

Lycoming College Service Animal Policy

Lycoming College is committed to support individuals with disabilities and adheres to federal and state law in considering animals as a reasonable accommodation. This policy establishes behavioral guidelines for service animals. Further, this policy establishes responsibilities for the service animal's partner, the Office of Disability Support Services, and faculty and staff, as appropriate.

The Department of Justice under the Americans with Disabilities Act defines a **Service Animal** as a dog trained to perform tasks for the benefit of a person with a disability. Such work/task might include, but is not limited to, guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sounds, pulling a wheelchair, fetching dropped items, ringing doorbells, steadying a person while walking, helping a person up after a person falls. If an animal meets this definition, it is considered a service animal regardless of whether it has been licensed or certified by a state or local government or a training program.

A person with a disability is someone who has a physical or mental condition that substantially limits a major life activity such as seeing, hearing, walking, learning, performing manual tasks, and others.

An animal undergoing training to become a service animal is a **service animal trainee**. A trainee will be housebroken and fully socialized. To be fully socialized means the animal will not, except under rare occasions, bark, yip, growl, or make disruptive noises; will have a good temperament and disposition; will not show fear; will not be upset or agitated when it sees another animal; and will not be aggressive. A trainee will be under control of a partner or a handler, who may or may not have a disability. If the trainee begins to show improper behavior, the partner/handler will act immediately to correct the animal or will remove the animal from the premises.)

A person with a disability is called a **partner**. A person without a disability who has control of the service animal is called a **handler**. A partner or a handler and the service animal are referred to as a **team**. A partner and a service animal work together to accomplish the tasks of everyday living.

I. Responsibilities of the Student

Lycoming College provides appropriate accommodations to students with disabilities and encourages students to identify their special needs.

- A. Before bringing a service dog to campus, students are encouraged to meet with the Coordinator of Disability Support Services. This is a voluntary process that allows the Coordinator to help the student address any concerns in advance and ensure a successful transition into classrooms, their residence hall, and other campus buildings.
- B. If appropriate, the student may authorize the Coordinator to notify appropriate campus personnel/offices of the presence of the animal and any special circumstances relevant to service animal usage.

Care and supervision: The care and supervision of a service animal is the sole responsibility of the partner. The animal must be maintained and used at all times in ways that do not

create safety hazards for other persons or alter the use of a space. The partner must be in full control of the animal at all times. Recommended minimal equipment is a leash by which the animal is kept under control.

Vaccination: The animal must be immunized against diseases common to that type of animal. Dogs must have had the general maintenance vaccine series, which includes vaccinations against rabies, distemper, and parvovirus. Other animals must have had the appropriate vaccination series for the type of animal. All vaccinations must be current. Dogs must wear a rabies vaccination tag. [PL1610, 181(12/15/86)]

Licensing: Pennsylvania Law requires all dogs be licensed at the age of 3 months and that the dog wears its current license tag at all times. [PL 784, 225, § 459-202]

Health: The animal must be in good health. Animals (to be housed) in college housing must have an annual clean bill of health from a licensed veterinarian. Service animals that are ill should not be taken into public areas. A partner with an ill animal may be asked to leave college facilities/grounds.

Uncleanliness: Partners with animals that are unclean, noisome and/or bedraggled maybe asked to leave college facilities/grounds. If the animal in question usually is well groomed, consider the animal tidy even though its spring coat is uneven and messy-appearing or it has become wet from weather or weather-related incidents.

Leash: The animal must be on a leash at all times. [PL 784, 225, §305 and City of Williamsport 701.04] unless the leash prevents the animal from performing its duties or poses a safety hazard for the partner.

Cleanup: The partner must follow the City of Williamsport ordinances in cleaning up after the animal defecates (City of Williamsport 701.03).

The College will identify suitable areas where service animals can relieve themselves. Partners should 1) always carry equipment and bags sufficient to clean up the animal's feces and 2) properly dispose of the feces. Persons who are not physically able to pick up and dispose of animal feces are responsible for making all necessary arrangements for assistance. The College is not responsible for these services.

Disruption: The partner of an animal that is unruly or disruptive (e.g. barking, running around, and bringing attention to itself) may be asked to remove the animal from college facilities/grounds. If the improper behavior happens repeatedly, the partner may be told not to bring the animal into any college facility until the partner takes significant steps to mitigate the behavior. Mitigation can include muzzling a barking animal or refresher training for both the animal and the partner.

II. Responsibilities of the Office of Disability Services:

- Verify eligibility of individuals with disabilities to have a service animal on campus.
- Maintain a current roster of students and service animals on campus.
- Collect and keep on file current health certificates of service animals.
- Notify appropriate personnel/campus offices of the student and service animal.
- Familiarize partner with this Service Animal Policy.
- Follow up with student to resolve problems.

III. Responsibilities of Faculty, Staff and Students

- Allow a service animal to accompany the partner at all times and anywhere on campus that the partner is permitted to go.
- Recognize that the service animal is a working animal. Any attempt to interact with the animal (i.e. petting, feeding, entertaining, etc.) will distract the animal from its duties and should be avoided.
- Do not deliberately startle a service animal.
- Service animals are trained to be with a partner always. So, do not separate or attempt to separate a partner from his or her service animal.

In the event of an emergency, individuals responding to the emergency should be trained to recognize service animals and be aware that the animal may be trying to communicate the need for help. The animal may become disoriented from the smell or smoke in a fire or laboratory emergency, from sirens or wind noise, or from shaking and moving ground. The animal may be confused from the stressful situation. These individuals should be aware that the animal is trying to be protective and, in its confusion, is not to be considered harmful. These individuals should make every effort to keep the animal with its partner. However, these individuals should give priority to the partner; this may necessitate leaving an animal behind in certain emergency evacuation situations.

IV. Areas Off-Limits to Service Animals

By law, Service Animals are permitted to accompany their Partners wherever the Partners are allowed to be unless the place of accommodation can demonstrate that the animal will pose a safety hazard to others or a fundamental alteration to the use of the facility.

Examples: If the Service Animal growls or bites, then a case can be made that it is posing a safety hazard. If the Service Animal barks in a college classroom, laboratory, or a library, then it would be altering the use of the facility. If in one's professional judgment, a service animal would compromise the "clean" environment of a hospital area or teaching laboratory, then it could be excluded from that environment.

Exceptions: Those responsible for managing, operating, funding, etc. places of accommodation may make case-by-case exceptions to permit service animals to restricted areas when, in their professional judgment, the benefit to the partner outweighs other concerns.

Note that the ADAAA protects the Partner, not the Service Animal. That is, places of accommodation are not charged with the care and well-being of the animal. So, safety for the animal is not the duty of the place of accommodation. If someone perceives a threat to the animal, that individual should voice those concerns to the Partner to allow the Partner to make an informed decision regarding the welfare of the Service Animal.

Granting Exceptions: A student who wants her or his animal to be granted admission to a restricted area should contact the Coordinator of Disability Support Services. An employee should contact the Director of Human Resources. Visitors should contact the Department of Safety and Security.

V. Resolving Conflicting Disabilities:

Students with concerns regarding their proximity to animals should contact the Coordinator of Disability Support Services about those concerns. If the individual reports a conflicting condition/disability, the individual will be asked to provide documentation that identifies his/her condition/disability and the need for an accommodation and must comply with appropriate procedures. The Coordinator will then facilitate a process to resolve the conflict that considers the needs/accommodations of all persons involved.

VI. Grievances

Any partner dissatisfied with a decision made concerning a service animal should follow the applicable Lycoming College ADA Accommodation Requests and Appeal/Grievance Procedures.

VII. Clarifying Questions and Answers

Q: How can I know if the animal is a service animal and not just a pet?

A: One may ask just two questions.

- 1) Is the dog a service animal required because of a disability?
- 2) What work/task does the dog perform?

One may NOT ask about the nature of the partner's disability, require medical documentation about the partner's disability, 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.

Further inquiries should be directed to the Coordinator of Disability Support Services.

Some partners carry a certification from the school that trained the animal, but certification cannot be required. Many service animals will be wearing a harness, cape, or backpack, but some will only have a leash. It may be possible to discern that an animal is a service animal from the partner's disability, but some disabilities are not visible. You may have to rely on the verbal statement of the partner/handler. You may exercise your judgment concerning whether the partner's statements about the training and functions of the animal make it reasonable to think that the animal is a service animal.

The following factors can be used in evaluating the credibility of the partner's statements.

- The nature of the individual's disability (when the disability is visible);
- The training the animal is said to have received;
- The ability of the animal to behave properly in public places;
- The functions the animal is said to perform for the individual;
- The animal is fully controlled by the partner at all times.

Q: What if an animal acts out of control?

A: Service animals are trained to behave properly in public settings. For example, a properly trained service animal will remain at its owner's feet. It does not run freely, bark or growl at other persons or animals, bite or jump on people, or urinate or defecate inside buildings.

An animal that engages in such disruptive behavior shows that it has not been successfully trained to function as a service animal in public settings. Therefore, you are not required to

treat it as a service animal, even if the animal is one that performs an assistive function for a person with a disability.

You may ask the partner to remove a disruptive or unruly animal. However, you should consider available means of mitigating the effect of an animal's behavior that are acceptable to the individual with a disability (e.g. muzzling a dog that barks frequently) that would permit the animal to remain.

You may not make assumptions about how a particular animal is likely to behave based on past experience with other animals. Each situation must be considered individually. (You may inquire, however, whether a particular animal has been trained to behave properly in a public setting.)

Q: What else should I know about behavior?

A: The service animal should be unobtrusive, not solicit attention, pull or strain on its leash (unless pulling a wheelchair), and not exhibit aggressive or fearful behavior. Aggressive behavior is growling, biting, raising hackles, baring teeth, etc.

However, these examples are not always indicative of aggression. For example, growls are means of communication to dogs and sometimes that communication is valuable and appropriate. A curled lip that exposes the teeth can also indicate the presence of distasteful odors or that something offensive has been picked up on the lip, tooth or gums. It is entirely appropriate for a dog to display a protective or fearful response in certain contexts.

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