

Alabama Agricultural and Mechanical University Service and Support Animals Policy

Alabama Agricultural and Mechanical University (AAMU) recognizes the importance of Service and Support Animals to individuals with disabilities and has adopted a policy to ensure that people with disabilities who require the use of service or support animals as a reasonable accommodation receive the benefit of the work, tasks, or therapeutic support performed by such animals. AAMU's service and support animal policy complies with all applicable Titles of Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act (ADA) of 1990, U.S. Department of Housing and Urban Development (HUD), and Fair Housing Act (FHAct). As such, AAMU permits all individuals with disabilities, which include employees, students, and visitors who require service animals access to all facilities, university owned housing, transit vehicles, and programs held on the campus of AAMU; whereas, individuals with disabilities who require assistance/comfort/therapeutic animals are only permitted access in university owned housing provided certain conditions are met as outlined by Disability Services (DS).

The ADA and FHAct/Section 504 Definition of "Service and Support Animals"

The Department of Justice (DOJ) amendments to its regulations for Titles II and III of the Americans with Disabilities Act (ADA) limits the definition of a service animal to include **only dogs** that are 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.

In addition to the provisions about service dogs, revised ADA regulations have a new, separate provision about **miniature horses** that have been individually trained to do work or perform tasks for people with disabilities. Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 to 100 pounds. The regulations set out four assessment factors to assist entities in determining whether miniature horses can be accommodated in their facility. The assessment factors are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

Support animals, sometimes referred to as emotional support animals, therapy animals and/or companion animals, are **not** service animals under the ADA. This definition, however, does not limit AAMU's obligations to make reasonable accommodations for assistance under the FHAct or Section 504. In situations where the ADA and the FHAct/Section 504 apply simultaneously, AAMU **must** meet its obligations under both the

reasonable accommodation standard of the FHAct/ Section 504 and the service animal provisions of the ADA.

An assistance animal is not a pet. It is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. Assistance animals perform many disability-related functions, including but not limited to, guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing protection or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support. For purposes of reasonable accommodation requests, neither the FHAct nor Section 504 requires an assistance animal to be individually trained or certified. While dogs are the most common type of assistance animal, other animals such as miniature horses can also serve as assistance animals.

Registration and Management of Service and Support Animals

The Director of Disability Services (DSS) will determine if an animal meets the criteria of a service animal as defined by the ADA.

Registering a Service and Support Animal on Campus

- (1) The individual with a disability should contact the Office of Veterans Affairs and Disability Services (VADS) as soon as he or she is aware of plans to bring a service or support animal to campus.
- (2) To register a service or support animal on campus, the individual with a disability should complete the Service or Support Animal Registration Form and submit it to the Office of Veterans Affairs and Disability Services, which is located in Carver Complex South, Room 106.
- (3) When it is not obvious what service the animal provides, the student must provide from a certified clinician a letter which substantiates: (1) if the service or support animal is required because of a disability, and (2) what work or task the service or support animal has been trained to perform. The letter **must** be dated and on letterhead, then submitted to the Office of Veterans Affairs and Disability Services.

Management of a Service or Support Animal

- (1) The student or visitor (hereafter known as "handler") of the service or support animal **must** show proof that the animal has been vaccinated against rabies as required by the State of Alabama. It is further highly recommended by the State of Alabama that the animal has been vaccinated against distemper/adenovirus/parainfluenza/ parvovirus (DAPP).
- (2) The handler of the service or support animal **must** assume full responsibility and demonstrate full control of the animal at all times. The handler **must** maintain control of the animal through voice, signal, or other effective controls. If the animal

is not under the control or poses a risk to the health and/or safety of others, the handler may be asked to remove the animal.

- (3) Service animals **must** be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the handler's disability prevents using these devices.
- (4) The handler **must** be in the presence of the service animal at all times.
- (5) The service animal **must** be clean and in good health.
- (6) The handler is responsible for cleaning and removing or arranging for the removal of the animal's waste. Feces **must** be disposed of properly. This includes University common areas and exterior property such as sidewalks and etc.
- (7) To the extent possible, the service animal should be unobtrusive to other students and the learning environment.

Conflicting Medical Conditions

Individuals with medical or psychological conditions affected by service or support animals should contact the Office of Veterans Affairs and Disabilities Services (VADS) if there is a health or safety concern about exposure to a service animal. The person reporting the concern will be asked to provide medical documentation to VADS and, sign a Release of Information Form to the Student Health and Wellness Center so that a determination may be made regarding a need for accommodation.

Student Health and Wellness Center

Except in emergency visits, the handler of a service animal **must** notify the staff in the Student Health and Wellness Center in advance of the presence of a service animal to ensure that patient safety is not compromised, as well the need to minimize the risk of exposing the service animal to infections and disease.

Harassing, Injuring or Causing the Death of a Service Animal

Effective August 1, 2016, it is the policy (Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901) of the State of Alabama to recognize the special role and value of service dogs, not only in the lives of those persons who use them, but also in society at large and, to encourage the use of service dogs by persons with disabilities, and to recognize that those persons have a right to use service dogs without any interference with or injury to the service dog.

As such, it is unlawful in the State of Alabama and, considered a Class A, B, or C misdemeanor for a person who has received notice and found guilty of his or her behavior as harassing with malice or reckless disregard, and/or caused injury or death to a service dog without legal justification.

In such, reports filed with the Office of Public Safety against individuals on the campus of Alabama A&M University will be handled in accordance with the Student Code of Conduct and applicable laws of the State of Alabama.

Appeal/Grievance Procedure

If a student feels as though his/her request for an animal has been unreasonably denied, he or she may submit a written appeal to the DSS for reconsideration. All appeals/grievance will be reviewed by a Committee consisting of the Director of Health and Counseling Center, Director of Residential Life, Director of Physical Facilities, Chief of Public Safety, and an ADA student. The DSS and General Counsel will serve as the Chairs of the Committee, however, DSS nor General Counsel will serve as a voting member. The Committee will have the ability to require mediation or require the handler to remove the animal from the residence hall or campus if it is determined that the behavior, odor, or etc. of the animal is in violation of the AAMU's policy and procedures.

Policy: Approved by Board of Trustees June 24, 2016

VADS Service Animal Request Form

Date

Name of Residence Hall/Building

Person Assisted By Animal

Name of Handler (if not person with disability)

Please Check Which Apply: Commuter Student Residential

Type of Animal: Dog Miniature Horse Other

If checked other, please specify

Name of Animal

If it is not readily apparent that the animal qualifies as a service animal, please answer the following questions:

Is this a service animal that is required because of a disability? Yes No

What work or task has the service animal been trained to perform?

The following documentation has been attached:

Proof of Current Licensure

Proof of Current DAPP Vaccination

Proof of Rabies Vaccination

Other (Please specify) _____

I have read and understand Alabama A& M University's Service and Support Animal Policy. I agree to abide by the terms of the Policy. I fully understand that if my animal is out of control, not housebroken, presents a direct and immediate threat to others at AAMU, or fundamentally alters the nature of the service, program, or activity that cannot be eliminated by reasonable modifications, AAMU may ask or exclude my animal from its campus.

Furthermore, I (as handler) agree to assume full responsibility for any and all claims, actions, suits, judgments, and demands brought by any party, to include but not limited to university personnel, student or visitors arising on account of, or in connection with, any activity of or damage caused by my service animal while on the campus of Alabama A&M University.

Owner's Signature

Date

Handler's Signature

Date

VADS Use Only

Date Received _____

Approved

Denied

Comments: _____

VADS Support Animal Request Form

Alabama Agricultural and Mechanical University (AAMU) recognizes the importance of Service and Support Animals to individuals with disabilities and, therefore, adopted a policy to comply with the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, U.S. Department of Housing and Urban Development (HUD), and the Fair Housing Act (FHAct). Therefore, in order to request accommodations for a support animal in one of AAMU's residence halls, the student must meet the definition of a person with a disability under the (ADA), and have documentation of your disability on file with the Office of Veterans Affairs and Disability Services (VADS). The student **must** submit the Support Animal Request Form, including the documentation verifying licensure (if applicable), proof of vaccinations for rabies (required) and DAPP (not required, but highly recommended), as well as any other pertinent documentation of your animal's current health condition. Additionally, the student must provide written documentation of the need for a support animal to the Director of Disability Services (DSS) by a qualified professional (i.e. physician, licensed counselor, psychiatrist, psychologist, or social worker, etc.) with whom the student has an established treatment history for the specific condition necessitating a support animal. This documentation **must** state that the support animal provides support in alleviating at least one of the effects or symptoms of the existing disability. Note: The treating medical professional may **not** be related to the student. Documentation should be mailed to: Director of Veterans Affairs and Disability Services, Carver Complex South, Room 106, Alabama A&M University, Normal, Alabama 35762; or emailed to sanoyia.williams@aamu.edu or faxed to 256-372-5243.

Please complete the following:

Name _____ Banner # _____

Check the semester and identify the academic year for which you are requesting a service animal: Fall [] Spring [] Summer [] Academic Year _____

Name of Residence Hall Assigned: _____

Name of Roommate/Suitemates (if applicable): _____

Type of Animal: _____ Breed: _____

Weight: _____ Size (Height/Length): _____ Sex: _____

Please describe the type of living environment this animal needs (i.e. humane conditions regarding size of space, temperature needs, interaction/exercise needs, etc.)

Please describe how you plan to meet the care needs of this animal in the residence hall environment given your academic and extracurricular schedule. Please remember you or the handler is solely responsible for the upkeep, including, feeding, watering, grooming, etc. of the support animal. AAMU will not permit other individuals to access the student's residential space for the purpose of animal care.

Completion of Application Steps

All steps must be completed for consideration. Initial and date the following steps as completed:

Initials	Date	Application Steps
_____	_____	Filed ADA documentation with VADS
_____	_____	Submitted medical documentation regarding the need for a support animal to VADS and the Student Health & Wellness Center.
_____	_____	Animal Records submitted to VADS, the Student Health & Wellness Center, and Residential Life.
_____	_____	Completed and submitted the VADS Support Animal Request Form
_____	_____	Obtained a signed agreement with all impacted roommates/suitemates to the presence of this animal, if approved.

I have read the entire VADS Service and Support Animal Policy and Student Code of Conduct and understand that I am bound by these policies at all times. I give my permission to the Director of Veterans Affairs and Disability Services, Director of the Student Health and Wellness Center, Public Safety, and my Residence Hall Director, or their designees to confirm all my information as reported with this application. I further understand that any inaccuracies in my application would be viewed as a direct violation of the Code of Conduct and is subject to referral to the Office of Judicial Affairs.

Signature of Student

Date

VADS Use Only
Date Received _____ [] Approved [] Denied Comments: _____