



## SERVICE ANIMALS ON CAMPUS

Simon's Rock complies with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Fair Housing Act in allowing the use of Service Animals for students, staff and visitors. Information regarding Emotional Support Animals (ESAs) may be found in the Emotional Support Animal Policy: <https://simons-rock.edu/documents/emotional-support-animal-policy.pdf>

### Definitions:

**Service Animal.** By law, a service animal means any dog 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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. The work or tasks performed by a service animal must be directly related to the owner/handler's disability. Examples of work or tasks include, but are not limited to:

- Assisting individuals who are blind or have low vision with navigation and other tasks;
- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds;
- Providing non-violent protection or rescue work;
- Pulling a wheelchair;
- Assisting an individual during a seizure;
- Alerting individuals to the presence of allergens;
- Retrieving items such as medicine or the telephone;
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities;
- Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

**Service Animal in Training.** For purposes of this policy, a service animal in training is a dog that is being trained as a service animal and includes a puppy that is being raised to become a service animal in training. Handlers of service animals in training must be an approved trainer from a recognized organization.

**Owner/Handler.** The person responsible for a Service Animal.

Students who require the use of a service animal on campus are encouraged, but not required, to contact the Director of Accessibility. **If a student plans to have their service animal live with them in residence, they must provide Simon's Rock's Office of Campus Life with advance notice. Notice to Simon's Rock is used solely to ensure the appropriate housing placement is made.** Students should provide notice to Simon's Rock by contacting **The Director of Accessibility and Academic Support, Jean Altshuler** {[jaltshuler@simons-rock.edu](mailto:jaltshuler@simons-rock.edu)}. Simon's Rock may not ask about the nature or extent of a person's disability. Simon's Rock may, however, ask if the animal is required because of a disability, as well as what work or task the animal has been trained to perform.

It is the policy of Simon's Rock that service animals assisting individuals with disabilities are generally permitted in all Simon's Rock facilities, programs, and activities except as described below or otherwise governed by applicable law.

### 1. **Owner/Handler Responsibilities**

While access rights are legally afforded to users of service animals, that access is accompanied by the responsibility of ensuring that animals act and respond appropriately at all times while in public. Owner/handlers are responsible for ensuring the safety of their service animals.

#### **a) Identification**

The service animal should wear a harness, identification tag or other gear that identifies its working status. If there is not a visible tag, Simon's Rock officials may ask the owner/handler if the service animal is a working animal. All service animals must have an owner identification tag.

#### **b) Control Requirements**

- The service animal must be house broken.
- A service animal shall be under the control of its owner/handler. A service animal shall have a work area. Exceptions to these guideline are instances where the owner/handler's disability interferes with the use of a harness, leash, or other tether; or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks. When a leash or tether is not in use, the service animal must be otherwise under the owner/handler's control {e.g., voice control, signals, or other effective means}.
- The owner/handler is responsible for cleaning up after their animal's waste, and should always carry sufficient and appropriate equipment to clean up after the animal. Waste must be properly disposed. Owner/handlers may also take the service animal to designated relief areas on campus. Relief areas are typically un-mowed and unmaintained areas on campus. Students with service animals residing on campus are encouraged to meet with the Director of Accessibility and Academic Support and Simon's Rock grounds personnel to designate, on an individual basis, appropriate relief areas.
- The owner/handler of a service animal that is unruly or disruptive may be asked to remove the service animal from Simon's Rock facilities. If the improper behavior happens repeatedly, the owner/handler may be required to take significant steps to mitigate the behavior before bringing the service animal into any Simon's Rock facility. Mitigation may include, but is not limited to, muzzling a barking animal, obtaining refresher training for both the service animal and the owner/handler, and other appropriate measures.
- If an owner/handler is unable to control a service animal exhibiting repeated disruptive or unsafe behavior or if their service animal is not house broken, the service animal may be asked to leave campus.

### **c) Owner/Handler's Responsibilities in Residence Halls**

The owner/handler is responsible for assuring that the service animal does not unduly interfere with the routine activities of the residence hall or cause difficulties for students who reside there.

**The care and health of a service animal, including transportation to veterinarian and other facilities, is the responsibility of the owner/handler and cannot be provided by Simon's Rock staff.**

The owner/handler's residence may be inspected for pests once a semester or as needed. The Department of Campus Life will schedule the inspection. If pests are detected through inspection, the residence will be treated using approved fumigation methods by a Simon's Rock-approved pest control service. The owner/handler will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls.

Service Animals may not be left overnight in housing to be cared for by another student. Service Animals must be taken with the owner/handler if they leave campus.

The Department of Campus Life may relocate the owner/handler and service animal as necessary according to the housing license agreement.

The owner/handler agrees to continue to abide by all other residential policies. Reasonable accommodation which may constitute an exception to a policy that otherwise would prohibit having a service animal does not constitute an exception to any other policy.

### **d) Financial Responsibility:**

A person who has a service animal on campus {including Simon's Rock Housing} is financially responsible for property damage caused by their service animal including but not limited to cost of repairs, replacement or cleaning of facilities or furnishings, and any bodily injury or personal injury caused to other persons by the service animal. The owner/handler is responsible for any expenses incurred for cleaning above and beyond a standard cleaning or for repairs to the Simon's Rock premises that are assessed after the student and service animal vacate the residence. Simon's Rock shall have the right to bill the student account of the owner/handler for unmet obligations.

### **e) Licensing:**

The owner/handler is responsible for meeting state and local licensing requirements. If the animal is residing on campus it must meet the town of Great Barrington and or Massachusetts licensing requirements and wear tags designating this license:

[https://www.townofgb.org/sites/g/files/vyhlf636/f/uploads/master\\_dog\\_license\\_application\\_1.pdf](https://www.townofgb.org/sites/g/files/vyhlf636/f/uploads/master_dog_license_application_1.pdf)

### **f) Health/Vaccinations:**

- All dogs must wear a rabies vaccination tag as required by applicable Massachusetts or local law.
- All service animals living in Simon's Rock housing or coming onto campus on a regular basis must be vaccinated against diseases common to that type of animal in accordance with state and local laws, rules and regulations. All vaccinations must be current.
- Service Animals to be housed in Simon's Rock housing must have an annual clean bill of health from a licensed veterinarian.

### **g) Other Conditions**

The Office of Accessibility, the Office of Campus Life, or Human Resources may place other reasonable conditions or restrictions on the service animal depending on the nature and characteristics of the service animal.

## 2. Removal of Service Animals

Simon's Rock may exclude/remove a service animal when (i) the service animal poses a direct threat to the health or safety of others; (ii) the service animal's presence results in a fundamental alteration of Simon's Rock program; or (iii) the owner/handler does not comply with owner's responsibilities in Simon's Rock housing, in Simon's Rock's facilities and/or at Simon's Rock events.

## 3. Conflicting Disabilities

Allergic reactions to animals are common. Persons who have asthma, allergies, or other medical conditions effected by the presence of animals are asked to contact The Director of Accessibility and Academic Support. The person impacted by the presence of the animal must provide verifiable medical documentation to support their claim. The needs of both persons will be considered in resolving the issue.

## 4. Restricted Areas

Simon's Rock may prohibit the use of service animals in certain locations because of health and safety restrictions. Restricted areas may include, but are not limited to: custodial closets, boiler rooms, facility equipment rooms, laboratories, classrooms with research/demonstration animals, areas where protective clothing is necessary, wood and metal shops, motor pools, rooms with heavy machinery, and areas outlined in state law as being inaccessible to service animals.

Exceptions may be granted on a case-by-case basis. To request an exception, the owner/handler must contact the Director of Accessibility and Academic Support (if a student) or Director of Human Resources (If an employee). If a location is determined to be unsafe, reasonable accommodations will be provided to ensure the individual equal access to the activity.

Any violation of the above rules may result in immediate removal of the service animal from Simon's Rock and may be reviewed through the Student Conduct System. The owner/handler will be afforded all the rights and procedures provided by that process.

## Other Resources

- U.S. Department of Justice, Information about the Americans with Disabilities Act and Service Animals  
<http://www.ada.gov/pubs/adastatute08.htm>  
[http://www.ada.gov/service\\_animals\\_2010.htm](http://www.ada.gov/service_animals_2010.htm)
- Town of Great Barrington  
<https://www.townofgb.org/town-clerk/faq/how-do-i-license-my-dog>
- Guidance on Rabies in the State of Massachusetts  
<http://www.mass.gov/eohhs/docs/dph/regs/105cmr330.pdf>