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Concordia University, Nebraska Service Animal Guidelines

Concordia University, Nebraska is committed to full compliance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, and the ADA Amendments of 2009. Concordia University allows individuals with disabilities to bring service animals to college classes, activities, services and programs.

Definition of Service Animal

A service animal is defined by the ADA as “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 for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the 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, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. 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.”

When an animal meets this definition, it is considered a service animal regardless of whether or not it has been certified or licensed by a training program as a service animal. The University may not insist on documentation or proof of state certification before allowing the service animal to accompany the person with a disability. If there are any questions, Disability Support Services should be consulted.

To determine if an animal is a service animal, an institution may ask only two questions:

1. Is the animal required because of a disability?
2. What work or tasks is the animal trained to perform?

Eligibility and Compliance

- An owner/handler who uses a service animal on campus on a regular basis is strongly encouraged to register with Disability Support Services. There may be additional accommodations that can be provided to support participation at Concordia University.
- The owner/handler will be in control of the service animal at all times.
- The animal must be on a leash at all times unless the handler is unable to use a leash, using a leash would harm the handler, or if the animal must perform a task without the use of a leash.
- Dogs must wear a current vaccination tag. The University reserves the right to ask for proof of current vaccination.
- The University reserves the right to ask about the disability-related service(s) the animal is trained to provide.
- The University reserves the right to ask that the animal be removed if it becomes disruptive or displays threatening behavior toward others. Each situation will be considered individually.
- The University may exclude the use of service animals in certain locations if it poses a direct threat to the health or safety of others, or where the service animal may be in danger. Such locations may include, but are not limited to, metal/machine shops, welding rooms, and medical clinical sites. Exceptions to restricted areas may be granted on a case-by-case basis.

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- If an animal is excluded, the individual with a disability may be given the opportunity to participate in the service, program, or activity without having the service animal on the premises.
- The University is not responsible for the care or supervision of a service animal.
- The service animal must be housebroken.

Conflicting Disabilities

It is possible for a person, who does not use a service animal, to have a disability that precipitates an allergic reaction to animals. Persons who wish to make an asthmatic/allergic/medical complaint must show medical documentation to support that complaint. Action will be taken to consider the needs of both the complainant and the handler of the service animal in order to resolve the problem as efficiently and expeditiously as possible.

Responsibilities and Requirements

Owner/Handler:

- Is responsible to attend to and be in full control of the service animal at all times. A service animal shall have a harness, leash, or other tether unless a) the handler is unable to use a harness, leash or tether, or b) using a harness, leash or tether will interfere with the animal's ability to safely and effectively perform its duties.
- Is responsible for ensuring that the service animal is wearing a leash, harness or cape that identifies the animal as a service animal when on duty anywhere on campus
- Is solely responsible for the costs of care necessary for a service animal's wellbeing. The arrangements and responsibilities with the care of a service animal is the sole responsibility of the owner at all times, including regular bathing and grooming.
- Understands that bathing of the animal may not be conducted on University property. There are local services which can provide grooming and also have a "self-service" washing station available.
- Is solely responsible for independently removing or arranging for removal of the service animal's waste.
- Is solely responsible for complying with any local laws for animal rights and owner responsibilities. Service animals are required to be current with immunizations and wear a current rabies vaccination tag. Documentation may be required.
- Must be in full control of the service animal at all times. No owner shall permit the service animal to go loose or run at large. Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the owner's disability prevents using these devices. In the latter case, the owner must maintain control of the service animal through voice, signal, or other effective controls.
- Agrees to abide by all equally applicable residential policies that are unrelated to the individual's disability such as assuring that the service animal does not unduly interfere with routine activities of the residence or cause difficulties for individuals who reside there.
- Understands that the service animal's behavior, noise, and odor must not exceed reasonable standards for a well-behaved animal and these factors must not create unreasonable disruptions for other residents. If the noise (whining or barking) is excessive as judged by the Student Life Office and Residence staff, it is grounds to require re-training or possibly removal of the service animal from campus.
- The owner is solely responsible for the behavior of the SA. SA may be excluded from the campus if the service animal behaves in an unacceptable way and/or the owner does not control the service animal. Uncontrolled barking, growling, jumping on other people, licking

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others, or running away from the owner are some examples of unacceptable behavior for a service animal.

- Should the service animal become a direct threat to the health and safety of persons on the campus, cause physical damage to University property or the property of others, or fundamentally alter the nature of the University operations, the University retains the right to require re-training or removal of the service animal, at the owner's expense.

Campus Community:

- Must allow service animals to accompany their handlers at all times and everywhere on campus where the general public (if accompanying a visitor) or other students (if accompanying a student) are allowed, except for places where there is a direct threat to an individual or individuals, or a health, environmental or safety hazard.
- The appropriate way to ascertain that an animal is a service animal is to ask (only if the disability is not apparent) if the animal is required because of a disability, and what task or tasks it has been trained to perform. In addition, the service animal must be non-disruptive and under control of the handler at all times.
- Specific questions about the individual's disability may not be asked.
- Please contact Disability Support Services if any questions or concerns arise relating to service animals.
- Please contact Disability Support Services if faculty/staff have any additional questions regarding visitors to campus who have service animals.
- Report any service animal who misbehaves (e.g. biting, growling, licking, jumping on people, not respecting boundaries, aggressive behavior) or any handlers (or other individuals) who mistreat the service animal to Student Life.

Disability Support Services

- Is responsible to develop the necessary procedures for the university and facilitate the use of service animals by students on campus.
- Assists the campus community when questions or concerns arise relating to service animals on campus, and seeks legal advice when necessary.

What are some basic etiquette guidelines when in the presence of service animals and their handlers?

- Do not pet, touch, or in any way distract a service animal when it is working. Doing so may interfere with its ability to perform its duties.
- Do not feed a service animal. The feeding of a service animal is the sole responsibility of the handler.
- Do not attempt to separate the handler from the service animal. They work as a team.
- Do not harass or deliberately startle a service animal.
- Avoid initiating conversations about the handler's disability.

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Service Animals and Campus Housing

If a student wishes to request that a service animal live with him/her in a residence hall, they must sign and submit the **Agreement for Service or Support Animal in University Housing** to the Student Life Office (SLO). The animal must have an annual certification of good health from a licensed veterinarian and must be current on the appropriate vaccination series, to be provided to the University. A person living with a service animal will not be required to pay extra for the animal, but assumes liability for any damage done to the premises by the animal.

Students with a SA who plan to live in campus housing must file the following forms and complete the following process in order to be placed appropriately. The request must include:

- SA Vaccination Verification (proof of current vaccinations and clean bill of health)
- SA Housing Agreement Form
- Roommate Agreement Form (if applicable)

Due to the nature of on-campus living, additional responsibilities are expected of students who use a SA while living in the residence halls:

- Prior to bringing the SA to live in the residence hall, the owner must be placed in an appropriate housing assignment by University Housing.
- **Care.** The owner is required to ensure that the animal is well cared for and in good health at all times. Any evidence of mistreatment or abuse may result in immediate removal of the SA and/or discipline for the owner. If the University has reason to believe that an animal is being abused or animal welfare laws are being violated, the University reserves the right to notify appropriate animal control or law enforcement authorities.
- **Vaccinations and Licensing.** The owner must abide by Seward, Seward County, and State of Nebraska ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the owner's responsibility to know and understand these ordinances, laws, and regulations. Animals must maintain current vaccinations and must be spayed or neutered, along with the owner's proof that the animal has been spayed or neutered and any applicable license and registration for the SA.
- **Identification.** Collars and tags must be worn by SAs at all times so that an SA may be returned to its owner in the event the owner and the SA become separated. A tag identifying the owner and contact information in case of emergency must be visible at all times. The University is not accountable in the event an SA goes missing. University staff are not responsible for removing an SA during an emergency evacuation or to aid in search or retrieval if the SA escapes or becomes lost.
- **Supervision.** Since SAs are intended to work with their owner as a team the SA must accompany the owner at all times, with few exceptions. This will allow Concordia employees to routinely access the residential facilities for maintenance and other tasks without the entry posing risk to the safety of either the animal or the employees.
- **Cleanliness.** The residence hall room must be kept at a reasonable standard of cleanliness, as set forth in the housing contract. SAs must be housebroken and relieve themselves outdoors. Owners must immediately retrieve the animal's waste, securely tie in a plastic bag, and dispose it in the outside trash cans. A SA must be clean and well groomed, and measures should be taken

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at all times for flea, tick and other infestations and odor control. If fleas, ticks and other pests are detected through inspection, the residence will be treated using approved methods by a university-approved pest control service and the owner may be billed for any such services.

- **Damages.** The owner bears sole legal and financial responsibility for the actions of the SA. This includes responsibility for any odors, noise, excess damage, or other SA conduct that harms others or damages the premises or personal property. Although no routine fees are required for maintaining a SA in University housing, the owner is required to pay cleaning fees or fees for repairs should the SA inflict damage upon others' property or University property beyond reasonable wear and tear. Such issues will be addressed on a case-by-case basis.
- **Roommate Agreements.** All roommates or suitemates of the owner must sign the agreement form that they agree to live with the approved SA in the residence hall room. If one or more roommate(s) or suitemate(s) does not approve of the SA, then Residence Life will decide which resident(s) will relocate.
- **Conflicting Health Conditions and Aversions.** Students or others on campus with medical or other conditions affected by animals (e.g. allergies, asthma, respiratory conditions, etc.) should contact DSS. This may involve that individual providing medical or other documentation of a disability or condition affecting living/working in close proximity with the SA. DSS will work in collaboration with student life, human resources, legal counsel, and/or other appropriate entities on campus to resolve any conflicts related to a SA by considering the needs and/or concerns of all involved and will determine on a case-by-case basis what kind of solution may be appropriate.
- **Discontinuation:** The owner must notify DSS and SLO in writing if the SA is no longer located in University housing. To request a replacement of a previously approved SA, the owner must complete a new set of housing forms and file them for approval of the replacement SA.
- **Consent.** The owner must provide written consent for DSS and SLO to disclose information regarding the request for, and the presence of, a SA to those individuals who have a need to know or who may be impacted by the presence of the SA. These include but are not limited to DSS personnel, other residents in the hall, public safety, and buildings & grounds. DSS will not disclose underlying medical information or documentation except to University personnel on a need-to-know basis.

Confidentiality

Disability Support Services and the Student Life Office will maintain as confidential (i) requests for use of SAs; (ii) any documentation and information exchanged regarding student disabilities and accommodation requests; and (iii) other documents, notes, or information generated during an accommodation request, interactive process, or appeal. Only University representatives with a need to know will have access to underlying medical information or documentation about requests for accommodation, student disabilities, or service animals.

Non-retaliation. Concordia University will not retaliate against any individual because that individual has used a SA on campus, requested use of a SA or used a SA within a residence hall, or otherwise requested or received a reasonable accommodation.

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Acknowledgement of Guidelines Review

I have read and understand the Service Animal Guidelines and understand that, if I fail to meet the expectations and abide by the responsibilities set forth in the Policy, Concordia University has the right to remove the service animal from University grounds. Further, I agree to hold the University harmless for any escape of the animal that may occur. I also understand that failure to adhere to the provisions of this Policy may constitute grounds for removal from the residence halls and/or disciplinary measures.

Student/SA Owner name (printed) Student J#

Student/SA Owner Signature Date

Release of Information Consent

I give my permission to Disability Support Services to disclose to others directly impacted by the presence of my service animal to all applicable departments, which could include faculty members, residence life staff, on-campus neighbors, roommates, potential roommates, facilities management, and campus public safety. I understand that this information will be shared with the intent of preparing for the presence of a service animal and/or resolving any potential issues associated with the presence of the service animal. I also understand that underlying medical information or documentation will only be disclosed to University personnel on a need-to-know basis.

I further recognize that the presence of the service animal may be noticed by others visiting or on campus or housing and agree that staff may acknowledge the presence of the animal and explain that under certain circumstances the animals are permitted for persons with disabilities.

Student/SA Owner name (printed) Student J#

Student/SA Owner Signature Date

Disability Support Services representative Date

Student Life Office representative Date

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- Is responsible for the costs of care necessary for a service animal's wellbeing. The arrangements and responsibilities with the care of a service animal is the sole responsibility of the owner at all times, including regular bathing and grooming, as needed.
- Bathing of the animal may not be conducted on University property. There are local services which can provide grooming and also have a "self-service" washing station available.
- Is responsible for independently removing or arranging for the service animal's waste.
- Is responsible for complying with any local laws for animal rights and owner responsibilities. Service animals are required to be current with immunizations and wear a current rabies vaccination tag. Documentation may be required.