student Disability Services.

After the Student Disability office determines that an Assistance Animal is a reasonable accommodation for a documented disability and the Assistance Animal has been approved (see Animal Approval, below), the College will enter into an interactive process with the student to complete the final contract processes. This process will include the student and Student

Disability Services discussing the policies relating to having an Assistance Animal in community living spaces. Upon approval of an Assistance Animal and the signing of a Consent Waiver, the student's roommate(s) or suitemate(s) will be notified (if applicable) to inform them that the Assistance Animal has been approved to reside in shared assigned living space and the College will seek agreement to cohabitate with the animal from the roommates.

### **Animals on Campus: Conflicting Disabilities**

Students, faculty, or staff with medical condition(s) that are affected by animals (e.g., documented respiratory diseases, asthma, severe allergies, or animal phobias) are asked to contact Student Disability Services if they have a health or safety-related concern about exposure to a Service Animals, Assistance Animals, or Service Animals in Training. The College is prepared to reasonably accommodate individuals who require accommodations due to proximity to Approved Animals. **The person will be asked to provide the College with verifiable medical documentation of the disability.** The College will resolve any conflict in a timely manner. Student Disability Services will consider the needs and/or accommodations of all persons involved. Student Disability Services will work collaboratively with Community Living and may use the Student Health Center or Counseling Center as resources for information on health issues. In the event that an agreement cannot be reached, Student Disability Services will make a final decision. The decision can be appealed as described below.

### **Animals on Campus: Emergency-on-Campus Situations**

In the event of a campus emergency, emergency responders will be trained to be aware that Service Animals, Assistance Animals, and Service Animals in Training may try to communicate the need for help. The animal may become disoriented from the smell of smoke in a fire or laboratory emergency, from sirens or wind noise, or from shaking and moving ground. The Animal Handler or animal may be confused due to the stressful situation. The emergency responders should be aware that the animal is trying to be protective and, in its confusion, is not to automatically be considered harmful. The responders should make every effort to keep the animal with its Handler. However, the responders' first efforts likely will be toward the Handler. This may necessitate leaving the animal behind in certain emergency evacuation situations.

### **Animals on Campus: Animal Behavior Situations**

Animal Handlers are responsible for the healthy upkeep and safety of their animals. One way to promote animal safety is by keeping them under the Handler's control at all times. Animal injuries that result from a Handler's failure to maintain control of the animal will be the responsibility of the Animal Handler.

Similarly, in cases where the Animal Handler's animal is seen to be an immediate threat to other persons or animals, the College may deem it necessary to contact Polk County Animal Control and have the animal removed from campus.

Animals repeatedly out of the Handler's control (see Animal Handler Responsibilities, below) may be permanently removed from campus.

All liability for the actions of animals (bites, scratches, property damage, etc.) is the responsibility

of the Animal Handler. Consequently all Animal Handlers must have proof of liability insurance that covers themselves as college residents and the actions of their animals.

### **Section III. ANIMAL HANDLER RESPONSIBILITIES (applies to Handlers of Service Animals, Assistance Animals, and Service Animals in Training)**

#### ***In Community Living spaces:***

- The Handler is responsible for assuring that the Approved Animal does not unduly interfere with the routine activities of the residence or cause difficulties for students who reside there.
- The Approved Animal must be properly crated in the residence hall room if the Handler is not with the animal. This will facilitate timely responses of Facilities Maintenance to work orders and will ensure quick access to the room by emergency personnel, if necessary, in the absence of the Handler.
- The Handler is responsible for any expenses incurred for cleaning above and beyond a standard cleaning or for repairs to College premises that are assessed after the student and animal vacate the residence. The College shall have the right to bill the student account of the Approved Animal owner for unmet obligations.
- The Handler's residence may be inspected for damage or other reasons, such as concern about the Approved Animal's well-being.
- Students are required to submit to the Office of Student Disability Services documentation of liability annually, including coverage for the Approved Animal, beginning fall 2017 and no later than July 15, 2018. This applies to students who have previously-approved animals as well as those seeking approval after January 1. For Service Animals in Training, if the sponsoring agency provides liability insurance against damage the dog may cause, please submit that documentation to the college.
- Approved Animals may not be left overnight in housing to be cared for by another student. Animals must be taken with the student if they leave campus overnight or for a more prolonged period of time, or the Handler must make other arrangements for the Approved Animal's care (e.g., boarding).
- Community Living has the ability to relocate the Handler and Approved Animal as necessary according to current contractual agreements.
- The Handler must notify Student Disability Services in writing within 48 hours if the Approved Animal is no longer needed or is no longer in residence. To replace an Approved Animal, the owner must file a new Animal Approval request.

***Animal maintenance and control requirements:***

- Care and supervision of the animal are the responsibility of the individual who benefits from the Approved Animal's use. The Handler is required to maintain control of the animal at all times.
- When the Approved Animal is outside the owner's residential space, the Approved Animal must be kept on a leash or in a carrier unless doing so prevents the Approved Animal from rendering accommodation assistance.
- The Handler is responsible for ensuring the cleanup of the animal's waste and, when appropriate, must toilet the animal in areas designated by the College consistent with the reasonable capacity of the owner. Waste must be placed in a sturdy plastic bag and securely tied up before being disposed of in outside trash dumpsters. It is not to be disposed of into inside trash receptacles or into the College's plumbing/rest room systems.
- The Handler must ensure that the Approved Animal does not disrupt classroom learning, social events, or other activities that are the right of all Florida Southern College students.

**Section IV. ANIMAL APPROVAL: DOCUMENTING ANIMAL HEALTH AND WELL-BEING**

In order for a Service Animal, Assistance Animal, or Service Animal in Training to become an Approved Animal, the following must be established and maintained on a yearly basis.

**A. Vaccination:** In accordance with local ordinances and regulations the animal must be immunized against diseases common to that type of animal. Dogs and cats must have current vaccination against rabies and wear a rabies vaccination tag. Local licensing requirements must be followed.

**B. Health:** Animals that reside in college 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 College has authority to direct that the animal receive veterinary attention.

**C. Licensing Documentation:** The College may request documentation showing that the animal has been licensed, when such licensing is part of local licensing law for that species.

**D. Training:** Generally, a Service Animal is a dog that is trained to do work or perform tasks for the benefit of an individual with a disability. Training is an ongoing process for Service Animals in Training. Training is not a required part of Assistance Animal criteria.

**E. Proof of Ownership:** Proof that the Animal Handler or their parents/guardians owns the animal will be required.



**F. Proof of Liability Insurance:** Students must provide proof of liability insurance (e.g., Renter's Insurance that covers the animal and the student while they live in a college residence) annually. For students who, for whatever reason, do not arrange for liability coverage, the college will order such insurance for the student and bill the cost to the student's account.

**G. Written affirmation** from a bona fide Service Animal Training agency of the verification of "Service Animal in Training" status.

**H. Other Conditions:** Student Disability Services will seek a photograph of the Approved Animal and may place other reasonable conditions or restrictions on the animal approval process.

### **Section V: A LITTLE MORE ON SERVICE ANIMALS IN TRAINING**

Under State of Florida statute, students qualified to train animals to aid and guide persons with disabilities receive the same rights as students who require the assistance of a Service Animal. A student who is training a Service Animal must contact Student Disability Services and comply with all requirements and responsibilities set forth in college policy.

As with students having Service Animals and Assistance Animals, Service Animal Trainers accept full liability for damages or injuries to others caused by the Approved Animal, are responsible for the health and well-being of the animal, must have control of the animal at all times, may not allow the animal to be a nuisance or disruption to the greater community, and are bound by all other policies for Approved Animals.

### **Section VI: NOTICE TO CAMPUS COMMUNITY**

#### **A. Etiquette of the campus community**

- They are to allow a Service Animal or Service Animal in Training to accompany its owner at all times and in all places on campus, except where animals are specifically prohibited.
- They are not to touch or pet an Approved Animal unless invited to do so.
- They are not to feed an Approved Animal.
- They are not to startle an Approved Animal deliberately.
- They are not to separate or to attempt to separate a Handler from his/her Approved Animal.
- They are not to inquire for details about the Handler's disabilities. The nature of a person's disability is a private matter.

**B. Notice to course instructors of Service Animal in the classroom:** Classroom instructors will be made aware of the presence of a Service Animal or Service Animal in Training in the classroom by a letter drafted by Student Disability Services.

**C. Notice to Community Living of Service Animal, Assistance Animal, or Service Animal in Training in residential spaces:** The Community Living staff will be made aware of the presence of Approved Animals in the specific building in which they live. Student seeking Approved Animals will be required to sign a Consent Form so that their roommates, Community Living, Campus Safety, Office of Accountability, and other need-to-know individuals can be notified of the presence of an Approved Animal. Roommates and suitemates of the student with an Approved Animal will be notified and will sign an Acknowledgement Form in Student Disability Services.

### **Section VII: REMOVAL OF APPROVED ANIMAL**

Florida Southern College may exclude/remove an Approved Animal when:

- The animal poses a direct threat to the health or safety of others.
- The animal is out of control and the Handler does not take effective action to control it.
- Animal barking or other disruptions interfere with studying, sleeping, or other experiences necessary for the full enjoyment of the dwelling
- The Handler does not comply with community living responsibilities or control requirements on campus.

### **Section VIII: APPEALS PROCESS**

Students whose request for a Service Animal, Assistance Animal, Service Animal in Training or deference to a conflicting health condition is not granted have the right to appeal such decisions in writing. All appeals are reviewed by the Dean of Student Success and the Provost of Florida Southern College within 10 business days.

***\*My Approved Animal is (please check the response that applies:***

- ***A Service Animal***
- ***A Service Animal in Training***
- ***An Assistance Animal***

***\*By my signature below, I verify that I have read, understand and will abide by the applicable Service Animal, Assistance Animal and Service Animal in Training Policies.***

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**Student Signature**

**ID#**

**Date**

**APPROVED SERVICE ANIMAL, ASSISTANCE ANIMAL OR SERVICE ANIMAL REGISTRATION FORM**

Handler's Name: \_\_\_\_\_

Handler's ID #: \_\_\_\_\_

Handler's Address or On-Campus Building/Room #:  
\_\_\_\_\_  
\_\_\_\_\_

Handler's Phone #: \_\_\_\_\_

Handler's E-mail Address: \_\_\_\_\_

Animal's Name: \_\_\_\_\_

Type of Animal: (Service; Assistance; Service in Training)  
\_\_\_\_\_

Species and Breed of Animal  
\_\_\_\_\_

Physical Description of Animal:  
\_\_\_\_\_  
\_\_\_\_\_

*\*Please include the current bill of health from a licensed veterinarian, animal license and tags, and rabies vaccination records.*

*\*Please include a current picture of the Service, Assistance, or Service-in-Training Animal.*

**Animal Approved for Residential Living** \_\_\_\_\_

Name of FSC Official

Date

**ROOMMATE/SUITEMATE AGREEMENT TO COHABITATE WITH SERVICE ANIMAL,  
ASSISTANCE ANIMAL, OR SERVICE ANIMAL IN TRAINING IN SHARED LIVING SPACE**

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. I am not to touch, pet or feed the Approved Animal unless invited to do so. I am not to inquire about the owner's disability. The care of the animal is the responsibility of the Animal's Handler. Should I have concerns regarding the animal, I will discuss my concerns with the Approved Animal's Handler. If we cannot come to an agreement, I will contact Student Disability Services and The Office of Community Living.

**ANIMAL HANDLER'S NAME** \_\_\_\_\_

**SEMESTER AND YEAR** \_\_\_\_\_

**RESIDENT'S NAME RESIDENT'S SIGNATURE BLDG/ROOM # DATE**

\_\_\_\_\_  
\_\_\_\_\_

**CONTACT INFORMATION**

**Student Disability Services;** Dr. Marcie Pospichal, Associate Vice President for Student Support

Rogers 120; tel: 863-680-4197; email: disabilityservices@flsouthern.edu

**Community Living;** Marc Tuschen, Assistant Dean for Community Living and Accountability

Rogers 2<sup>nd</sup> Floor; tel: 863-680-3908; email: residencelife@flsouthern.edu