

SERVICE ANIMAL AND ASSISTANCE ANIMAL POLICY

Framingham State University
Disability/Access Services
Office of Residence Life

In compliance with the Americans with Disabilities Act, public institutions are required to allow the use of service animals on University campuses to achieve equal access to programs and activities. Framingham State University ("FSU" or "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.

FSU 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.

Specific requirements and guidelines concerning the appropriate use of and protocols associated with service animals and assistance animals are included below.

This policy may be amended by the University as deemed appropriate and is subject to change upon notification to the student by the University.

The deadline to accept service and assistance animals in the Resident Halls: Current residents must submit the application no later than May 1st for the following Fall Semester so that the student can be assigned to the most appropriate housing location with his/her service animal, considering the student's needs and preferences. Incoming students will be required to submit the application and documentation by June 15th for fall placement. Students must submit the application no later than December 1st for the following Spring semester. See Section IV and Section V for the full procedure.

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/Access 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 their handlers. 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 residential housing.

SECTION II - USE OF SERVICE ANIMALS

A. Accommodation Procedures

It is recommended that students who need the assistance of a service animal in the classroom setting register with Disability/Access Services, located in the Center for Academic Success and Achievement. By doing so, students will be able to:

- Document their need for an appropriate classroom accommodation.
- Receive an academic accommodation letter for their instructors at the beginning of each semester.
- Access additional resources and services available to students with a disability.

B. Control Requirements

If the animal is not being controlled properly, it ceases to provide a service and can be excluded from the classroom and/or residence hall. Therefore, the following guidelines for service animals are being set forth by the University to ensure the animal does not engage in behavior that would be a direct threat to the health and safety of others. If the service animal's behavior is disruptive, aggressive or destructive, the student will be held responsible and may be asked to remove the animal from campus.

The guidelines for service animals on campus:

- Service animals must be in good health.
- Service animals must be on a leash at all times.
- Service animals must be controlled by handler/student at all times.
- When entering campus facilities or University vehicles with a service dog, the handler is strongly encouraged to use an identifying vest, tag, leash, or other visible method to indicate to the general public that the animal is a service dog.
- Service animals must be properly vaccinated; vaccinations must be current.
- Service animals must be well groomed and free of fleas, ticks, or other insects or parasites.
- Service animals must be maintained in a manner that takes into consideration the health and hygiene of the animal and those who come in contact with the animal.
- The handler is responsible for the cost to repair any damage done by the service dog to University property, just as the handler would be responsible for damage he or she caused.
- The student must be on campus with the service animal at all times.

The University has the authority to remove a service dog from its grounds or facilities if the service dog becomes unruly or disruptive, unclean, and/or unhealthy to the extent that the animal's behavior or condition poses a direct threat to the health or safety of others, or otherwise causes a fundamental alteration in the University's services, programs, or activities. If such behavior persists, the handler may be directed not to bring the dog into public campus areas until the problem is rectified.

C. Relief Areas

Students who use service animals should meet with the Office of Facilities before the start of each semester to discuss procedures for identifying proper waste disposal areas on campus. The student is ultimately responsible for the cleanliness, grooming and health of the animal and must take responsibility for the proper disposal of all waste.

D. Areas Restricted to Service Animals

The University may prohibit the use of service dogs in certain locations due to health or safety restrictions, where service dogs may be in danger, or where their use may compromise the integrity of certain research. Such restricted locations include, but are not limited to:

- food preparation areas,
- certain research laboratories,
- mechanical rooms/custodial closets,

- classrooms with demonstration/research animals,
- areas where protective clothing is necessary and other areas where the dog's presence may constitute a danger or a fundamental alteration of the program or activity conducted in the area.

Access to restricted areas may be granted on a case-by-case basis by contacting the Disability/Access Services Office, located in the Center for Academic Success and Achievement (CASA).

E. Public Etiquette by Service Animal

- The animal must not be allowed to sniff people or the personal belongings of others.
- The animal must not initiate contact with someone without the handler's direct permission.
- The animal must not display any behaviors or noises that are disruptive to others such as barking, whining, growling or rubbing against people while waiting in lines. This includes aggressive behaviors.
- The animal must not block an aisle or passageway.
- The animal must never be more than 12 inches from the handler's leg or side of the chair.

F. Public Etiquette by the University Community

Members of the University community are required to abide by the following practices:

- Allow a service dog to accompany its handler at all times and in all places on campus except where dogs may pose a safety risk
- Do not touch a service dog unless invited to do so.
- Do not feed the service dog.
- Do not deliberately startle a service dog.
- Do not separate or attempt to separate a partner from their service dog.
- Do not inquire for details about a person's disabilities. The nature of a person's disability is a private matter.
- Do not hesitate to ask a person if they would like assistance if the team seems confused about a direction to turn, an accessible entrance, entrance to an elevator, etc.
- If questions arise as to whether a person should have a service dog on campus contact Disability/Access Services, located in the Center for Academic Success and Achievement.

SECTION III - USE OF ASSISTANCE ANIMALS

Assistance Animals are not allowed in classrooms or other University facilities; Assistance Animals may not be brought into University housing without the express approval of the University.

A. Accommodation Procedure

A student requesting permission to keep an assistance animal in University housing must make a formal request to the Disability/Access Services Office. Additionally, the student must submit the

appropriate “Request for Housing Accommodations” to Residence Life as well as documentation of their disability to Disability/Access Services Office in CASA.

B. Control Requirements

If the animal is not being controlled properly, it can be excluded from the residence hall. The following guidelines for assistance animals are being set forth by the University to ensure the animal does not engage in behavior that would be a direct threat to the health and safety of others. If the assistance animal’s behavior is disruptive, aggressive, or destructive, the student will be held responsible and may be asked to remove the animal from the residence hall.

The guidelines for assistance animals in University housing:

- Assistance animals must be maintained in the student’s campus residence.
- Assistance animals must be in good health.
- Assistance animals must be properly restrained at all times.
- Assistance animals must be properly vaccinated; vaccinations must be current.
- Assistance animals must be well groomed and free of fleas, ticks, or other insects or parasites.
- Assistance animals must be maintained in a manner that takes into consideration the health and hygiene of the animal and those who come in contact with the animal.
- The student is responsible for the cost to repair any damage done by the assistance animal to University property, just as the student would be responsible for damage he or she caused.
- The assistance animal cannot be left on campus for an extended period of time if the student is not on campus.

C. Relief Areas

Students who use service animals should meet with the Office of Facilities before the start of each semester to discuss procedures for identifying proper waste disposal areas on campus. The student is ultimately responsible for the cleanliness, grooming and health of the animal and must take responsibility for the proper disposal of all waste.

D. Areas Restricted to Assistance Animals

Assistance animals must be maintained in the student’s assigned campus residence. Assistance animals are not permitted in shared lounges, hallways, or grounds except to address biological needs. Assistance animals are not permitted in classrooms, dining halls, or other University facilities.

E. Public Etiquette by Assistance Animal

- The animal must not be allowed to sniff people or the personal belongings of others.
- The animal must not initiate contact with someone without the handler’s direct permission.
- The animal must not display any behaviors or noises that are disruptive to others such as barking, whining, growling or rubbing against people. This includes aggressive behaviors.

F. Public Etiquette by the University Community

Members of the University community are required to abide by the following practices:

- Do not touch an assistance animal unless invited to do so.
- Do not feed the assistance animal.
- Do not deliberately startle an assistance animal.
- Do not separate or attempt to separate a partner from their assistance animal.
- Do not inquire for details about a person's disabilities. The nature of a person's disability is a private matter.
- If questions arise as to whether a person should have an assistance animal on campus contact Disability/Access Services, located in the Center for Academic Success and Achievement.

SECTION IV - PROCEDURES FOR REQUESTING SERVICE ANIMAL

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 formal request to Disability/Access Services. To do so, the student must submit a housing application to Residence Life noting requested accommodation and forward documentation to Disability Services. Current residents must submit the application no later than May 1st for the following Fall Semester so that the student can be assigned to the most appropriate housing location with his/her service animal, considering the student's needs and preferences. Incoming students will be required to submit the application and documentation by June 15th for fall placement. Students must submit the application no later than December 1st for the following Spring semester.
While housing applications submitted after these deadlines will be accepted and considered, FSU cannot guarantee that it will be able to meet late applicants' accommodation needs, including any needs that develop during the semester.
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 Housing Accommodation Board will review the request and, once the board 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 Associate Dean of Students and Director of Residence Life (when it involves on-campus living) the Associate Dean of Academic Success and Director of Disability Services, the Residence Life Assignment Coordinator; and, the Dean of Students. Other administrators may be consulted and involved depending on the nature of the request.
4. Upon the approval of a service animal to reside in campus housing, the University will notify the residential building staff as appropriate.

5. Upon the approval of a service animal to reside in campus housing, the University 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 handler and FSU and, where applicable, a Roommate/Suitemate(s).

SECTION V - 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. An assistance animal will undergo an individualized assessment to determine whether the assistance animal poses a direct threat to the health and safety of others. A wild or exotic animal that poses greater risk of attack or disease to the residents could be denied based on this individualized assessment.

(<https://www.animallaw.info/article/faqs-emotional-support-animals#s1>)

1. A student requesting permission to keep an assistance animal in University housing must make a formal request to the Associate Dean of Academic Success and Director of Disability Services. To do so, the student must submit the appropriate documentation of their disability, following guidelines as posted online.

The following deadlines for requesting an assistance animal to reside in campus housing apply:

New and Incoming Students:

A written request for disability accommodations must be submitted to Disability Services concurrently with a Housing Application no later than June 15th for the Fall Semester, and no later than December 1st for the spring semester.

Current FSU Students:

A request for disability accommodations must be submitted to Disability Services concurrently with a housing application no later than May 1st for the Fall semester and no later than December 1st for the Spring semester.

While requests for assistance animals submitted after these dates will be accepted and considered, FSU cannot guarantee that it will be able to meet late applicants' needs for an assistance animal, including any needs that develop during the semester.

2. Documentation of the need for an assistance animal should follow 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 qualified health care provider dated within the most recent 6 months. **The provider must demonstrate a therapeutic relationship or nexus between the comfort animal and the student's disability. The documentation must also be specific to requesting a housing accommodation.**
3. The Housing Accommodation Board will review documentation and, if the board approves the request, it shall arrange a meeting with the person requesting that an assistance animal be housed in University housing. This policy will be carefully reviewed with the student at that time.
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 Students, who will consult with the Director of Equal Opportunity, Title IX and ADA. 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 University will notify the residential building staff as appropriate.
6. Upon the approval of an assistance animal to reside in campus housing, the University 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.
7. The student must fill out a registration form which includes an agreement between the handler and FSU and, where applicable, a roommate/suitemate(s).

SECTION VI - CONFLICTING HEALTH CONDITIONS IN RESIDENTIAL LIVING

Residence Life 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 Residence Life 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 living in proximity to service or assistance animals.

All conflicting medical conditions should be referred to Residence Life, who will attempt to resolve conflicts in a timely manner. Residence Life will consider the conflicting needs, space availability, other factors, and/or requested accommodations of all persons involved. In the event that an agreement cannot be reached, Residence Life, in consultation with Disability Services and the Dean of Students will mediate the conflict with all interests in mind; this resolution will be final and not subject to appeal.

SECTION VII - HANDLER'S RESPONSIBILITIES IN UNIVERSITY HOUSING

1. The handler is responsible for ensuring that the service or assistance animal does not unduly interfere with the routine activities of the residence hall or cause difficulties for students who reside therein.
2. The student handling the animal ("student") is financially responsible for damage, injuries and/or consequences related to the behavior of the service or assistance animal. The student's responsibility includes, but is not limited to, replacement of furniture, carpet, window, wall covering, or other furnishings damaged or destroyed by the animal.
3. The student is responsible for any cleaning expenses above and beyond standard cleaning and 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 for any unmet financial obligations.
4. The student must notify Disability Services in writing if the service or assistance animal is no longer needed or is no longer in residence. To replace a service or assistance animal, the handler must submit a new request form.
5. The handler's residence may be inspected for fleas, ticks or other pests during scheduled health and safety inspections or as deemed warranted by the University. If fleas, ticks or other pests are detected through inspection, the residence will be treated using approved methods by a University arranged pest control service. The student will be billed for the expense of any pest treatment for animal-related pest control.
6. For students in the residence halls: all roommates and/or suitemates of the student must sign an agreement allowing the service or assistance animal to be in residence with them. In the event that one or more roommates or suitemates do not approve, either the student and animal, or the non-approving roommates or suitemates, as determined by Residence Life, may be reassigned
7. Service animals may travel freely with their handler throughout University residences 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, a student with 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 retains the right to reassign the student and the approved animal as necessary according to current contractual agreements.
12. Should the approved animal be removed from the premises for any reason, the student is expected to fulfill his/her housing obligations for the remainder of the housing contract.

13. The student undertakes to comply with animal health and well-being requirements as set forth in Section VI, item C below.
14. Any violation of this policy may result in the immediate removal of the animal from University premises. Such decision may be reviewed through the Student Conduct process and the student will be afforded all rights of process and appeal as outlined in that process.

SECTION VIII GUIDELINES FOR MAINTAINING AN APPROVED ANIMAL AT FSU

A. Introduction

The following guidelines apply to all students with approved animals unless permission for a variance from the guidelines has been granted by Disability Services.

B. Care and Supervision:

The care and supervision of the animal is the responsibility of the student. The student is required to maintain control of the animal at all times.

The student is also responsible for daily cleanup of the animal's waste and, when appropriate, must toilet the animal in areas designated by the University. Indoor animal waste, such as litter, must be placed in a sturdy plastic bag and securely tied up before being disposed of in **outside** trash receptacles. Litter boxes should be placed on mats or trays so that waste is not tracked onto carpeted surfaces.

C. Animal Health and Well-being

1. **Vaccination:** 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 and characteristics of the animal.

E. Removal of Approved Animal

The University may exclude/remove an approved animal under the following circumstances:

1. the animal is not housebroken;
2. the animal is not being effectively controlled by the student;
3. the animal poses a direct threat to the health or safety of others;
4. the animal's presence results in a fundamental alteration of the University's program;
5. the handler does not comply with student's responsibilities outlined in this policy and/or in *The Guide to Residence Living*; or
6. the animal or its presence creates an unmanageable disturbance or interference with the Framingham State University community.

F. Appeals:

If the University has required that an animal be removed from campus, the student may appeal the decision to the Dean of Students, who will consult with the Director of Equal Opportunity, Title IX and ADA Compliance.

In all cases, a detailed, written appeal must be submitted within five (5) class days after written notification of the sanction. The student must write an appeal letter that specifically addresses the reason for the appeal. Both the Dean of Students and the Director of Equal Opportunity, Title IX and ADA Compliance will review the written appeal and will notify the student on the status of the case. The animal may be required to remain off premises during the appeal process.

G. Areas Off Limits to Assistance Animals

With the exception of privately assigned bedroom space in housing, and direct transport of the animal to and from that space, all areas at Framingham State University are off limits to approved assistance animals without prior authorization from Disability/Access Services.

FRAMINGHAM STATE UNIVERSITY

SERVICE ANIMAL AND ASSISTANCE ANIMAL APPLICATION

NAME OF STUDENT HANDLING SERVICE/ASSISTANCE ANIMAL:

TYPE OF ANIMAL: _____

DESCRIPTION OF ANIMAL: _____

SECTION I. AGREEMENT BETWEEN STUDENT AND FRAMINGHAM STATE UNIVERSITY

I, the undersigned, assume all responsibility for supervising the animal(s) described above.

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 Student Name (print): _____

Resident Student Signature: _____ Date _____

FSU Disability Services Authorized Representative: _____ Date _____

FSU: Residence Life Authorized Representative: _____ Date _____

If a student is requesting a service animal or assistance animal in a residence hall with roommates and/or suitemates, Section II below must be completed.

SECTION II. ROOMMATE/SUITEMATE ACKNOWLEDGEMENT

By my signature below, I understand this policy and agree to share the common areas of my assigned residential space with the student and their animal requested in this application. I agree to abide by the policies and protocols listed above and should I have any concerns regarding the care and control of the approved animal, I will discuss my concerns with the student handling the animal and then with Residence Life if the student and I cannot come to an agreement.

_____ Roommate's Name (print)

_____ Signature

_____ Suitemate/Connector Name (print)

Signature

Suitemate/Connector Name (print)

Signature

Suitemate/Connector Name (print)

Signature

Suitemate/Connector Name (print)

Signature

Suitemate/Connector Name (print)

Signature