

GOUCHER | college

Animal Policy

I. PURPOSE

This policy provides the rules concerning employees, students and visitors who bring animals on college property.

II. DEFINITIONS

Assistance Animal: An assistance animal is any animal that is specifically designated by a qualified medical provider as affording an individual with a disability an equal opportunity to use and enjoy a dwelling, provided there is a nexus between the individual's disability and the assistance the animal provides. Assistance animals include "emotional support" or "therapy animals." Unlike service animals, assistance animals are not trained to perform work or tasks, and they include species other than dogs and miniature horses.

College Property: For the purposes of this policy, college property includes all areas owned or controlled by the college, all workspaces of college employees, all class sites for students, all event sites for college events and all other venues in which the college controls the site.

Controlled Space: For the purposes of this policy, controlled spaces are defined as any indoor area owned or controlled by the college, and any outdoor area owned or controlled by the college with limitations on use or access (e.g., practice fields, stadiums, farm, tennis courts, etc.). Areas open to the public (i.e., streets, lawns, sidewalks, parking lots) with no limitations on access are not controlled spaces.

Handler: A person with a disability who is the owner and user of a service animal or assistance animal, or the owner or person bringing any animal onto college property.

Pet: Any animal that is not trained as a service animal or employed as assistance animal by the handler.

Service Animal: Service animal means any dog or, in certain circumstances, miniature horse, 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. The work or tasks performed by a service animal must be directly related to the handler's disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purpose of this policy. A service animal includes an animal that is in training to become a service animal. The provision of

emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. Thus, dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under this policy.

III. APPLICABILITY

This policy applies to all employees of the college, including all faculty and staff members; to all students; to all alumni, volunteers, donors, business representatives, contractors and others having legitimate business on college property; and to all visitors to the college. It applies to all areas of the campus and all real property and vehicles owned or controlled by the college. It applies to all animals owned or controlled by an individual.

This policy does not apply:

- To animals used in approved college research.
- To animals used in classes on campus, based on requests by faculty for such use. Non-research animals used in classes require prior permission from the Provost.
- To animals used in police, search and rescue operations on college property.
- To animals trained for and used in a clinical therapeutic setting on campus, such as the counseling center or ACE.

IV. POLICY

A. Animals on Campus

Individuals on college property, including employees, affiliates, volunteers, students, business representatives, contractors and visitors, are generally prohibited from bringing animals, including pets, into any buildings or other controlled spaces on college property, except:

- Professional staff who are required to live in the residence halls may have pets in their apartments, under the following conditions and restrictions:
 1. Professional staff are permitted to have the following types, number, and size (where applicable) of pets:
 - one dog weighing no more than 40 pounds, or
 - two cats, or
 - small birds and fish, subject to the provisions stated below.
 2. Dogs and cats are only permitted for those professional staff living in residence hall apartments with a private entrance that does not require the pet to be in common areas of the residence hall.

- Individuals with disabilities are allowed to bring service animals and assistance animals onto college property as provided below in sections **IV. B.** and **IV. C.**
- Students may keep small birds and fish (in aquariums of ten gallons or less) in the residence halls, under the following conditions:
 - Birds must be registered with Residence Life.
 - All roommates must agree to keeping birds or fish in the room or suite.
 - The college reserves the right to limit the type and number of birds or fish permitted.
 - Pets must be contained in cages or aquariums at all times.
- Equestrian program employees may bring their dogs to work in the stable area. Such dogs must remain in the stable area at all times, and must be leashed or otherwise confined at the request of other employees required to perform tasks in the stable area, such as computing services staff. Cats are permitted to live in the stable area.
- Exceptions for events on campus:
 - Blessing of the Animals. Interested members of the Goucher community are welcome to bring their pets to campus to celebrate the Blessing of the Animals on a day designated by the college chaplain. Employees who are unable to bring their pets only for the blessing may bring them to work for the entire designated day, provided they have obtained the prior consent of every other employee in their work area.
 - National Bring Your Dog To Work Day. Employees may bring their dogs to work on National Bring Your Dog to Work Day, provided they have obtained the prior consent of every other employee in their work area.
- Other. Other exceptions to this policy, such as bringing pets to campus for therapeutic reasons after a disturbing campus incident, may be permitted at the discretion of the Vice President and Dean of Students.

B. Service Animals

The college welcomes the presence of trained service animals assisting people with disabilities on its campus in controlled spaces and in all areas that are open to the public, consistent with the provisions of this policy and applicable law. A service animal is generally permitted to be on college property in any place where the animal's handler is permitted to be, although there are specific locations and

activities on college property where all animals are prohibited for safety and health reasons. These areas may include, but are not limited to, the following:

- Mechanical rooms/Custodial closets
- Food service preparation areas
- Areas where protective clothing is necessary
- Research and teaching laboratories
- Areas where there is a danger to the Service Animal
- *Exceptions to restricted areas may be granted on a case-by-case basis by the Director of Public Safety, or the department/program chair responsible for the restricted area, as most appropriate.*

Members of the college community and visitors are prohibited from interfering in any way with a service animal, or the duties it performs.

C. **Assistance Animals**

An assistance animal owned by an individual who lives in a dwelling on college property is allowed to live with the individual in the handler's residence hall room, and is allowed in outdoor areas on campus other than controlled spaces. Assistance animals are not allowed in any other buildings on college property, including **indoor controlled spaces and common areas of residence halls**.

V. **PROCEDURES**

A. **Employees Requesting Permission for Service Animals or Assistance Animals**

1. **Service animals.** Employees, affiliates and all others performing work for the college who bring service animals onto college property need not request the college's permission to allow the presence of the service animal on college property, but are requested to notify the College of the need for a service animal's presence in advance of reporting for work with the animal. The individual may be asked whether the animal is needed because of a disability, and what work or task the animal has been trained to perform. If the individual needs any other accommodations in the workplace, documentation of the disability and a request for accommodations must be made pursuant to Goucher's [policy on reasonable accommodations for employees with disabilities](#).

2. **Assistance animals.** Employees who reside on college property and who wish to bring assistance animals onto college property as an accommodation for a disability must request the college's permission to keep the assistance animal in college housing. Permission will be granted only as an accommodation for a documented disability and must be arranged in advance through the Office of Residence Life, prior to bringing the animal onto college property. The

Department of Human Resources will assist the Director of Residence Life in determining whether the request represents a reasonable accommodation for a documented disability and should be granted. The employee is not allowed to take an assistance animal into other buildings on campus, including but not limited to the employee's work area.

B. Students Requesting Permission for Service Animals or Assistance Animals

1. **Service animals.** Students who wish to bring service animals onto college property need not request the college's permission to allow the presence of a service animal on college property, but are requested to notify the college of the need for a service animal's presence in advance of coming to campus with the animal. This should be done through the [Housing Accommodation Request](#) process. The student may be asked whether the animal is needed because of a disability, and what work or task the animal has been trained to perform. If the student needs any other accommodations while attending the college, documentation of the disability and a request for accommodations must be made as provided on the college [website](#).

2. **Assistance animals.** Students who reside on college property and who wish to bring assistance animals onto college property as an accommodation for a disability must request the college's permission to keep the assistance animal in college housing by obtaining approval through the [Housing Accommodation Request](#) process in advance of bringing the animal onto college property.

Requests to keep an assistance animal in the residence halls must include documentation from a licensed physician, mental health provider or other reliable third party that provides sufficient information for the college to determine that:

- the individual qualifies as a person with a disability (i.e., has a physical or mental impairment that substantially limits one or more major life activities);
- the assistance animal is necessary to afford the person with a disability an equal opportunity to use and enjoy college housing; the letter must include information about the relationship between the person's disability and the assistance that the animal provides.

A sample provider letter is attached to this policy.

3. **Evaluating Requests.** The Director of Residence Life, in consultation with appropriate college personnel, will determine whether to grant the request for an assistance animal in campus housing. The request will be considered unreasonable, and will not be granted if: (1) imposes an undue financial and/or administrative burden; (2) fundamentally alters college housing policies; (3) poses

a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including college property; and/or (4) is otherwise unreasonable to the operation of the college.

The Director of Residence Life may consider the following factors, among others, as evidence in determining whether the presence of the animal is reasonable or in the making of housing assignments for individuals with assistance animals:

1. The size of the animal is too large for available assigned housing space;
2. The animal's presence would force another individual from individual housing (e.g., other individual has serious allergies);
3. The animal's presence otherwise violates individuals' right to peace and quiet enjoyment;
4. The animal is not housebroken or is unable to live with others in a reasonable manner;
5. The animal's vaccinations are not up-to-date;
6. The animal poses or has posed in the past a direct threat to the individual or others such as aggressive behavior towards or injuring the individual or others; or
7. The animal causes or has caused excessive damage to housing beyond reasonable wear and tear.

Students are not allowed to take the assistance animal outside of their assigned room, or into other buildings on campus, including classrooms, libraries, administrative buildings, dining facilities, or any controlled spaces.

C. Visitors

Visitors, including alumni, event attendees, seminar participants, potential students and families on campus tours, vendors and other business visitors to the college property, and all other college property guests, are not required to receive permission from the college prior to bringing a service animal onto college property. The department or office the visitor wishes to visit, or the office sponsoring the event the visitor wishes to attend, should be contacted in advance if the visitor has any questions about the rules concerning the presence of a service animal at a specific event or in a specific location on campus. Questions may also be addressed to the [Title IX Coordinator](#). A visitor to the college who is

accompanied by a service animal may be denied entrance to a specific event or location if the presence of the animal would interfere with the safe and normal operation of the college, would pose a risk to the animal or is otherwise not allowed.

Visitors are not authorized to bring assistance animals or pets into any college buildings, or into other controlled spaces on college property.

D. Animal Free Zones

The college reserves the right to designate certain areas, including floor, of the residence halls, as animal-free zones if necessary to accommodate the needs of individuals with disabilities that make it impractical or impossible for such individuals to live near animals, e.g., individuals with allergies and/or fears related to animals.

E. Appeals and Grievances

Any employee who feels that he or she has been unfairly denied the ability to bring a service animal onto college property or to a particular area of college property, or who feels that he or she has been unfairly denied the ability to have an assistance animal in a college residence, may file a complaint under the college's [Nondiscrimination Policy](#). Students who believe they been unfairly denied the ability to bring a service animal onto college property or to a particular area of college property, or who feels that he or she has been unfairly denied the ability to have an assistance animal in a college residence, may file an appeal under the college's [Disability Accommodation Appeal Policy For Students](#).

VI. RESPONSIBILITIES

A service animal, assistance animal or pet must be personally supervised by the handler, and the handler must retain full control of the animal at all times while on college property, except for service or assistance animals left in the handler's college residence by the handler. The animal may only be left unattended in the residence hall for reasonable periods of time, as determined by the director of residence life. An assistance or service animal left for longer than a reasonable period of time may be impounded at the direction of the office of public safety. A handler who leaves his or her service or assistance animal unattended for longer than a reasonable period of time will receive one warning, and if the behavior occurs a second time, the handler will be required to remove the animal from campus and prohibited from bringing the animal back onto college property.

Animals may not be tied or tethered to any college property, including but not limited to buildings, railings, bike racks, fire hydrants, fences, sign posts, benches and trees, and may not be allowed to run loose anywhere on campus.

Animals must not be allowed to disrupt or interfere with college activities including, but not limited to, teaching, research, service or administrative activities. If the animal is unruly or disruptive, or if the handler fails to maintain control of the animal, the handler must regain control immediately or remove the animal from the college property. If the improper behavior continues or happens more than once, the handler may be prohibited from bringing the animal onto college property, to be determined on a case-by-case basis by the Director of Public Safety, or the department/program chair responsible for the area, as most appropriate. In the event an animal is banned, the college will engage as needed in a good faith process with the individual to determine if other accommodations will effectively allow the individual to participate in the program, service, or activity.

College personnel shall not be required to provide care or food for any assistance animal, including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal. Additionally, assistance animals may not be left overnight in college housing to be cared for by any individual other than the owner. If the owner is to be absent from his/her residence hall overnight or longer, the animal must accompany the owner. The owner will also be required to designate a third party as an emergency contact to care for the animal in the event the owner is unable to do so because of a medical, or other emergency.

All handlers are responsible for compliance with state and local laws concerning animals (including registration, vaccinations, and tags), for controlling their animals, for cleaning up any waste created by the animal, and for any damage caused by the animal to persons or property while on college property. This includes fees for clean-up and disposal of animal waste or replacement and repair of college or other individuals' assets, including grounds, personal property and improvements, and the remediation of flea infestation. If the handler fails to clean up after the animal or the animal causes damage to property, the handler may be prohibited from bringing the animal onto college property.

Handlers must sign the form entitled "Responsibility of Persons Living in the Residence Halls with Service or Assistance Animals" prior to residing in the residence hall with the animal. The form will be maintained by the director of residence life.

VII. RESTRICTIONS APPLICABLE TO SERVICE AND ASSISTANCE ANIMALS

The college may pose some restrictions on, and may even exclude, a service animal or assistance animal in certain instances. Restrictions or exclusions will be considered on a case-by-case basis in accordance with applicable laws, but an animal may be excluded if:

- it is out of control and effective action is not taken to control it;
- it is not housebroken;
- it poses a direct threat to the health or safety of others that cannot be reduced or eliminated by reasonable modifications; or
- its presence fundamentally alters the nature of a program, service or activity.

In considering whether an animal poses a direct threat to the health or safety of others, the college will make an individualized assessment, based on reasonable judgment, current medical knowledge, or the best available objective evidence, to determine:

- the nature, duration, and severity of the risk;
- the probability that the potential injury will actually occur; and
- whether reasonable modifications of policies, practices, or procedures will mitigate the risk.

VIII. SANCTIONS

Any member of the college community who interferes with a service animal or the duties it performs, or with an assistance animal, may face sanctions under appropriate misconduct charges.

Sanctions for violations of this policy by handlers will be commensurate with the severity and/or frequency of the offense and may include termination of employment, dismissal of a student, or banning an animal from college property. If a service or assistance animal is banned from college property, the individual with a disability will have the right to engage in a deliberative process to determine if effective participation can occur with other appropriate accommodations.

Any animal found unattended in or on any college property (other than an assistance or service animal in a handler's residence left for a reasonable period of time) may be impounded by the college office of public safety. Owners of impounded animals will be held responsible for payment of any impound and/or license fees required to secure the release of their animals.

Any handler whose animal causes damage to property may be charged for replacement and repair of college or other individuals' assets, including grounds, personal property and improvements.

APPROVED, JANUARY 2017.

Sample Letter from a Service Provider (to be used for assistance animals only).

[Date]

Name of Professional (therapist, physician, psychiatrist, rehabilitation counselor, or other reliable third party)

XXX Road

City, State Zip

Dear Director, Health and Counseling Center:

[Full Name of Student] is my patient, and has been under my care since [date]. I am familiar with his/her history and with the functional limitations imposed by his/her disability.

Due to the _____ disorder, [first name] has certain limitations regarding [social interaction/coping with stress/anxiety, etc.]. In order to help alleviate these difficulties, and to enhance his/her ability to live independently and to use fully and enjoy the college owned and administered housing unit, I have determined that it is necessary for _____ to have an animal in his/her room in order to alleviate the symptoms of his/her disability. It is anticipated that the animal will assist [first name] in the following manner:

I am competent to make an assessment regarding the assistive and/or therapeutic benefits of assistance animals for people with disabilities such as that experienced by [first name]. Upon request, I would be happy to answer questions you may have concerning my recommendation that [Full Name of Student] have an assistance animal. Should you have additional questions, please do not hesitate to contact me.

Sincerely,

Name of Professional