

## Service and Assistance Animal Policy

Bellarmine University is committed to providing members of the Bellarmine community with disabilities equal access to programs, services, and physical facilities. It is acknowledged that some members of the community with disabilities may require the use of service or assistance animals while at Bellarmine. Set forth below are guidelines concerning the appropriate use of and protocols associated with service animals and assistance animals. Bellarmine reserves the right to amend these guidelines as needed, with or without prior notice. Members of the Bellarmine community who are students and require the use of a service or assistance animal should contact the Accessibility Resource Center at 502-272-8490. Members of the Bellarmine community who are faculty and staff members and require the use of a service animal should contact the Chief Human Resources Officer at 502-272-8286. This policy addresses assistance animals, as defined below, while they are on campus.

### **Section I. Definitions**

#### **A. Service Animal**

Under the Americans with Disabilities Act (ADA), “*service animal* means 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 purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual’s disability.” Some examples of work and tasks that are commonly performed by service animals include, but are not limited to:

- Assisting individuals who are blind or have low vision with navigation and other tasks
- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds
- Pulling a wheelchair
- Alerting a person with epilepsy to an upcoming seizure and assisting the individual during the seizure
- Alerting individuals to the presence of allergens
- Alerting a person with diabetes when blood sugar is high or low
- Reminding a person with mental illness to take prescribed medication
- Taking an action to calm a person with post-traumatic stress disorder (PTSD) during an anxiety attack

Service animals are working animals, not pets. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

#### **B. Service Animals in Training**

Kentucky State Law KRS 258.500 provides for individuals to be able to have service animals in public places when the animals are in training. If these animals are being trained by an individual who is not using the service animal for their own personal disability, the training individual should notify the Director of the Accessibility Resource Center. The animal trainer shall follow all of the outlined responsibilities stated in this policy. Upon notification of a service animal in training, the Director of the Accessibility Resource Center will share the information with any needed stakeholders as appropriate, to let them know of the rights and responsibilities of the training individual per this policy.

### **C. Assistance Animal**

The definition of assistance animals under The Fair Housing Act (FHA) and for the purposes of Bellarmine's policies is defined as an animal that is prescribed to an individual with a disability by a healthcare or mental health professional that may work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities, but which are not considered service animals under the ADA. An assistance animal is necessary to afford a person with a disability an equal opportunity to use and enjoy Bellarmine residential living.

There must be a relationship, or nexus, between the individual's disability and the assistance the animal provides. Assistance animals are an integral part of a person's treatment process to assist in alleviating the symptoms of an individual's disability. They are not service animals and do not accompany the individual at all times. Assistance animals are only permitted in the assigned residential room and outdoor spaces under the proper handling. Assistance animals are not permitted in other campus buildings.

### **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. It is not covered by this policy. Residents are not permitted to keep pets, other than fish, on University property or in University housing.

### **E. Approved Animal**

An "Approved Animal" is a service animal or assistance animal that had been granted as a reasonable accommodation under this policy. Assistance animals may not be brought into University housing without expressed approval of University officials.

The Assistance Animal Approval Committee, comprised of University staff members representing the Accessibility Resource Center, Residence Life, and Student Affairs, review applications for assistance animals and service animals living in campus housing.

## **Section II. Procedures for Requesting to have Assistance Animals in University Housing as a Reasonable Accommodation**

The procedures for requesting assistance animals in University housing are outlined below:

1. Assistance animals may not be brought into University housing without expressed approval by University officials. Following are the deadlines for requesting an assistance animal as a housing accommodation:

**Bellarmine University incoming first year and returning students (housing accommodation request received date):**

June 1 for fall semester

November 1 for spring semester

All applications submitted after these dates will be accepted and considered, however there is no guarantee that the late applicant's accommodation needs, including any needs that develop during the semester, can be met.

2. The determination of whether an assistance animal will be permitted in a residence hall is made on a case-by-case basis. In order for an assistance animal to be considered a reasonable accommodation in a residence hall, the following information should be submitted to the Accessibility Resource Center:
  - a. Verification of individual's disability from a therapist, psychologist, physician, psychiatrist, or other qualified professional that meets the documentation guidelines outlined on the Accessibility Resource Center website. Verification provided must be current; within the last 6 months.
  - b. Completed Assistance Animal Verification Form from individual's current mental health provider. Understanding the importance of a well-developed treatment plan, established relationship with mental health provider must be a minimum of 3 months.
  - c. Current vaccination records and proof of compliance with all Kentucky and Louisville/Metro area license requirements (see Section V., Owner's Responsibilities in University Housing).
3. Once all required documentation is submitted to the Accessibility Resource Center a determination will be made by the Assistance Animal Approval Committee within **10** business days. **Applications will not be considered until all of the required information is submitted.**
4. Students whose requests for assistance animals through this process are not granted will have the opportunity to appeal the decision (see section VI. G). All appeals are reviewed by the Dean of Student's Office. Students will receive information about the appeals process upon notification of decision.
5. Upon approval of an assistance animal, Residence Life staff will be notified, as appropriate.
6. Upon approval of an assistance animal, the appropriate Residence Life Coordinator will meet with the student requesting the accommodation and the roommate(s) or suitemates to solicit their acknowledgement of the approval and notify them that the approved animal will be residing in shared assigned living space. Changes in room assignments may be made at this time if roommate(s)/suitemates have any conflicting conditions with the Approved Animal.

### **Section III. Procedures to have Service Animal in University Housing**

Students planning to bring their Service Animal to reside in University housing are required to follow the steps outlined below:

1. A person seeking to keep a service animal in University housing must make a formal request to the Accessibility Resource Center. The individual should submit an Accommodation Request Form so that the student can be assigned to the most appropriate housing location with their service animal, considering the student's needs and preferences. The following deadlines for requesting housing accommodations apply:

**Bellarmine University incoming first year and returning students (housing accommodation request received date):**

June 1 for fall semester

November 1 for spring semester

All applications submitted after these dates will be accepted and considered, however there is no guarantee that the late applicant's accommodation needs, including any needs that develop during the semester, can be met. **Requests for a service animal in campus housing must be submitted annually.**

2. Requests for Service Animals in housing do not require documentation of disability.
3. The Director of the Accessibility Resource Center and the Director of Residence Life will review the request and arrange a meeting with the person requesting the service animal to review policy.
4. Any possible roommates/suitemates will be notified (if applicable) to solicit their acknowledgement that the service animal will be residing in shared assigned living space. Changes in room assignments may be made at this time if roommate(s)/suitemates have any conflicting conditions with the service animal.

#### **Section IV. Conflicting Health Conditions**

Residence Life staff will make a reasonable effort to notify tenants in the residence building where the Approved Animal will be located. Students with medical conditions that are affected by the animals are asked to contact the Accessibility Resource Center 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 that require accommodations when living in proximity to service or assistance animals.

The Accessibility Resource Center will resolve any conflict in a timely manner. In severe situations (severe allergic or behavioral reaction) temporary accommodations can be arranged immediately while a final decision is being negotiated. Staff members will consider the conflicting needs and/or accommodations of all persons involved. In the event that an agreement cannot be reached, the Disability Advisory Committee will review all relevant information and make a final decision that is not subject to appeal.

#### **Section V. Owner's Responsibilities for Approved Animals**

1. **Current Vaccination Records:** The owner must submit to the Accessibility Resource Center annual exams for the animal from a licensed veterinarian that verifies the absence of communicable diseases, fleas, and parasites. The animal must also have updated vaccinations including, but not limited to, the general maintenance vaccine series and any vaccinations deemed necessary by a licensed veterinarian.
2. **Licensing:** The owner must comply with all required Kentucky and Louisville/Metro area license requirements as follows:
  - The owner must have any dog, cat, or ferret vaccinated against rabies by the age of four (4) months and revaccinated at the expiration of the immunization period as certified by the veterinarian. The owner must have the vaccination certificate for the dog, cat, or ferret. The owner of a dog must attach the rabies vaccination tag to a collar or harness worn by the dog.
  - The owner of a dog, cat, or ferret vaccinated against rabies in another state must show proof of a valid rabies vaccination and the date administered. One (1) year after the date of the vaccination, the dog, cat, or ferret must be revaccinated.
  - Individual dog, cat, and ferret licenses are issued in conjunction with a valid rabies vaccination certificate and are valid for the term of the vaccination. License tags are required for each dog or cat four (4) months of age or older. License tags shall be firmly attached to a harness or collar worn by the animal.
3. Approved animals must be under effective control at all times and may not pose a danger or threat to the health and safety of other students, staff, faculty, or guests. The owner is financially responsible for the actions of the Approved Animal including bodily injury or property damage.
4. The Approved Animal's behavior must not be disruptive to its surroundings or other members of the Bellarmine community. Disruptive behavior includes, but is not limited to jumping on people, barking,

growling, taking food from dining area tables, or taking personal belongings of individuals other than the owner.

5. All roommates or suitemates of the owner must sign an agreement allowing the Approved Animal to be in residence with them. In the event that one or more roommates/suitemates do not approve, or a roommate/suitemate has a conflicting health condition, either the owner and animal or the non-approving roommates/suitemates may be moved to a new location.
6. The owner is responsible for ensuring that the assistance animal is contained, as appropriate, when the owner is not present during the day while attending classes or other activities.
7. Approved Animals do not require a deposit, but the owner is responsible for costs associated with any damage caused by the animal.
8. The Approved Animal must be housebroken, when applicable. If the animal requires outside toileting, it must be under the owner's direct physical control with a harness, leash, or other tether.
9. An Assistance Animal must be contained within the privately assigned individual living accommodations (e.g., room, suite, apartment) except to the extent the individual is taking the animal out for natural relief. When an Assistance Animal is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. Assistance Animals are not allowed in any University facilities other than University residence halls (e.g., dormitories, suites, apartments, etc.) to which the individual is assigned and are not permitted to go on University sponsored trips.
10. When outside the residence the owner of the assistance animal must carry proof that the animal is an Approved Animal. The Accessibility Resource Center will provide documentation.
11. The owner must notify the Accessibility Resource Center in writing if the Approved Animal is no longer needed or is no longer in the Residence Halls. To replace an Approved Animal, the owner must file a new request.
12. Owners of Approved Animals are solely responsible for cleaning up and disposing of all animal waste (both indoors and outdoors) in a timely, effective fashion and in appropriately designated areas. Appropriate disposal of dog and cat waste is required by the City of Louisville. Owners are responsible for communicating with their Residence Life Coordinator to find out the predetermined designated area for toileting.
13. Indoor animal waste must be placed in a sturdy, plastic bag and securely tied before being disposed of in outside trash cans, litter boxes should be placed on mats so that waste is not tracked onto floor surfaces.
14. Residents must provide appropriate food, water, and shelter for Approved Animals. If Bellarmine facilities are used to bathe the animal, the owner will clean the area when done.
15. Roommates/Suitemates cannot be responsible for the care or supervision of the Approved Animal.
16. The owner of the Approved Animal must provide contact information of an identified alternate handler; an individual who will be responsible for the animal in the event that the student is absent or unavailable. This cannot be another student living on campus. The individual must live within 30 miles of campus.
17. Owners must not leave assistance animals alone overnight in University housing. If the owner is to be

absent from his/her residence hall 24 hours or longer, the animal must accompany the owner. In the event that an assistance animal is left alone overnight and is not being properly cared for, Residence Life staff will attempt to contact the owner or the emergency contact to remove the animal. If this is not successful, Residence Life may notify the local Humane Society or Louisville Metro Animal Services and seek to have the animal removed. All costs associated with removing the animal shall be the responsibility of the owner.

18. Any violation of the above rules may result in immediate removal of the Approved Animal from the University and may be reviewed through the Judicial Process. The owner will be afforded all rights of due process and appeal as outlined in that process.

## **Section VI. Guidelines for Maintaining an Approved Animal at Bellarmine University**

### **A. Requirements for Faculty, Staff, Students**

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

- a. Allow a service animal to accompany its owner at all times and in all places on campus, except where animals are specifically prohibited.
- b. Do not touch or pet a service or assistance animal unless invited to do so.
- c. Do not feed a service or assistance animal.
- d. Do not inquire for details about the owner's disabilities. If it is not readily apparent what work an animal performs, Bellarmine personnel will limit inquiries to only two questions, which are:
  - 1) Is this animal a service animal required because of a disability?
  - 2) What task or work has this animal been trained to perform?

University faculty and staff may also inquire into the training cues or other signs given to the animal to perform a task or work in order to distinguish the service animal from an ordinary pet or animal. If an owner or handler refuses to provide the above information, University faculty and/or staff may refuse to allow the animal to enter or remain on campus property.

### **B. Notification of Approved Animal to Campus Community**

- a. The Accessibility Resource Center will contact appropriate University entities (housing, food service, facility services, Office of Public Safety, etc.) to make them aware that there is an Approved Animal on campus.
- b. Residence Life will contact the Accessibility Resource Center to report any changes or problem behavior in Approved Animals.
- c. Grounds crew will provide a reasonable location for the Approved Animal to toilet and will keep the animal's toilet area free from obstructions (snow, branches, etc.).
- d. The Accessibility Resource Center will coordinate all classroom and other campus

accommodations for service animals with appropriate faculty and/or staff.

- e. Faculty and staff should contact the Accessibility Resource Center if they have concerns over the use of a service animal in a particular classroom or other course-related setting or location.
- f. The Accessibility Resource Center will make contact with the identified alternate handler in the case of an emergency.

### **C. Removal of Approved Animal**

The University may exclude/remove an Approved Animal when:

1. The animal poses a direct threat to the health or safety of others. In such situations, immediate removal of the Approved Animal is warranted while the case is reviewed.
2. The animal's presence results in a fundamental alteration of the University's program.
3. The owner does not comply with Owner's Responsibilities (Section V).
4. The animal or its presence creates an unmanageable disturbance or interference with the Bellarmine community.

When appropriate, Accessibility Resource Center staff will meet with the student to determine what changes can be made in order to prevent the removal of an Approved Animal from campus. The University reserves the right to request that the Approved Animal be removed from campus while the case is reviewed.

### **D. Liability and Insurance**

Bellarmino University/Commonwealth of Kentucky provides no indemnification to the Approved Animal or owner. Bellarmine University/Commonwealth of Kentucky provides no personal property insurance coverage. The owner shall be responsible for all liability related to the Approved Animal and all insurance requirements related to the animal.

### **E. Areas Off Limits to Service Animals**

For individuals and visitors who are not employees or students on campus, service animals will be permitted at campus locations which are generally open to the public, such as the student center, restroom facilities, common areas and recreational facilities (when not restricted by a pass, permit or ticket).

For individuals who are either employees and/or students, service animals will be permitted at campus locations where staff and/or students are allowed access for purposes of employment and/or academic matters, such as general classrooms, offices, residence halls and assembly areas.

The University may prohibit the use of service animals in certain locations because of health and safety restrictions (e.g., where the animals may be in danger, or where their use may compromise the integrity of research). Restricted areas may include, but are not limited to, the following areas: custodial closets, boiler rooms, facility equipment rooms, research laboratories, classrooms with research/demonstration animals, areas where protective clothing is necessary, rooms with heavy machinery, and areas outlined in state law as being inaccessible to animals.

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

All areas except for privately assigned living space in housing and designated outdoor toileting areas, if

applicable, are off limits to approved Assistance Animals without prior authorization from the Accessibility Resource Center.

### G. Appeals and Grievances

If the decision is made to deny a request or remove a service or assistance animal, the owner may request an appeal of the decision in writing to the Dean of Student's Office. Appeal requests must state a specific reason for reconsideration. Appeals will be reviewed by an ad hoc committee including relevant personnel. To replace an Approved Animal, the owner must file a new request with the Accessibility Resource Center.

Any student who believes that he or she has been subjected to discrimination on the basis of disability or has been denied access or accommodations required by law has the right to invoke the Grievance Procedure. This Grievance Procedure is designed to address disagreements or denials regarding requested services, accommodations, or modifications to university academic practices or requirements. The Accessibility Resource Center Grievance Policy can be found at <http://www.bellarmino.edu/studentaffairs/disabilityservices/grievance/>.

**By my signature below, I verify that I have read, understand, and will abide by the guidelines outlined here. I understand that all requests for assistance animals in residence halls are subject to periodic review to determine the ongoing need for the accommodation. I further understand that I assume full responsibility, financial or otherwise, for the actions of my Approved Animal.**

\_\_\_\_\_  
Student Name (Print)

\_\_\_\_\_  
Student ID Number

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Campus Residence

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Type of Animal and Name of Animal

\_\_\_\_\_  
Accessibility Resource Center Representative

\_\_\_\_\_  
Date

### Alternate Caregiver for Animal

In the event of an emergency, such as hospitalization, or other absence of owner, the animal must be left in the care of an individual off campus who will assume responsibility and possession. This individual must live within 30 miles of campus.

\_\_\_\_\_  
Alternate Caregiver Contact Name

\_\_\_\_\_  
Relationship to Owner

\_\_\_\_\_  
Alternate Caregiver Address

\_\_\_\_\_  
Phone Number