

## **Service and Emotional Support Animals** (*MSSU Policy 12.00*)

### **I. Policy Statement**

It is the policy of Missouri Southern State University that service animals assisting individuals with disabilities generally are permitted to accompany the person with the disability everywhere that the person would otherwise be allowed to go. As further explained below, however, there are some exceptions based on considerations of safety. Emotional support animals generally are not permitted on campus.

### **II. Definition**

Service animals are defined by the Americans with Disabilities Act as dogs that are individually trained to do work or perform tasks for individuals with a disability, including, but not limited to, 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 dog has been trained to provide must directly relate to the person's disability. Therefore, dogs or any other animal whose sole function is to provide comfort or emotional support **do not** qualify as service animals under the ADA.

Trained dogs are the only species of animal that qualifies as a service animal under the ADA, although in certain situations a miniature horse also may be classified as a service animal. Emotional support animals are expressly precluded from the definition of service animals.

For purposes of this policy, a "partner" is an individual with a disability who is accompanied by a service animal. A "handler" is an individual who is responsible for handling the service animal. A partner may be the service animal's handler, or there may be a partner and handler team. Dogs-in-training accompanied by handlers but not partners are also permitted under this policy and all references herein to service animals also apply to dogs-in-training.

### **III. Responsibilities and Requirements**

The partner/handler of the service animal is personally responsible for the animal at all times and will be required to pay for any damages caused by the service animal.

Permission for service animals to be on the university's campus is conditioned on the animal meeting the following guidelines:

1. Vaccination: The animal must be immunized against diseases that are common to that type of animal. Dogs must have had the general maintenance vaccine series, which includes vaccinations against rabies, distemper and parvovirus. Proof of up-to-date vaccinations must be made available to a college official upon request. Animals must wear a rabies vaccination tag.
2. Owner ID: Animals must be properly licensed and must wear an owner identification tag at all times.
3. Health: The animal must be in good health. Animals to be housed in campus housing must have an annual clean bill of health from a licensed veterinarian.
4. Leash: The animal must be on a leash at all times unless unfeasible due to the partner's disability.
5. Under Control of Partner/Handler: The partner/handler must be in full control of the animal at all times. The care and supervision of the animal is solely the responsibility of its partner/handler.
6. Cleanup Rule: Animals should not be allowed to defecate on any property, public or private, unless the partner/handler immediately removes the waste. Waste should be properly disposed of. Individuals with physical disabilities who cannot physically clean up after their own service animal may not be required to pick up and dispose of feces. However, when possible, please ask a person nearby to assist you.

### **IV. Removal/Exclusion of a Service Animal**

An individual with a disability who is accompanied by a service animal may be asked to remove the animal from the university campus, a facility or a program if:

1. Disruption: The service animal is unruly, obtrusive, aggressive or disruptive. The animal may not be allowed in any University facility until the owner/keeper takes significant documented steps to mitigate the behavior. Mitigation can include muzzling a barking dog or refresher training for both the animal and the owner. Documentation of steps taken must be provided to the Coordinator of Student Disability Services.
2. Threat: If the animal's behavior or presence poses a direct threat to the health or safety of others or to the animal itself. For example, an animal that displays vicious or aggressive behavior towards people may be excluded.
3. Ill Health: Service animals with signs of illness (diarrhea, vomiting, fever, or open sores) should not be on campus. The service animal may return to campus once it is deemed non-infectious or contagious, in writing, by a Missouri licensed veterinarian. This documentation must be provided to the Coordinator of Student Disability Services.
4. Failure to clean up: If the partner/handler fails to clean up as provided above.

## **V. Excluded Areas**

Service animals may also be excluded in areas where the presence of a service animal fundamentally alters the nature of a program or activity or is disruptive. Examples may include, but are not limited to, research labs, areas requiring protective clothing, and food preparation areas. These areas are more thoroughly explained in the next section.

### 1. Areas Off Limits to Service Animals

Research Laboratories: The natural organisms carried by dogs and other animals may negatively affect the outcome of the research. At the same time, the chemicals and/or organisms used in the research may be harmful to service animals.

Mechanical Rooms/Custodial Closets: Mechanical rooms, such as boiler rooms, facility equipment rooms, electrical closets, elevator control rooms and custodial closets, are off-limits to service animals. The machinery and/or chemicals in these rooms may be harmful to animals.

Food Preparation Areas: Food preparation areas, such as those found in campus dining or in the Family & Consumer Sciences Department areas, are off limits to service animals per health codes.

Areas Where Protective Clothing is Necessary: Any room where protective clothing is worn is off-limits to service animals. Examples impacting students include the kiln, chemistry laboratories, wood shops and metal/machine shops.

Areas Where There is a Danger to the Service Animal: Any room, including a classroom, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface; where there is hot material on the floor (e.g., molten metal or glass); where there is a high level of dust; or where there is moving machinery is off-limits to service animals.

## 2. Exceptions

A laboratory director of a research laboratory or an instructor in a classroom or teaching laboratory with moving equipment may allow a service animal in a research laboratory or classroom or teaching laboratory with moving machinery. Admission for each service animal will be granted or denied on a case-by-case basis. The final decision shall be made based on the nature of research or machinery and the best interest of the animal. Example: The machinery in a classroom may have moving parts at a height such that the tail of a large dog could easily be caught in it; this is a valid reason for keeping large dogs out. However, a very small hearing dog may be shorter than any moving part and, therefore, considered for admission to the classroom.

A partner/handler who wants her or his service animal to be granted admission to an off-limits area may be granted on a case-by-case basis. The partner/handler should contact the Coordinator of Student Disability Services.

## **VI. Assistance Animals and Campus Housing**

This policy applies to service animals, which are provided greater access to campus facilities than assistance animals. Individuals who would like to request the use of an assistance animal in campus housing should contact the Coordinator of Student Disability Services. The Coordinator will work with the individual to determine whether the individual is entitled to have an assistance animal as a reasonable accommodation in campus housing facilities.

## **VII. Conflicting Disability Accommodations**

Individuals with conditions affected by the presence of a service animal or an assistance animal should contact the Coordinator of Student Disability Services. The Coordinator will work with the individual to determine whether there is a need for an accommodation.