

THE UNIVERSITY OF ALABAMA IN HUNTSVILLE

SERVICE ANIMAL POLICY

(Revision currently under review at the U.S. Office of Civil Rights,
Department of Education)

<u>Number</u>	03.01.02
<u>Division</u>	Student Affairs
<u>Date</u>	October 10, 2013
<u>Purpose</u>	Adherence to federal and state laws regarding service animals on campus.
<u>Policy</u>	

I. General Policy

The University of Alabama in Huntsville is committed to compliance with state and federal laws regarding students with disabilities. All requests for Service Animals should be directed to the Coordinator of Disability Services at 256-824-1997, dssproctor@uah.edu, or 317 Wilson Hall. The University will determine, on a case-by-case basis, and in accordance with applicable laws and regulations, whether the animal is a reasonable accommodation on campus. In doing so, the University must balance the needs of the individual student with the impact of animals on other campus patrons.

II. Definitions

Disability "Disability" is defined as a physical or mental condition or impairment that is medically cognizable, and diagnosable, and that substantially limits one or more of a person's major life activities. These limitations may include: caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning. A person is substantially limited in major life activities if the individual is unable to perform the activity, or is significantly restricted as to the manner in which he or she can perform that activity when compared to the average person. Acceptable documentation of a disability can be from either a medical or mental health provider. It should verify the disability as well as the need for a service animal.

Service Animal A "service animal" is defined by the Americans with Disabilities Act as a dog or miniature horse individually trained to do work or perform tasks for the benefit of an individual with a disability. Work or tasks performed by the

service animal must be directly related to the handler's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. Therapy animals and companion animals are not service animals under the ADA. 2 Service Animal Policy

Pet A pet is an animal kept for ordinary use and companionship. A pet is not considered a service animal, therefore, it is not covered by this policy.

III. Responsibility of Persons with Service Animals

Care and Supervision

Care and supervision of a service animal is the responsibility of the individual who benefits from the animal's use. The owner/handler is also responsible for ensuring the clean-up of the animal's waste and, when appropriate, must toilet the animal in areas designated by the University consistent with the reasonable capacity of the owner, Huntsville City Ordinance 95- 693, Section 5-38.

Control

The owner/handler is required to maintain control of the animal at all times, per Code of Alabama 3-1-5 and Huntsville City Ordinance 95-693: Section 5-13, 5-14, & 5-29. A service animal must have a harness or leash. If the handler is unable to use a harness, leash or other tether due to the handler's disability, the service animal must be otherwise under the handler's control. If the service animal is not under the control of the handler, the University reserves the right to have the service animal removed.

Vaccination

In accordance with the CODE of ALABAMA 3-7-3A, the animal must be immunized against diseases common to that type of animal. Service animals must have current vaccination against rabies and wear a rabies vaccination tag. Local licensing and vaccination requirements are followed. Health Service animals to be housed in university housing must have an annual clean bill of health from a licensed veterinarian. Documentation can be an annual vaccination certificate for the animal or a veterinarian's statement regarding the animal's health. The University has authority to direct that the animal receive veterinary attention.

Licensing

Madison County, including the City of Huntsville (Huntsville City Ordinance 95-693, Section 5- 26), requires all service animals four (4) months or older to be licensed. Service animals must wear license tags at all times. The tags verify that the shots (rabies, etc.) required by law have been given.

Other Conditions

The University may place other reasonable conditions or restrictions on animals brought on to campus, depending on the nature and characteristics of the animal. The Office of Disability Services will provide an identifying tag for the service animal's collar to indicate the animal is an approved service animal

Liability

The partner/handler of an animal is personally responsible for any damages to a facility or sponsored event.

IV. Service Animals Permitted on Campus

Individuals with disabilities may be accompanied by their service animals on the campus of the University of Alabama in Huntsville, where members of the public or participants in services, programs, or activities are allowed to go.

V. Verification of Disability and Need for a Service Animal

A person desiring the assistance of a service animal to use university facilities and services must provide verification to the University office of Disability Services that he or she has a qualifying disability based upon two questions: Is the animal a service animal required because of a disability and what work or task has the service animal been trained to perform.

VI. Exceptions

The University may exclude a service animal from University facilities and housing if the animal is not housebroken; would cause substantial physical damage to the property of others; would pose a direct threat to the health or safety of self or others; would fundamentally alter the nature of a program or activity; or is not being cared for or under control of the owner/handler.

VII. Responsibilities of Individuals with Service Animals

The University is not responsible for the care or supervision of a service animal. Individuals with disabilities are responsible for the control of their service animals at all times and for ensuring the immediate clean-up and proper disposal of all animal waste. Individuals must comply with all applicable laws and regulations, including vaccination, licensure, animal health and leash laws, as well as the University's rules in lease provisions regarding vaccination, licensure, leash control, cleanup rules, animal health, and community relationships.

VIII. Campus Access for Service Animals

A Service Animal is permitted to accompany the student anywhere the student goes on campus with the following exceptions:

Research Laboratories

Chemicals found in many labs can be harmful to Service Animals. Organisms naturally found on most dogs or other animals could negatively impact the outcome of research.

Mechanical Rooms/Custodial Closets

Such locations can have chemicals or machinery that could potentially harm a Service Animal; and Service Animals may cause disruption to services generated in those areas.

Other Possibly Dangerous Areas

Any room, studio or classroom with sharp metal cuttings or glass shards on the floor; hot material such as molten metal; excessive dust; or moving machinery may pose a danger to Service Animals. When students with Service Animals must be in one of these restricted areas for a course requirement, alternative arrangements will be considered to provide access. When it is determined unsafe for the team to be in one of these areas, reasonable accommodations will be provided to assure the student equal access to the academic program or activity.

Procedures

Review Student Affairs will review the policy every five years or sooner as needed.

Approval

Kenneth W. Reich

Chief University Counsel

APPROVED:

Robert A. Altenkirch

President