



SERVICE AND SUPPORT ANIMAL

[004-2023-10-12]

Effective Date: Upon Signing
Last Update: Fall 2019
Responsible University Office: Office of Student Life
Responsible University Administrator: Vice President of University Relations
Policy Contact: Dean of Students

I. POLICY STATEMENT

Capitol Technology University is committed to supporting students with disabilities through the use of Service and Emotional Support Animals (ESAs), as appropriate to facilitate the student's full participation in, and equal access to, the University's programs and activities. Capitol recognizes the importance of Service Animals and Emotional Support Animals (ESAs) to students with disabilities and has established a policy consistent with the federal and state laws governing housing and persons with disabilities. These laws include:

- Americans with Disabilities Act (ADA)
- Americans with Disabilities Act Amendment Act (ADAA)
- Fair Housing Act (FHA)

Policy on ADA Service Animals

In accordance with applicable laws and regulations, Capitol Technology University generally allows ADA-defined service animals to accompany an individual with a disability into buildings, classrooms, residence halls, meetings, dining areas, recreational facilities, activities and events. The service animal must be accompanied by an individual for whom the animal is trained to provide a specific disability-related service. Capitol may not permit service animals who pose a substantial or direct threat to health and safety. On a case-by-case basis, Capitol may or may not permit service animals when the presence of the animal constitutes a fundamental alteration to the nature of the sponsored program or service.

Per ADA, disabled Handlers/Responsible Parties with Service Animals may be accompanied by their Service Animal in all areas of campus where the public is normally allowed to go. A person with a Disability cannot be asked to remove their Service Animal from the premises unless: 1) the animal is not housebroken; 2) the Service Animal's presence fundamentally alters a

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University program, event, or classroom proceedings; 3) the Service Animal is beyond the control of its Handler/Responsible Party and the Handler/Responsible Party does not take effective action to control it; or 4) the Service Animal fundamentally constitutes a safety threat. In the event the University excludes a Service Animal, the Handler/Responsible Party will have the opportunity to participate in the service, program, or activity without having the Service Animal present.

Policy on Emotional Support Animals

In accordance with applicable laws and regulations Capitol Technology University provides reasonable accommodations to students with documented disabilities living in Capitol managed housing for Emotional Support Animals (ESAs). Students will have to apply and reapply yearly for the accommodation of the ESA. Please note that ESA's are NOT service animals and, as a result, are permitted only in a student's residence, (not in campus buildings such as classrooms and offices). In general only one ESA per student is allowed. The handler of the ESA must abide by the responsibilities and have completed all applicable meetings and documentation prior to bringing the animal to campus. ESAs should be 18 months or older at the time of application and should be in the handlers possession prior to application. ESAs are only permitted in the suite (the assigned room within the suite, and common area of the suite) of the student with the accommodation and no other residences on campus. When the ESA is not in the students particular assigned room within the suite it must be under the control of the handler (leash, harness, crate, etc) this includes common areas within the apartment. No ESA is to roam free on campus or within the residence.

Capitol Technology University may exclude an emotional support animal from housing if it (1) poses a direct threat to the health or safety of others, (2) would cause substantial physical damage to the property of others, (3) would pose an undue financial or administrative burden, or (4) results in a fundamental alteration of Capitol's program(s). Each request for an ESA will be submitted and reviewed by a committee for approval.

The University requires that service and emotional support animals that are left in the residence halls unattended be crated or appropriately restrained to ensure the safety of facilities and residence hall employees who may need to enter the room (e.g., for emergency or maintenance purposes) while owners are absent. It should be noted that service or emotional support animals are not permitted in private residences, residence hall rooms, or apartments on campus without the express permission of the occupant(s). ***Individuals who seek to reside on campus with their service or emotional support animal are expected to make all necessary***

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arrangements with the Office of Student Life and Residence Life at least 30 days prior to arriving on campus. Exceptions may be granted contingent upon the circumstances.

Responsibilities of Students Living in Residence Halls with Service and Emotional Support Animals (ESAs)

The student of an animal who resides in a university residence hall will be responsible for the following:

Care and Supervision: Care and supervision of the animal are the responsibility of the student. The student is required to:

- Maintain control of the animal at all times. Obedience and training programs for the animal are highly recommended the animal cannot pose a direct threat to the health and safety of others. If the owner cannot effectively control the animal or if it poses a direct threat to the health and safety of others, the permission to keep that particular animal in university managed housing will be rescinded until such a time that the problem is resolved.
- Animals cannot be left unattended overnight at any time. If the owner must be away, they must either take the animal with them, or make arrangements for the animal to be cared for off campus.
- The ESA must be on a leash and under the control of the owner at all times when outside of the designated living space.
- If any animal neglect is suspected Residence Life may contact appropriate authorities. The entire responsibility of the animal should be taken on by the student with the accommodation. The animal should not be left alone for any extended period of time. When left unattended the animal should be contained (crate, carrier, kennel).
- All animals should have a tag that identifies the owner and contact information in case of emergency.
- The animal is only permitted in the assigned residence of the student with the accommodation. If the animal spends any length of time in another room or residence, the student will be found in violation of the pet policy.
- In cases where the handler is potentially hospitalized or unable to care for the animal a secondary handler who resides off campus must be contacted and the animal put into their care immediately. This is the responsibility of the student; Capitol will not provide interim animal care in the absence of the student.

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Vaccination: In accordance with local ordinance and regulations the animal must be immunized against diseases common to that type of animal.

- Dogs and cats must be spayed and neutered.
- Routine maintenance of the animal is expected and includes flea and tick prevention, de-worming, and annual examinations.
- Capitol may request veterinarian records or to contact the animals veterinarian (given 24 hours notice) if additional medical documentation is needed.
- All paperwork and proof of immunizations must be provided and administered by a veterinarian.

Licensing: Dogs should wear rabies tag and be registered with the county. For more information please go to the following website: <http://www.princegeorgescountymd.gov/234/Licensing>

Cleanup: Dogs as ESAs must be “housebroken” and cats as ESAs must be litter box trained.

- The student is responsible for properly containing and disposing of all animal waste. Indoor animal waste must be placed in a sturdy bag and tied securely before being disposed of in the outside trash dumpster (located in the parking lot). Outdoor animal waste, such as dog feces, must be immediately retrieved by the owner, placed in a plastic bag and securely tied before being disposed of in the outside trash dumpster (located in the parking lot).
- Removal of animal waste must be immediate in all cases.
- If an animal urinates or defecates inside of a building, or another area that requires cleaning or maintenance the student must notify Residence Life staff immediately and will be responsible for the cost of such cleaning.
- Residence Life will inspect the residential unit on a regular basis. If fleas, ticks, or other pests are detected through inspection, the unit will be treated using fumigation methods by the university approved pest control services. The student will be responsible for any costs.
- The resident must work to ensure the living space is cleaned routinely for pet hair or other messes incurred by the animal or that the animals crates, kennels, and carriers are cleaned and well maintained.

II. RATIONALE

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The intent of this policy is to ensure that those students who have documented disabilities requiring the use of a service animal or ESA (as a reasonable accommodation), receive the benefit of the physical and/or therapeutic support while, at the same time, balancing the health, safety and living conditions of other students. This document is intended to outline the Capitol Technology University policy on Service Animals and ESAs as well as define the rights and responsibilities of the students with Service Animals and ESA's. Students requesting the use of either animal should read this policy carefully before making a formal request.

III. ENTITIES AFFECTED BY THIS POLICY

Residence Life- For res life there will be in addition to extermination maintenance there will need to be an additional service of flea and tick preventative treatment within the specific apartment but also throughout the residential building. In addition, a form will need to be created, collected, and managed as an extension of the student immunization form requiring the animal to provide proof of immunizations.

Persons receiving assistance from an animal will be assigned a single bedroom. If for some reason this assignment can not be fulfilled all occupants of space must be notified and provided the option of an alternative living space.

Facilities and Cleaning Staff- Additional maintenance and cleaning will need to take place in all buildings and routes that animal has come into contact with.

IV. DEFINITIONS

- **Service animals** are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Under the ADA, State and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is allowed to go. A service animal must be under the control of its handler. Under the ADA, service animals must be harnessed, leashed, or tethered, unless the individual's disability prevents using these devices or these devices interfere with the service animal's safe, effective performance of tasks.
 - **In addition to the provisions about service dogs, the Department's ADA regulations have a 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

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inches measured to the shoulders and generally weigh between 70 and 100 pounds.)

- **Emotional Support Animal**

An emotional support animal is one that is necessary to afford a person with a disability with equal opportunity to use and enjoy University housing. An emotional support animal must provide emotional comfort, stability, and/or other kinds of emotional assistance to the person with the disability. They do not perform work or tasks that would qualify them as “service animals”, under the ADA definition. At Capitol Technology University’s discretion, emotional support animals may be permitted in University housing, under certain circumstances, pursuant to the Fair Housing Act, on a case-by-case basis. The principal service ESAs provide is simply companionship. Service Animals are trained to behave flawlessly in public, ESAs may or may not be well-behaved and may cause problems that a trained service animal may not (some examples: barking, whining, approaching/smelling people, restlessness, roaming around). ESAs are only permitted in on campus housing with permission following all in place guidelines.

Pet

A pet is an animal kept for ordinary use and companionship unrelated to a disability and is not considered a service animal or an emotional support animal. Pets are not covered by this policy. Students in residence on campus may have a non-meat-eating fish only as a pet while living on campus. Pets are not permitted in on campus student housing/apartments occupied by students.

- **Handler**

The handler of the Service Animal or the ESA is the owner and individual responsible for the care and management of the animal. The handler must be the one utilizing the service animal or ESA and not a third party entity.

- **Vaccination:** In accordance with local ordinance and regulations the animal must be immunized against diseases common to that type of animal.

- Dogs and cats must be spayed and neutered.
- Routine maintenance of the animal is expected and includes flea and tick prevention, de-worming, and annual examinations.

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V.POLICY PROCEDURES

Service Animals Procedures

Although not legally required, individuals with service animals are strongly encouraged to partner with the Dean of Students to help determine whether additional accommodations are needed or may be able to make recommendations on accessible campus routes.). Individuals who seek to reside on campus with their service or emotional support animal are expected to make all necessary arrangements with the Office of Student Life and Residence Life at least 30 days prior to arriving on campus. Exceptions may be granted contingent upon the circumstances.

Where it is obvious that the animal is a Service Animal, the University shall not require any documentation for the animal, require that the animal demonstrate its tasks, or inquire about the nature of the person's Disability.

In situations where it is not obvious that an animal is a Service Animal, the University and its employees may ask:

Is the animal a Service Animal required because of a Disability?

What work or tasks has the animal been trained to perform?

The University may not and does not charge a fee in connection with use of a Service Animal, however the University also is not required to and does not provide care or food for any Service Animals. The Handler/Responsible Party must maintain all responsibilities for care and supervision of the service animal.

Emotional Support Animal Accommodation Procedure

*The accommodation must be renewed yearly.

1. **Initial Meeting: Request** a meeting with the Dean of Students to discuss the disability accommodation, and the ESA accommodation. A student must have a documented disability accommodation to apply for the ESA accommodation

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2. **ESA Medical Documentation Forms** – (Available at time of meeting with DOS) For an animal to be considered for an ESA, sufficient documentation must be provided by an ongoing treating specialist, to demonstrate:
 - i. The existence of a psychiatric disability for the student making the ESA request
 - ii. That the requested animal is necessary for that person to have an equal opportunity to use and enjoy the dwelling or participate in a housing program, and
 - iii. Establishes clear connection between the student’s disability and the service the animal provides.
 - The treating specialist must also verify that if necessary they would testify in court to the above statements they provide.
 - The treating specialist will fill out a form provided by the university as well as a written letter documenting and explaining the need on official letterhead. The letter should be signed and dated as the accommodation will need to be renewed yearly.
3. **ESA Health Documentation:** Students requesting an ESA in campus housing must provide documentation from a licensed veterinarian that the ESA is current on all applicable vaccines, and is in good health. Also a photo of the animal should be provided to allow the University to identify the animal as an ESA.
 - All ESAs must have an annual wellness visit with a licensed veterinarian. ESAs must:
 - i. Have current vaccines, including rabies shot
 - ii. Must wear a current rabies vaccine tag at all times (dog)
4. **Documentation Turn In:** Meet with the Dean of Students to talk about the accommodation and ensure that the student is also receiving ongoing counseling services off campus to also aid in assistance for emotional needs.
5. **Approval Process:** Upon receipt of the above documentation and completion of all mandatory meetings a committee will review the documentation and the student will be notified of the decision within two (2) weeks. The student will be notified prior to final decision if any additional information is required for the committee to make an informed decision.

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6. **Rules and Responsibilities Form:** Meet with the Director of Student Life and Assistant Director of Residential Services (upon approval) to review the policy of the animal in the halls, sign the policy in acknowledgement of rights and responsibilities.

For both service and emotional support animals once approval and notification has happened, the Dean of Students will notify persons and departments that have an educational need to know including academics, res life, and additional departments. Residential Services will notate on housing assignments and all documentation when applicable whether or not a roommate will be accompanied by an animal.

7. For both service and emotional support animals once, approval and notification has happened, the Dean of Students will notify persons and departments that have an educational need to know including academics, res life, and additional departments following the same process as classroom and learning accommodation memos.
8. Residential Services will notate on housing assignments and all documentation when applicable whether or not a roommate will be accompanied by an animal.
9. Apartments with a service/emotional support animal will be identified with an identifiable marker as a space with an animal present.

VI. DISSEMINATION PLAN

1. The policy and any subsequent modifications are shared with the community via the student handbook, guide to residence life and subject to change without notice. The policy will also be updated at appropriate intervals based on the schedule by which it is typically published. Policy is available upon request by emailing deanofstudents@captechu.edu.

VII. SANCTIONS

Liability: The student is financially responsible for the actions of the animal including bodily injury, property damage, replacement of furniture, carpet, blinds, etc. The student is expected to be responsible for all costs returning the unit to the same condition of move in. This may include cleaning all carpets and upholstery to remove pet odors, dander, hair, etc. Capitol is not responsible for an animal during a fire alarm, fire drill, weather emergency, mechanical emergency, or natural disaster.

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Failure to Comply: If the owner fails to comply with the conditions for having an ESA the University reserves the right to request that an approved ESA be removed from campus and/or removed at the student’s expense if:

- The owner fails to properly clean up and dispose of the animal’s waste.
- The animal is not housebroken.
- The animal injures another person.
- The animal demonstrates unprovoked aggressive behavior toward another person or animal (even if there is only a single occurrence of said behavior).
- The animal becomes a direct threat to the health and safety of others (this might include, but is not limited to, the animal’s illness, lack of cleanliness, or presence in an inappropriate area that may put the animal or others at risk). Or,
- If the owner violates these guidelines.

VIII.RELATED DOCUMENTS

- Campus and residential services accommodation request form (needs modifications or new)
- Guide to Res Life will need to be updated
- Housing application will need to be modified
- Housing license will need to be modified
- Student Handbook

IX.SIGNATURE OF APPROVAL

University President:

Approval Date:

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