

Service and Emotional Support/Assistance Animal Policy

I. Policy Statement

Seminole State College (or, the “College”) is committed to compliance with state and federal laws regarding individuals with disabilities, including but not limited to the Americans with Disabilities Act (“ADA”). All requests for emotional support/assistance animals should be directed to the ADA Coordinator’s Office; 2701 Boren Blvd., Seminole, OK 74868; c.hutchins@sscok.edu; 405-382-9252 or 405-382-9719.

The College 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 College must balance the needs of the individual with the impact of animals on other campus patrons. The College does not generally permit animals in campus buildings except as this policy accommodates.

II. Definition

Service Animal: A service animal is a dog (or 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. Examples of such tasks include but are not limited to:

- Assisting an individual with impaired vision to navigate
- Alerting individuals who are hard of hearing to the presence of people or objects
- Pulling a person's wheelchair
- Alerting the individual to take medications
- Providing assistance with stability or balance to an individual with a mobility disability
- Detecting and assisting a person during seizures

Other species of animals, whether wild or domestic, trained or untrained, are not service animals. In some cases, the College may permit miniature horses on campus on a case-by-case basis, consistent with applicable law.

The work or tasks performed by a service animal must be directly related to the individual's disability. When it is not obvious what service an animal provides, or when there is a reasonable basis to conclude that the animal might not be a service animal, staff may make limited inquiries. The College may ask these two questions: 1) is the dog a service animal that is required because of a disability, and 2) what work or task the animal has been trained to perform. Federal law does not require the individual to provide documentation that an animal has been trained as a service animal.

Service animals are permitted everywhere on campus that the animal may reasonably accompany a person with a disability. The College may on a case-by-case basis exclude the animal from laboratories or other areas where the presence of the animal may cause an unavoidable hazard, health risk, or where the animal’s presence would fundamentally interfere with the service or instruction provided. The College will not require individuals with service animals to receive

permission to have their animal with them on campus, nor will there be any pre-clearance requirement for the presence of the animal on campus. However, pursuant to the two-part inquiry above, reasonable documentation and/or demonstration of the animal's training may be requested.

Although not required, it is encouraged that any individual with a service animal contact the ADA Coordinator's Office. When it is not obvious that a dog is a service animal, or if there are additional questions, it is recommended that the individual contact the ADA Coordinator's Office in order to assist in the transition of the dog on campus.

The regulations provide that the College need not accommodate a service animal if it poses a direct threat to the health or safety of others, the owner cannot effectively control it, the animal has not been housebroken, or if it would fundamentally alter the nature of a service or program.

Emotional Support/Assistance Animal: Emotional support/assistance animals do not qualify as service animals. An emotional support/assistance animal is an animal that provides assistance or performs tasks for the benefit of a person with a documented disability - the animal is deemed necessary to assist, support, or provide service to persons with disabilities. The College permits emotional support/assistance animals only within residential facilities and outdoors, and not within the remainder of campus buildings.

In order for a requested accommodation to qualify as a reasonable accommodation, the requester must have a disability, and the accommodation must be necessary to afford a person with a disability an equal opportunity to use and enjoy Seminole State College housing. An animal qualifies as a reasonable accommodation if: (1) An individual has a disability, as defined in the Fair Housing Act or Rehab Act, (2) the animal is needed to assist with the disability, and (3) the individual who requests the reasonable accommodation demonstrates that there is a relationship between the disability and the assistance that the animal provides.

An emotional support/assistance animal is prescribed to an individual with a disability by a healthcare or mental health professional. Support/assistance animals provide specific functions for persons with mental and emotional disabilities in the private setting of the home and are not generally allowed in the public spaces covered by the ADA.

III. Emotional Support/Assistance Animals in College Housing

Emotional support/assistance animals may not reside in Seminole State College housing without the express approval of college officials. An exception to the Animal and Pet Policy is granted for approved animals provided that their behavior, noise, odor, and waste do not exceed reasonable standards for a well-behaved animal and that these factors do not create unreasonable disruptions for residents and other staff. Dangerous, poisonous, and/or illegal animals are not permitted. Such requests should be processed as follows:

- A. A person requesting an emotional support/assistance animal must provide the ADA Coordinator's Office with appropriate documentation at least 30 days before prospective housing is needed. The ADA Coordinator's Office requires a 30-day notice period in order to do its due diligence by gathering and verifying the necessary documentation for

the student. This documentation includes, but is not limited to: Emotional support animal registration form, verification of a disability from a health care provider, the determination of any conflicting disabilities in the immediate vicinity where the animal will be housed, and verification of all vaccinations and the health of the animal. If documentation is immediately available, the time for the approval process may be shortened.

- B. Documentation of the need for an emotional support/assistance animal must include the Request for Emotional Support Animal Health Care Provider form filled out by a Health Care Provider. This may be a physician, psychiatrist, social worker, or other mental health professional. The provider should be familiar with the professional literature concerning the therapeutic benefits of assistance animals for people with disabilities. At a minimum, the letter should include the following items:
- a. The provider's diagnosis of the person's condition
 - b. Date of onset of disability
 - c. Dates of care for this particular disability
 - d. Previous treatment strategies used to manage this diagnosis
 - e. Effect(s) the condition has on the student's ability to remain in student housing without the use of an emotional support/assistance animal
 - f. Description of the service(s) the animal will provide
 - g. Whether or not an emotional support/assistance animal is being prescribed for treatment purposes that are necessary to help alleviate symptoms associated with the person's condition and/or to help the person use and enjoy college housing

IV. When Seminole State College Housing Is Not Required To Make a Reasonable Accommodation

Seminole State College housing is not required to provide any reasonable accommodation that would pose a direct threat to the health or safety of others or if the presence of the assistance animal would (1) result in substantial physical damage to the property of others unless the threat can be eliminate or significantly reduced by a reasonable accommodation; (2) pose an undue financial and administrative burden; or (3) fundamentally alter the nature of the College's operations.

Requirements for assistance/service animals will be evaluated in the appropriate context of housing, and are independent of the ADA regulations that are formulated to meet the needs of persons with disabilities in a different context and were adopted subsequent to the Department of Housing and Urban Development's regulations.

V. Requirements of Persons with an Emotional Support Animal

Health: The animal must be properly inoculated and free from diseases. All vaccinations must be current and the animal must have an annual clean bill of health from a licensed veterinarian. The College reserves the right to request an updated verification at any time during the animal's residency.

You may not leave your dog unattended in your room for more than six (6) consecutive hours, or other types of animals for more than twenty four (24) consecutive hours. Your animal must be removed from college premises during break periods (fall break, Thanksgiving, Christmas, spring break, summer, etc.) or any other time in which you are not physically on campus for longer than six (6) consecutive hours if it is a dog and twenty four (24) consecutive hours for other types of animals. The animal must remain in your residence hall room or outside if in the care of a substitute caregiver. Your animal may not reside in the room of another student in campus housing.

If the college is required to assume responsibility for the animal due to the illness or incapacitation of its owner and user, or because the student abandons the animal, all cost incurred by the college will be charged to the student's account.

Dwelling: The owner shall keep the animal properly restrained at all times and shall not permit the animal to be at large off the premises or room of the owner unless under the control of a competent person. At all other times the emotional support animal shall be kept in the residence. Emotional support animals may not be taken into classrooms or other buildings on campus. Emotional support animals shall be confined in an animal crate or carrier when alone in the residence.

Under Control: The owner/keeper of the animal must be in full control of the animal at all times. The care and supervision of a service animal is solely the responsibility of the owner. It must be contained within the private residential area/room at all times, except when transported outside the private residential area in an animal carrier or controlled by leash or harness.

Cleanup Rule: Owners are responsible for properly containing and disposing of all animal fecal waste.

- a. 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.
- b. Outdoor animal waste, such as dog feces, must be immediately retrieved by owner, placed in a plastic bag and securely tied before being disposed of in outside trash dumpsters.
- c. For dogs and other animals requiring exercise and outside toileting, the animal may be walked on College grounds excluding athletic fields.

Odor: The owner is responsible for maintaining an acceptable odor of the approved animal.

Inspections: The owner's residence may be inspected for fleas, ticks or other pests as needed. The Housing Coordinator will schedule the inspection, normally done during routine Health and Safety inspections. If fleas, ticks or other pests are detected through inspection, the residence will

be treated using approved fumigation methods by a college-approved pest control service. The owner will be billed for the expense of any pest treatment above and beyond normal required pest management.

Fines: All rooms must pass routine Health and Safety checks, as per college requirements. Failure to pass these will result in fines. Also, any noise complaint violations from the animal will be treated the same as others and the student will be fined. Continued nuisance may result in the animal no longer being able to be accommodated.

VI. Request for Accommodations

Student requests for disability accommodations, including the request to have an Emotional Support Animal accompany a student on campus and in Seminole State College housing, are handled by the ADA Coordinator's Office. A decision about whether a particular accommodation is reasonable is a fact-intensive, case-specific determination.

1. The owner must register their animal with the ADA Coordinator's Office through completing and signing the Animal Registration Form and providing all necessary documentation.
2. The owner is responsible for assuring that the approved animal not unduly interfere with the routine activities of the residence or cause difficulties for students who reside there. Sensitivity to residents with allergies and to those who fear animals is important to ensure the peace of the residential community.
3. The owner is financially responsible for the actions of the approved animal including bodily injury or property damage, including but not limited to any replacement of furniture, carpet, window or wall covering, etc. The owner is expected to cover these costs upon repair and/or move-out.
4. The owner is responsible for any expenses that are required due to costs incurred for cleaning which is above and beyond a normal cleaning or for repairs to College premises that are assessed after vacating the residence. The College shall have the right to bill the student account of the owner for unmet obligations.
5. The owner must notify the ADA Coordinator's Office in writing if the approved animal is no longer needed as an approved animal or is no longer in residence. To replace an approved animal the owner must file a new request for exception.
6. All roommates or suitemates of the owner must sign an agreement allowing the approved animal to be in residence with them. In the event that one or more roommates or suitemates do not approve, either the owner and animal or the non-approving roommates or suitemates, as determined by the Housing Coordinator, may be moved to a more suitable location.
7. The Housing Coordinator has the ability to relocate owner and approved animal as necessary per current contractual agreements.

8. Owner agrees to continue to abide by all other residential policies. An exception to a policy that otherwise would prohibit having an animal does not constitute an exception to any other policy.

9. Any violation of the above rules may result in immediate removal of the animal from the College and may be reviewed through the Judicial Committee and the student will be afforded all rights of due process and appeal as outlined in that process.

10. Should the approved animal be removed from the premises for any reason, the owner is expected to fulfill his/her housing obligations for the remainder of the housing contract.