EDINBORO UNIVERSITY OF PENNSYLVANIA

Policy: DISABILITY SERVICE ANIMALS ON CAMPUS

Supersedes Policy No. C059, Dated 10/1/06, 1/8/10, 12/20/10

Recommended for Approval By: Gordon Herbst, Vice President for Finance and Administration

Approved By: Dr. James Moran, Interim President on February 20, 2012

Review Date: As Required

INTENT

The intent of this policy is to provide guidance to students and employees with disabilities who request the use of a service animal on the campus and to comply with the Americans with Disabilities Act of 1990, as amended (ADA) and applicable state law.

POLICY

Edinboro University of Pennsylvania (University) policy prohibits discrimination on the basis of protected class status, which includes disability.

The request for using a service animal must actually afford the individual the ability to participate in University-sponsored or employment activities.

All service animals should be properly licensed if required by law.

DEFINITIONS

A. Disabled individual is defined as an individual who meets one of the following criteria:
   1. Has a physical or mental impairment that limits one or more major life activities (examples are walking, speaking, seeing, hearing, and performing manual tasks);
   2. Has a record of such impairment; or
   3. Is regarded as having such impairment.
B. **Documentation** is defined as written information that indicates a student has a specific disability. The appropriate documentation completed by a qualified professional verifies the disability and the need for reasonable accommodations under the law. The documentation provides the support for a request for academic and classroom accommodations. More information on documentation is contained on the Office for Disability Services web page or keyword search: disability documentation.

C. **Qualified professional** is defined as medical doctors, licensed psychologists, audiologists, optometrists, speech and language clinicians and other professionals qualified to make a diagnosis.

D. **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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purpose of this definition. Dogs whose sole function is to provide comfort or emotional support may not qualify as service animals under the ADA.

The work or task a service dog has been trained to provide must be directly related to the person’s disability.

**PROCEDURES**

**Students with Disabilities**

A. Students must provide the Office for Students with Disabilities (OSD) with complete documentation of their disability, including the need for a service animal when the use of the service animal is not obvious and only when the service animal will be going places not otherwise open to the public. This documentation must include an explanation of the specific tasks/functions performed by the service animal and be supported by information indicating that the student is unable to perform these tasks due to the nature of the disability. Documentation must be from the student's qualified professional.

When it is not obvious what service an animal provides, only limited inquiries are allowed. The appropriate OSD staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Other University personnel cannot ask about the person’s disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

B. The documentation should include evidence of the service animal’s and user’s training, as well as identifying information for the agency/individual that provided such training.
Documentation from a veterinarian stating that the service animal has up-to-date vaccines, if appropriate, is required. All service animals should also be properly licensed if required by law.

**Employees with Disabilities**

A. Employees must provide the Office of Human Resources and Faculty Relations with complete documentation of their disability, including the need for a service animal when the use of the service animal is not obvious and only when the service animal will be going places not otherwise open to the public. This documentation must include an explanation of the specific tasks/functions performed by the service animal and be supported by data indicating that the employee is unable to perform these tasks due to the nature of the disability. Documentation must be from the employee’s qualified professional.

B. The documentation should include evidence of the service animal’s and user’s training, as well as identifying information for the agency/individual that provided such training. Documentation from a veterinarian stating that the service animal has up-to-date vaccines, if appropriate, is required. All service animals should also be properly licensed if required by law.

**OTHER CONSIDERATIONS**

A. A person with a disability, including students, employees, and members of the public, cannot be asked to remove his or her service animal from the premises unless: (1) the service animal is out of control and the handler does not take effective action to control it or (2) the service animal is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with a disability the opportunity to obtain goods or services without the animal’s presence.

B. Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal’s work or the individual’s disability prevents using these devices. In that case, the individual with a disability must maintain control of the animal through voice, signal, or other effective controls.

C. A student, employee, or member of the public with a disability must demonstrate positive control over the service animal’s behavior at all times. Service animals must always be restrained and controlled when outside of the student’s apartment or room (i.e. leash, cage, other restraining device).

D. Students, employees, or members of the public who have disabilities are accountable for any laws governing the use, care and safety of service animals. Costs for cleaning or maintenance tasks for a service animal that fails to be restrained, controlled or properly
cared for by a student/employee/member of the public will be the responsibility of the student/employee/member of the public.

E. If it is determined that the service animal poses a health or safety threat to others on campus, the person with a disability will be notified to make necessary adjustments. The person with a disability is responsible for all aspects of the service animal’s care and behavior. Failure to appropriately manage the service animal can result in referral to the OSD if a student or Human Resources if an employee.

F. The University is not required to provide care or food for a service animal.

RELATED UNIVERSITY POLICIES

A008 – Reasonable Accommodations for Students with Disabilities
D014 - Dog Control
G005 – Equal Opportunity / Affirmative Action and Nondiscrimination
G018 – Americans with Disabilities Act – Public Accommodations
G019 – Reasonable Accommodations for Employees with Disabilities
Student Code of Conduct and Judicial Procedures

CONTACT INFORMATION

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<tr>
<th>Contact</th>
<th>Office</th>
<th>Address</th>
<th>Telephone</th>
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<tr>
<td>Director</td>
<td>Students with Disabilities</td>
<td>Crawford Center</td>
<td>814-732-2462</td>
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<td></td>
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<tr>
<td>Associate Vice President</td>
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<td>814-732-2810 or</td>
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<td>Room 216</td>
<td>814-732-2703</td>
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