



Student Service Animal Policy and Emotional Support Animal Policy

I. Statement of Policy

Rockhurst University supports the use of service animals and emotional support animals on campus by students with disabilities in appropriate circumstances and in accordance with this policy. Those with questions about the use of service animals or emotional support animals should refer to this policy and/or contact the Student Accessibility Services Coordinator.

II. Definitions

A. Service Animals are defined under the Americans with Disabilities Act (“ADA”) as dogs that are individually trained to do work or perform tasks for people with disabilities. Service animals are working animals, not pets. The work or tasks performed must be directly related to the individual’s disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals.

- I. Examples of work or tasks that service animals perform include, but are not limited to:
 - a. assisting individuals who are blind or have low vision with navigation and other tasks
 - b. alerting individuals who are deaf or hard of hearing to the presence of people or sounds
 - c. pulling a wheelchair
 - d. assisting an individual during a seizure
 - e. alerting individuals to the presence of allergens
 - f. retrieving items such as books or the telephone
 - g. alerting a person to a sudden change in blood sugar levels
 - h. providing physical support and assistance with balance and stability to individuals with mobility disabilities
 - i. calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack
 - j. and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.
- II. Miniature horses may also be considered service animals in certain situations.

B. Emotional Support Animals – A companion animal that provides therapeutic benefit, such as alleviating or mitigating symptoms of loneliness or other emotional needs. Emotional support animals are not service animals. Emotional support animals will only be permitted in campus residential facilities with prior approval from the Student Accessibility Services Coordinator, pursuant to the procedures and standards outlined below.

- C. Owner – A student who has an approved emotional support animal in University owned residential housing.
- D. Handler – A person with a disability that a service animal assists or a personal care attendant who handles the animal for a person with a disability.
- E. Reasonable Accommodations – Reasonable accommodations are modifications or adjustments to the tasks, environment or to the way things are usually done that enable individuals with disabilities to have an equal opportunity to participate in an academic program, activity, or a job. When related to Emotional Support Animals and Service Animals, this includes changes that enable a student with a disability to perform the essential functions of an academic or residential program, and changes that enable a student with a disability to enjoy equal benefits and privileges of the program.

III. Responsibilities of Handlers/Owners

- A. Laws, Ordinances, and Policies – Handlers/owners are responsible for complying with all state laws and local animal ordinances and are subject to all University policies and guidelines, including those regarding Residence Life.
- B. Health and Vaccination – All Emotional Support Animals and Service Animals must be old enough to receive the full series of required vaccinations. Animals must be immunized against diseases common to that type of animal. All vaccinations must be current and updated paperwork presented to the Student Accessibility Services Coordinator annually. All Emotional Support Animals must be old enough to be spayed/neutered, if applicable to that animal. Vaccination documentation must be provided to the Student Accessibility Services Coordinator for verification and approval prior to the animal being allowed into any University owned residence space. The ASPCA provides guidance for what immunizations need to be recorded for the animal to be approved:
 - I. ***For Dogs:*** Vaccines for canine parvovirus, distemper, canine hepatitis and rabies are considered core vaccines. Non-core vaccines are given depending on the dog's exposure risk. These include vaccines against *Bordetella bronchiseptica*, *Borrelia burgdorferi* and *Leptospira bacteria*.
 - II. ***For Cats:*** Vaccines for panleukopenia (feline distemper), feline calicivirus, feline herpesvirus type I (rhinotracheitis) and rabies are considered core vaccines. Non-core vaccines are given depending on the cat's lifestyle; these include vaccines for feline leukemia virus, *Bordetella*, *Chlamydomphila felis* and feline immunodeficiency virus.
- C. Caring for the Animal – The cost of care, arrangements and responsibilities for the well-being of the animal are the sole responsibility of the handler/owner at all

times. Rockhurst University will accept no responsibility for the care of any animal covered by this policy.

- I. Animals must be well groomed (residential facilities such as showers, tubs, sinks, and the like may not be used for this purpose).
- II. The owner is responsible for providing a kennel/cage/enclosure for animals when the owner is not present during the day.
- III. Animals cannot be left unattended overnight at any time.
- IV. If the handler/owner must be away overnight, they must either take the animal with them or arrange for it to be cared for elsewhere in an off-campus location.
- V. Animals cannot be confined to a vehicle, tethered or abandoned at any time.
- VI. Regular and routine cleaning of floors, kennels, cages, etc. must occur.
- VII. The odor of an animal emanating from a University owned residence space is not acceptable.
- VIII. The owner is required to ensure the animal is well cared for at all times. Any evidence of mistreatment or abuse may result in immediate removal of the animal.
- IX. All dogs, cats, and ferrets must have a current city license always displayed on its collar per the requirements outlined in the Kansas City Code of Ordinances. Information on this can be found on KCMO.gov.

- D. Keeping the Animal Under Control – The animal must respond to voice and/or hand commands at all times and be fully controlled by the handler/owner.
- E. Being Responsible for Damage/Personal Injury Caused by the Animal – Handlers/owners are personally responsible for any damage/personal injury caused by their animals and must take appropriate precautions to prevent property damage. The handler/owner will be required to pay for any damages caused by the animal.
- I. An individual with an animal covered by this policy in a University owned residence space has an obligation to make sure that his/her space is as clean and damage-free as the original standard, excepting normal wear and tear. When the individual moves out of residential housing or no longer owns the animal, the residence will be assessed to determine if damage to University property or extraordinary cleaning costs are attributable to the animal. If so, the owner will be financially responsible for associated costs. The University maintains the right to conduct facility inspections for the purpose of assessing damage caused by the animal or otherwise determining the owner's compliance with this policy.
- F. Flea Infestation – Any flea infestation must be attended to promptly by a professional extermination company coordinated by the University at the owner's expense. Owners are expected to promptly notify the Physical Plant and arrange for extermination when a flea problem is observed. Animal owners may take some

precautionary measures such as: flea medications prescribed by veterinarians, flea and tick collars, and/or taking the animal to the veterinarian for flea and tick baths. Not all the precautions listed here can prevent flea and tick infestations, the owner is responsible for extermination costs after vacating their residential area if fleas or ticks are found to be present anywhere in the residence.

- G. Being Responsible for Waste – Cleaning up after the animal is the sole responsibility of the handler/owner and it must be done so immediately. In the event that the handler/owner is not physically able to clean up after the animal, it is then the responsibility of the handler/owner to delegate someone capable of cleaning up after the animal. Continued failure to comply with waste clean-up and removal may result in disciplinary action up to and including removal of the animal, dismissal from the residence, and/or dismissal from the University. Additionally, the owner may be fined for all clean up costs incurred because of failure to clean up and remove any animal waste. All waste must be placed in an outside garbage receptacle. Animal feces may not be disposed of in any indoor trash receptacle or through the sewer system inside any building at Rockhurst University.
- H. Leash Requirements – Service animals should be on a leash at all times, unless the owner is unable to use a leash due to a disability or the use of the leash would interfere with the animal's ability to perform its duties. Emotional support animals must be on a leash or in a crate or appropriate carrying method when leaving a University owned residence space for outdoor relief, exercise, or to go to an off-campus location.
- I. Observing Good Animal Etiquette – To the greatest extent possible, the handler/owner should ensure that the animal does not display behaviors or make noises that are disruptive or frightening to others, unless it is part of the service being provided to the handler (e.g., barking to alert the handler of danger). The animal must possess friendly and sociable characteristics.
- J. Other Conditions and Restrictions – In response to a particular situation, Rockhurst University reserves the right to impose other reasonable conditions or restrictions on the use of service animals and emotional support animals as necessary to ensure the health, safety, and reasonable enjoyment of University programs and activities by others.

IV. Service Animals

- A. Service Animals Process for Students – While trained service animals are welcomed in all public facilities, students with disabilities who wish to bring a service animal to Rockhurst University campus will follow the University ADA accommodations request process. Service animals are considered part of ADA accommodations and must be part of a student's ADA plan and therefore must be registered with the Student Accessibility Services Coordinator. Upon receipt of

accommodation request for a trained service animal, the Student Accessibility Services Coordinator will engage in communication with the student.

- B. General Standards for the Removal of Service Animals – The decision to remove a service animal will be made on a case-by-case basis, considering all surrounding circumstances. When an animal has been properly removed pursuant to this policy, Rockhurst University will work with the handler/owner to determine reasonable alternative opportunities to participate in the University's services, programs, and activities without having the animal on the premises. However, the following general standards reflect reasons why an animal may be removed or disapproved:
- I. The animal poses a direct threat to the health or safety of others. For example, the animal displays vicious behavior towards others or has a serious illness.
 - II. The animal causes or would cause substantial physical damage to the property of the University and other community members, including but not limited to students, faculty, staff, and visitors.
 - III. The animal poses an undue financial and administrative burden to the University.
 - IV. The animal would fundamentally alter the nature of the University's housing and/or general operations.
 - V. The animal is out of control and the handler/owner does not take effective action to control it. If the out-of-control behavior happens repeatedly, the handler/owner may be prohibited from bringing the animal into University facilities until the handler/owner can demonstrate that he/she has taken significant steps to mitigate the behavior.
 - VI. The animal is not housebroken.
 - VII. The handler/owner does not abide by his/her responsibilities as outlined in this policy.
- C. Permitted Inquiries – In general, members of the Rockhurst University community should not ask about the nature or extent of a person's disability. The handler should not be asked for documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, Rockhurst University community members should not make inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., if the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability). However, as permitted by the ADA, if it is not obvious that the animal is required because of a disability, the handler may be asked:
- I. If the animal is required because of a disability, and
 - II. The work or task the animal has been trained to perform.

- D. Areas Off Limits to Service Animals – While service animals are generally allowed to go anywhere on campus that the handler is allowed to go, there are certain areas where the presence of a service animal fundamentally alters the nature of a program or activity or is disruptive. Student handlers will work with the Student Accessibility Services Coordinator to identify the locations that are off limits to service animals.
- E. Campus Locations Where Service Animals May Require Additional Permissions – When considering overall safety and out of an abundance of caution for owner/handler, service animal, and other students, some campus locations may require additional permissions and action plans to be approved prior to a service animal's presence.
- I. This includes, but is not limited to, science or art classes where chemicals or other harmful agents may be in use, areas of food preparation, mechanical workspaces, and/or science laboratory sections where sharp objects (scalpels, scissors, needles, etc.) may be present. A service animal may be denied access to certain spaces on campus due to the inability to remove dangerous chemicals, harmful substances, or other materials that may cause harm to the service animal. In the event of a denial, an alternative learning experience that still meets the course requirements and outcomes will be provided.
 - II. The owner/handler, Student Accessibility Services Coordinator, and faculty/staff will meet to establish in-class protocols and to devise an approved safety plan to ensure the safety of everyone involved. Such permissions/protocols may include requiring the service animal to wear protective equipment (eyewear/goggles, lab coat, waterproof paw coverings, etc.), ensuring safe access in and out of the setting, finding appropriate lab partners (as applicable), and choosing appropriate locations within the setting where the animal may safely remain near the owner/handler without endangering itself or others. Costs of required animal protection is at the expense of the owner/handler.
 - III. The owner/handler recognizes the risks of bringing their service animal into an environment that may not be conducive for the health and safety of animal. The owner/handler assumes all liability for the safety of the animal and holds the University or employee of the University harmless in the event of harm caused when in a setting that requires additional safety protocols.
 - IV. The owner/handler is allowed to bring their service animal into dining facilities under their supervision. Service animals must be allowed to walk through any space a normal customer/student can walk through, which includes buffet lines, salad bars, and food service lines. Dining facilities are not required to feed or water the service animal during their visit to the facility.

V. Emotional Support Animals

A. Emotional Support Animals (ESAs) Process for Students – Students who wish to bring an emotional support animal into campus residential facilities as an exception to the “no pet” policy must go through the reasonable accommodation process with the Student Accessibility Services Coordinator. While accommodation requests will be accepted and considered at any time, requests should be made as far in advance as is reasonably possible before the student intends to bring the animal to campus in order to ensure timely consideration. An emotional support animal will not be allowed until formal approval has been received.

- I. Upon receipt of request for an emotional support animal, the Student Accessibility Services Coordinator will engage in communication with the student to determine if the use of the animal is a reasonable accommodation. This is an individualized assessment and determinations will be made on a case-by-case basis. If the student requests approval of an animal other than a small, domesticated animal that is traditionally kept in the home, the University may seek additional information supporting the request.
- II. In order for an emotional support animal to be considered as a reasonable accommodation for a student with an emotional need, supportive documentation from a professional healthcare provider (on letterhead) that includes the following information must be provided. A disability for purposes of fair housing laws exists when a person has a physical or mental impairment that substantially limits one or more major life activities. Students and health care professionals should consult the following information to understand what information is needed to support an accommodation request. The University relies on health care professionals to provide accurate information to the best of their knowledge consistent with professional obligations, and relying on personal knowledge of the student as their patient/client.
 - a. A current (within the last 5 years) diagnostic statement that identifies the emotional need, including date of initial and most current medical diagnosis/disability/impairment, any evaluations/testing that support the diagnosis, and a description of the functional limitation of the emotional need. This is a Rockhurst University requirement for students requesting accommodations through the Student Accessibility Services Coordinator.
 - b. Information regarding the relationship between the emotional need and the relief the animal provides.
 - c. Information regarding the type of animal for which the reasonable accommodation is sought; and
 - d. Information that demonstrates the animal is necessary for the student to use and enjoy his/her living arrangement.

- III. In addition, an owner with an approved emotional support animal must keep the animal within the owner's University owned residence space. Students are not permitted to bring emotional support animals into any other building on campus or any University events. When the student is not in their University owned residence, the student must kennel/cage/enclose their animal.

B. General Standards for the Removal/Disapproval of Emotional Support Animals – The decision to remove or disapprove/remove an emotional support animal will be made on a case-by-case basis, considering all surrounding circumstances.

However, the following general standards reflect reasons why an animal may be removed or disapproved:

- I. The animal poses a direct threat to the health or safety of others. For example, the animal displays vicious behavior towards others or has a serious illness.
- II. The animal causes or would cause substantial physical damage to the property of the University and other community members, including but not limited to students, faculty, staff, and visitors.
- III. The animal poses an undue financial and administrative burden to the University.
- IV. The animal would fundamentally alter the nature of the University's housing and/or general operations.
- V. The animal is out of control and the handler/owner does not take effective action to control it. If the out-of-control behavior happens repeatedly, the handler/owner may be prohibited from bringing the animal into University facilities until the handler/owner can demonstrate that he/she has taken significant steps to mitigate the behavior.
- VI. The animal is not housebroken.
- VII. The handler/owner does not abide by his/her responsibilities as outlined in Section III of this policy.
- VIII. When an animal has been properly removed pursuant to this policy, Rockhurst will work with the handler/owner to determine reasonable alternative opportunities to participate in the University's services, programs, and activities without having the animal on the premises.

VI. Additional Matters

A. Roommates – Upon approval of an emotional support animal, or if a student intends to have a service animal or emotional support animal in residential housing, the student's roommate(s) will be notified (if applicable) that the approved animal will be residing in shared assigned living space and to solicit their acknowledgement of such.

- I. All roommates must sign an agreement allowing the approved animal to be in the residence with them. In the event that one or more roommates

do not approve, the Department of Residence Life will consult with the individuals involved and, based on the circumstances, determine the appropriate course of action, including a switch in housing assignments. The Department of Residence Life may involve the Student Accessibility Services Coordinator if deemed necessary.

- II. If at a point later in time there is a conflict between roommates regarding the animal that cannot be resolved amongst the individuals involved, the Department of Residence Life should be contacted. Appropriate parties will be consulted to reach a solution. The Department of Residence Life may involve the Student Accessibility Services Coordinator if deemed necessary.
- B. Animal No Longer Necessary – The Student Accessibility Services Coordinator should be notified when an animal covered by this policy is no longer in residence or, in the case of emotional support animals, is no longer needed as an accommodation.
- C. Conflicting Disabilities – Some people may have allergic reactions, asthma, respiratory diseases, etc. to animals that are substantial enough to qualify as disabilities. Rockhurst University will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities to resolve the problem as efficiently and expeditiously as possible. For all other situations where adverse reactions are not defined as a disability, all reasonable attempts will be made to modify classroom environments where a service animal is present to ensure the safety of the animal, handler, and other individuals in the classroom space. Students requesting allergy accommodations should contact the Student Accessibility Services Coordinator.
- D. Visitors – At Rockhurst University, visitors and community members can bring service animals to campus. Emotional Support Animals are not permitted in University owned buildings.
- E. Concerns – Concerns regarding an animal covered by this policy can be brought to the attention of the Student Accessibility Services Coordinator. Visitors may also raise concerns regarding this policy and an approved animal.
- I. Also, individuals with animals covered by this policy in residential housing should understand that issues may arise with other residents. The individual with the animal should be receptive to these concerns and, if necessary, contact the Department of Residence Life for assistance in resolving the situation. The Department of Residence Life may involve the Student Accessibility Services Coordinator if deemed necessary.
 - II. Other residents with minor concerns about an animal in their University owned residence space may discuss the matter with the owner/handler or talk with a representative of the Residence Life staff. Major concerns of

neglect, safety, or concerning behaviors should immediately be brought to the attention of the Student Accessibility Services Coordinator.

VII. Grievance Procedure Related to Disability Accommodations

Students who have not been granted requested accommodations will receive a letter with an explanation. A student who has been denied accommodations may appeal the determination by first meeting with the Student Accessibility Services Coordinator within 14 days of the denial letter. If the Student Accessibility Services Coordinator and the student are unable to resolve the problem, the student may file an appeal with the Senior Director of Student Success. The written appeal must specify the nature of the dispute and any prior attempts to resolve the matter. The written complaint should be filed within 14 days of the meeting with the Student Accessibility Services Coordinator. The Senior Director of Student Success will conduct an investigation. As part of that investigation, the student and the other party may be asked to identify any witnesses (if necessary) and to submit any other evidence they wish to be considered. The Senior Director of Student Success will complete the investigation within 30 days of receiving the written complaint from the student, if practical. The Senior Director of Student Success will review accommodation requests and supporting documentation along with any other witnesses or evidence provided. A determination will be made, and the student will be notified. If the student does not agree with the appeal determination, they may write a final formal appeal to the Vice President of Academic Affairs/Provost. If the student's dispute is with Student Accessibility Services Coordinator, the student should file a written complaint with the Senior Director of Student Success.