



HOBART AND WILLIAM SMITH COLLEGES

POLICY FOR STUDENT USE OF ANIMALS ON CAMPUS

I. Purpose

Hobart and William Smith Colleges ("HWS") recognize the importance of providing reasonable accommodations for students with disabilities who require the assistance of animals.

This policy outlines the specific requirements and guidelines that govern student use of a Service Animal or requests for a reasonable accommodation in the form of an Assistance Animal. It clarifies the difference between a Service Animal and Assistance Animal and provides a framework for students with disabilities to utilize animals on campus. HWS reserves the right to amend this policy at any time as circumstances require.

II. Service Animals

- **Definition and Requirements**

Service Animals are defined and regulated in accordance with the Americans with Disabilities Act ("ADA"). Per the ADA, a Service Animal is an animal, usually a dog, that is individually trained to do work or perform tasks for the benefit of an individual with a disability directly related to the individual's physical or mental disability. Examples of tasks performed by Service Animals include assisting an individual who is blind or has impaired vision, pulling a wheelchair, and alerting an individual who is deaf or hearing impaired to the presence of people or sounds. With the limited exception of individually trained miniature horses, only dogs are considered Service Animals under the ADA.

Pets are not Service Animals and are not allowed in residence halls (with the exception of aquarium fish in a small aquarium of less than 10 gallons). All other animals temporarily visiting campus must comply with this policy. In most cases, a student with a Service Animal may bring their Service Animal into all areas of the Campus that are open to the public or to students.



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- **Service Animal Identification**

In a situation where it is not readily apparent that a student's Service Animal is trained to do work or perform tasks for a student with a disability, HWS may ask the student if the animal is a Service Animal required because of a disability and what type of work or tasks the animal is trained to perform. HWS will not ask for and does not require documentation about the training or certification of the Service Animal nor does it require information about the nature or extent of a Service Animal owner's disability.

Students wishing to utilize a Service Animal should contact the Office of Disability Services ("Disability Services"). Students with Service Animals may choose to register their Service Animals with Residential Education. Students who register their Service Animals can receive a campus identification card for the Service Animal. Animal registration forms are available on the Residential Education and Disability Services websites.

- **Use of Service Animals on Campus**

A student with a Service Animal is permitted in all HWS facilities on campus, where other members of the HWS community and public are allowed to go. However, Service Animals may be denied access from any facility on campus if the Service Animal (i) is out of control and the student is not effectively controlling it; (ii) is not housebroken; (iii) poses a direct threat to the health or safety of others; or (iv) is behaving in such a way that would fundamentally alter the nature of a service or program of HWS. While Service Animals are not categorically banned from any campus facilities, in certain instances (and for the safety of the Service Animal and consistent with applicable law), HWS may restrict a Service Animal from certain campus facilities such as research laboratories and custodial closets containing dangerous chemicals. All such assessments will be made on a case-by-case basis.

III. **Assistance Animals**

- **Definition**

Assistance Animals are a category of animals that may work, provide assistance, or perform physical tasks, for a student with a disability



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and/or provide necessary emotional support to a student with a mental or psychiatric disability that alleviates one or more identified symptoms of a student's disability.

Assistance Animals **are not** Service Animals under the ADA. Assistance Animals are typically not trained to perform specific work or tasks. Assistance Animals are not limited to dogs and can be other species of animals. Assistance Animals are only permitted on campus with prior approval from Residential Education and are generally only permitted in student housing.

- **Requesting Approval for an Assistance Animal**

A student seeking to live with an Assistance Animal in HWS housing must obtain prior authorization from Residential Education before bringing the animal on campus. If the student's disability and/or disability-related need is not readily apparent or known, HWS may ask for additional documentation of the student's disability and disability-related need for the Assistance Animal. In such an instance, Residential Education will require the student seeking an Assistance Animal to fill out an Assistance Animal Request Verification Form to be completed by the student's treating physician, psychiatrist, mental health professional, or other reliable third party confirming that the requested Assistance Animal is necessary to provide the student with the support he or she needs to alleviate one or more symptoms of the student's existing disability. Students will need to re-submit an updated Assistance Animal Request Verification Form and any other necessary supporting documentation each academic year. Students seeking to bring an Assistance Animal on campus should contact Residential Education as far in advance as feasible, and at least 30 days prior to the Assistance Animal's anticipated arrival on campus.

Although students will be required to demonstrate their need for an Assistance Animal, HWS will not ask students to provide access to medical records or for healthcare providers to give detailed and/or extensive information or documentation of the requesting student's physical or mental impairments.

Upon submitting an Assistance Animal Request Verification Form, HWS will consider whether (1) the student has a disability and (2) whether the Assistance Animal is necessary to afford the student an equal



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opportunity to enjoy HWS's services. HWS may approve the request, deny the request, or seek additional information. If HWS grants a request for an Assistance Animal, the requesting student will receive a letter so indicating. If HWS denies a request for an Assistance Animal, the requesting student will receive a letter explaining the reasons for the denial. HWS will not grant approval for a student to have an Assistance Animal if granting such approval would impose an undue burden on HWS, fundamentally alter HWS's services, or pose a direct threat to the health or safety of others.

Students submitting an Assistance Animal Request Verification Form must provide consent for Residential Education to disclose the request for and presence of the Assistance Animal to those individuals who may be impacted by the presence of the animal including, but not limited to, Residential Education personnel and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the animal and shall not include information related to the student's disability.

- **Use of Assistance Animals on Campus**

Assistance Animals are **only** permitted in a student's assigned housing unit and must remain in the privately assigned individual living accommodation (e.g. room, suite, apartment). HWS retains discretion as to exactly where any student will be housed. Unlike Service Animals, Assistance Animals are not permitted in other areas or facilities of HWS. The sole exception to this rule is when the student takes the animal outside for toileting, in which case the animal must be in a carrier or controlled by a leash, harness, or other means. Furthermore, if an Assistance Animal request is approved, the student will be required to meet with a member of the Residential Education team to review the rules regarding Assistance Animals and sign an Assistance Animal Agreement. The student will also be required to complete an animal registration form. Roommates and/or suitemates of students utilizing an Assistance Animal will also be required to complete a Roommate/Suitemate Agreement form.

Assistance Animals may only stay on campus as long as the Owner has a disability-related need for the Assistance Animal. Owners must notify Residential Education if the Assistance Animal is no longer necessary or no longer on campus.



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IV. Responsibilities of Student Owners of Service Animals and Assistance Animals on Campus

Students with Service Animals or Assistance Animals (“Owners”) are solely responsible for the animal’s care and supervision. The animal must be under the control of the Owner at all times and must remain in close proximity to the Owner whenever outside the Owner’s room.

All animals living on campus must be licensed and vaccinated. Owners are required to abide by all current city, county, and state ordinances, laws, and regulations for animals. Owners are responsible to know and understand these laws. Owners may be asked to provide proof that the animal is in compliance with applicable legal requirements regarding licensure and vaccination. Owners are responsible for ensuring the animal is well-cared for and fed. HWS is not responsible for providing care or food to any Assistance Animal, including, but not limited to removing the animal during emergency evacuations for events such as a fire alarm.

All animals must be housebroken. Owners are responsible for cleaning up after and properly disposing of animal waste in a sanitary and appropriate way. Feces must be secured in a plastic bag and disposed in an outdoor trash receptacle. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and tied securely before being disposed of in outside trash dumpsters. Litter boxes should be placed on mats so that feces and urine are not tracked onto carpeted surfaces. Owners are also responsible for ensuring that the animal maintains proper hygiene and is free of fleas and other pests. If fleas, ticks, or other pests are detected through inspection, HWS will seek treatment from a pest control service. Owners may be charged for this expense.

HWS will not require Owners to pay any additional fee for an animal, however, if an animal causes damage beyond normal wear and tear, Owners may be charged for this damage.

An animal cannot stay in HWS housing overnight without its Owner. The animal must leave campus if the Owner leaves overnight, and during all HWS breaks during which the Owner leaves HWS housing. The Owner must designate an emergency handler to support the animal’s care in emergency situations. The Owner must ensure that



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the emergency handler is familiar with these policies regarding animal care and supervision.

Owners are responsible for ensuring that the animal does not cause difficulties for students without animals. Sensitivity to other students with allergies and to those who fear animals is important to ensure a peaceful residential community.

Failure to fulfill the responsibilities laid out herein will result in the removal of the animal from the HWS campus.

V. Removal of a Service or Assistance Animal from Campus

HWS may require a student to remove her or his Service Animal or Assistance Animal from HWS if the animal poses a direct threat to the health and safety of others, creates an undue burden on HWS, when the animal's presence fundamentally alters HWS housing or an HWS program or service, or when the student Owner does not comply with the responsibilities outlined above. Each determination for removal will be made on an individualized basis.

VI. Questions and Grievances

Students with questions about Service Animals or Assistance Animals should contact Residential Education.

Students who believe they have been subjected to discriminatory actions on the basis of disability may seek a remedy by filing a complaint in accordance with HWS's Section 504/Disability Grievance Procedure in the Community Standards.