

# **Salisbury University Assistance Animal Policy**

Salisbury University (SU) recognizes the importance of Assistance Animals, as defined in compliance with the Fair Housing Act that provide physical and/or emotional support to individuals with disabilities. SU is committed to allowing Assistance Animals necessary to provide individuals with disabilities an equal opportunity to use and enjoy University housing. This policy explains the specific requirements applicable to an individual's use of an Assistance Animal in University housing. SU reserves the right to amend this policy as circumstances require. This policy applies solely to "Assistance Animals" which may be necessary in University housing. It does not apply to "Service Animals" as defined by the Americans with Disabilities Act, as amended ("ADA"). Although it is the policy of SU that individuals are generally prohibited from having animals other than small fish in University housing, SU will consider a request by an individual with a disability for reasonable accommodation from this prohibition to allow an Assistance Animal that is necessary because of a disability and is reasonable. There might be limited circumstances, for whatever reason, a delay in approval might result in an animal being present. Exceptions may be made on a case by case basis.

## **Section I. Definitions**

### **A. Assistance Animal**

"Assistance Animals" are a category of animals that may work, provide assistance, or perform physical tasks for an individual with a disability and/or provide necessary emotional support to an individual with a mental or psychiatric disability that alleviates one or more identified symptoms of an individual's disability. Some Assistance Animals are professionally trained, but in other cases Assistance Animals provide the necessary support to individuals with disabilities without any formal training or certification. Assistance Animals are not limited to dogs; and other types of animals may qualify as an Assistance Animal. The question in determining if an Assistance Animal will be allowed in University housing is whether or not the Assistance Animal is necessary because of the individual's disability to afford the individual an equal opportunity to use and enjoy University housing and its presence in University housing is reasonable. However, even if the individual with a disability establishes necessity for an Assistance Animal and it is allowed in University housing, an Assistance Animal is not permitted in other areas of the University without prior authorization from the Disability Resource Center (DRC) (e.g. dining facilities, libraries, academic buildings, athletic buildings and facilities, classrooms, labs, individual centers, etc.). During an emergency evacuation the owner should proceed to the designated safe shelter space.

### **B. Pet**

A "Pet" is an animal kept for ordinary use and companionship. A pet is not considered an Assistance Animal. It is not covered by this policy. Residents are not permitted to keep pets, other than fish, on university property or in university housing.

### **C. Approved Animal**

An “Approved Animal” is an Assistance Animal that has been granted as a reasonable accommodation under this policy. Animals that pose a direct threat to the health or safety of others that cannot be eliminated or reduced to an acceptable level or eliminated by another reasonable accommodation will not be permitted.

### **D. Owner**

The “Owner” is the student or other covered person who has requested the accommodation and has received approval to bring the “Approved Animal” on campus.

## **Section II. Requesting an Assistance Animal**

**Assistance Animals in University housing must receive prior approval. The procedures are outlined below:**

1. A student requesting an accommodation to keep an Assistance Animal in University housing must register with the DRC and then request this accommodation. The DRC will advise the student what, if any, documentation will be required. Documentation outlining the student’s need for this accommodation may include:
  - Verification of the student’s disability and a description of the nature and severity of the student’s disability from a qualified person, including the person’s credentials.
  - A description of diagnostic methodology
  - A description of the student’s current functional limitations
  - Statement on how the animal serves as an accommodation for the documented disability
2. Once the DRC staff has evaluated the submitted disability documentation and has confirmed that the student’s documentation meets the necessary criteria, the student should contact the DRC in order to schedule a consultation with the DRC staff to request an Assistance Animal as a housing accommodation.
3. Upon approval, a meeting with the student will be arranged by the Housing and Residence Life so this policy can be reviewed in detail. The appropriate residential building staff will be notified of the presence of the Approved Animal. The student may be required to schedule a consultation with the DRC annually to discuss the accommodation and may be required to review the previous assistance animal housing agreement with a designee from Housing and Residence Life.
4. Upon approval of an assistance animal, the student’s roommate(s) or suitemate(s) will be notified that an approved animal will be residing in their shared living space (if applicable).

5. SU will accept and consider requests for an Assistance Animal in university housing at any time. The individual making the request for accommodation should submit disability documentation to the DRC as soon as practicably possible before moving into University housing. However, if the request for accommodation is made fewer than 60 days before the individual intends to move into university housing, SU's flexibility in housing arrangements is greatly diminished.

Appeal: Please follow the process outlined on the following site:

<https://www.salisbury.edu/administration/student-affairs/disability-resource-center/policies.aspx>.

### **Section III. Conflicting Health Conditions**

Students with medical condition(s) that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) are asked to contact the DRC if they have a health or safety related concern about exposure an Approved Animal. SU is prepared to reasonably accommodate students with such medical conditions that require accommodations when living in proximity to Assistance Animals. The DRC will work with the Residential Life Office to resolve any concerns.

### **Section IV. Owner's Responsibility in University Housing**

1. The Owner is responsible for assuring that the Approved Animal does not unduly interfere with the routine activities of the residence or cause disturbances (e.g. the Owner cannot adequately control the animal or the animal is not housebroken) for students who reside in the assigned hall.
2. The Owner is financially responsible for the actions of the Approved Animal including bodily injury or property damage. The Owner's responsibility covers but is not limited to replacement of furniture, carpet, window, wall covering, and the like. The Owner is expected to cover these costs at the time of repair and/or move-out.
3. The Owner is responsible for any expenses incurred for cleaning above and beyond a standard cleaning 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 student account of the Owner for unmet obligations. The owner is expected to groom their animal on a regular basis while in residence. A discussion will occur to establish an action plan for cleanliness per our current safety inspection policy, should animal odors emanate from soft spaces (carpet, furniture) of the owner's assigned space. Grooming is prohibited in showers, bathtubs and sinks within residential facilities and the University does not provide bathing/grooming facilities.
4. The Owner must notify the DRC in writing 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 request pursuant to the procedures outlined above.

5. The Owner's residence may be inspected for fleas, ticks or other pests once a semester or as needed. The housing office will schedule the inspection and communicate the date and time to the owner and their roommates. 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 above and beyond standard pest management in the residence halls, which is attributable to the Owner's animal.
6. In the event that one or more roommates or suitemates do not approve of the Approved Animal, either the Owner and animal or the non-approving roommates or suitemates, as determined by Housing and Residence Life office for the residence location, may be moved to a different location.
7. Should a conflict or disagreement between the Owner and their roommates and/or suitemates regarding the Approved Animal arise, the students should direct concerns to their Housing and Residence Life building manager.
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. The owner is responsible to secure or crate the animal during maintenance or housekeeping calls for service. Housing and Residence Life will make every effort to notify the owner 24 hours prior to service call.
9. Approved Animals may not be left overnight in University Housing to be cared for by another individual. Animals must be taken with the student if they leave campus for a prolonged period.
10. Housing and Residence Life has the ability to relocate Owner and Approved Animal as necessary according to current contractual agreements.
11. The Owner agrees to continue to abide by all other residential policies. Reasonable accommodation which may constitute an exception to a policy that otherwise would prohibit having an animal does not constitute an exception to any other policy.
12. The Owner undertakes to comply with animal health and wellbeing requirements as set forth in Section VI, part B.

## **Section V. Maintaining an approved animal at SU**

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

### **A. Care and Supervision:**

Care and supervision of an Approved Animal are the responsibility of the Owner of the Approved Animal. 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 on a regular basis. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces and also must be disposed of outside in university provided dumpsters. The Owner must dispose of animal waste deposited outside on university property using a plastic bags to be secured and placed in a nearby dumpster. No animal wastes are to be disposed in sinks and or toilets. The Owner is required to ensure the animal is well cared for at all times.

Complaints regarding an odor originating from the animal by fellow residents will be investigated and the housing policy for cleanliness will be enforced if the complaint is valid. Having your animal properly groomed on a regular basis will eliminate many of these concerns. The owner will be given 24 hours, per the housing policy to address the odor in order to avoid a failed safety inspection fine.

### **B. Animal Health and Well-being:**

1. Vaccination: In accordance with local ordinances and regulations the animal must be immunized against diseases common to that type of animal. Dogs, cats and ferrets must have current vaccination against rabies and the Owner must possess proof of such. Wicomico County Code requires that a dog have its vaccination tag indicating it has been vaccinated against rabies worn on its collar. Local licensing requirements are followed. Updated documentation must be provided annually prior to the designated move-in date to Housing and Residence Life.
2. Health: Approved Animals 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.
3. Licensing: The University reserves the right to request documentation showing that the animal has been licensed pursuant to Wicomico County Code.
4. Transporting the Approved Animal to and from the assigned hall: If appropriate, the Approved Animal must be on a leash. Other animals must be crated or secured in an appropriate travel unit.

5. Other Conditions: Housing and Residence Life may place additional reasonable conditions or restrictions on an Approved Animal, depending on the nature and characteristics of the animal.

## **C. Requirements for Staff, Students, and Other Members of the University Community in Residence**

**Members of the SU residential community are required to abide by the following practices:**

1. They are not to touch or pet an Assistance Animal unless invited to do so.
2. They are not to feed an Assistance Animal.
3. They are not to startle an Assistance Animal deliberately.
4. They are not to inquire for details about the Owner's disabilities. The nature of a person's disability is confidential.

## **D. Removal of Approved Animal**

The University reserves the right to reverse the approval of an Approved Animal when:

1. the animal poses a direct threat to the health or safety of others that cannot be eliminated by another reasonable accommodation;
2. the specific animal would cause substantial physical damage to the property of others that cannot be eliminated by a reasonable accommodation;
3. the animal would pose an undue financial and administrative burden or
4. the animal would fundamentally alter the nature of SU's operations.

In the event the Owner is unwilling to remove their Assistance Animal, as a result of any of the aforementioned, he/she will be held to the university code of conduct and be documented for "failure to comply" which results in a conduct proceeding deemed appropriate for the situation.

\*Should the Assistance 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. A student wishing to be released from their contract, as a result of the removal of their assistance animal, may appeal in writing to Housing and Residence Life for consideration.

Failure to abide by the guidelines outlined in the Assistance Animal Policy will result in documentation of the alleged violation and an administrative meeting to discuss a course of action.

## **E. Damage**

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

## **F. Areas Off Limits to Assistance Animals**

All areas except for privately assigned living space in housing are off limits to approved Assistance Animals without prior authorization from the DRC.

**By my signature below, I verify that I have read, understand and will abide by the Guidelines outlined here and I agree to provide the additional information required to complete my Request for a Reasonable Accommodation under the University's Assistance Animal Policy.**

Resident Owner Signature

Date

Disability Resource Center Representative

Date

Housing Representative

Date

## **Section VI. Approved Animal Registration Form**

**Owner's Name:** \_\_\_\_\_

**Owner's ID:** \_\_\_\_\_

**Owner's Address:** \_\_\_\_\_

**Owner's Phone:** \_\_\_\_\_

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

**Type of Animal:** \_\_\_\_\_

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

**Alternate Caregiver for Animal If Owner is Unavailable:**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**Please attach the Veterinarian's verification that the animal has all Veterinary-recommended vaccinations to maintain the animal's health and prevent contagious disease. Also include a copy of Wicomico County's required animal license (for dogs only).**