

AZUSA PACIFIC UNIVERSITY

Title:	Service Animal As A Disability Accommodation Policy
Policy Number:	PO2015040
Effective Date:	January 13, 2015
Updated:	July 1, 2019
Issuing Authority:	President's Cabinet
Responsible Office:	Accessibility and Disability Resources

Notice of Service Animal as a Disability Accommodation Policy

I. Reason for Policy

The intent of Azusa Pacific University is to provide an inclusive environment for students with disabilities and to fully comply with section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA). Under such laws, the University permits the use of a service animal by an individual with a disability as further set forth in this Policy.

Pursuant to section 504 of the Rehabilitation Act of 1973 and its implementing regulations, Azusa Pacific University ("University") permits the use of a service animal in accordance with its Service Animal as a Disability Accommodation Policy. Section 504 prohibits discrimination on the basis of a disability under any program or activity of the University receiving federal financial assistance.

Questions about this Policy may be directed to the Director of Accessibility and Disability Resources, 901 E. Alosta Avenue, Azusa, CA 91702, East Campus (a division of Academic Success Center) at 626-815-3849 or disabilityservices@apu.edu, and any complaints alleging a violation of the Policy or noncompliance with its provisions will be governed by the University's Disability Grievance Policy for Students which can be found at <http://www.apu.edu/lec/disabilities/grievance/>. Copies are available at the office of Accessibility and Disability Resources, a division of the Academic Success Center, East Campus (near the intersection of E. Alosta Avenue and North Citrus Avenue).

II. Service Animals - Definition

"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 for the purposes of this definition. A service animal is not a pet.

The work or tasks performed by a service animal must be directly related to the individual'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. Other examples might include 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.

A Service-Animal-in-training, by definition, is not a fully trained Service Animal and might be allowed on campus if under the care and supervision of a qualified trainer.

III. Steps to bringing a Service Animal to campus

- A. Students with disabilities who require a Service Animal on campus are encouraged to self-identify to the Office of Accessibility and Disability Resources as soon as possible after deciding to enroll at APU or as soon as the Service Animal has been fully trained. If the student is living on campus, this is particularly important because roommates and Residence Life staff must be informed. Members of the community such as Department of Campus Safety or APU faculty are committed to an inclusive and safe environment, and therefore the ADR staff will provide information and expectations to the APU community in order to ease the transition for the student with a Service Animal on campus.
- B. The Office of Accessibility and Disability Resources will serve as a resource for the student with the disability or other members of the community where the student brings the Service Animal.
- C. An individual with a disability shall be permitted to be accompanied by his or her service animal in all areas of the University where members of the public, program participants, clients, customers, patrons, or invitees, as relevant, are allowed to go

IV. Student Responsibilities

- A. **Animal Under Handler's Control.** A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use 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, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
- B. **Care or Supervision.** Students who own a Service Animal are solely responsible for the care and responsibilities of the animal. The animal must be housebroken and the student owner is responsible for immediately cleaning up and properly disposing of the Service Animal's waste. People who are physically unable to accomplish this task are responsible for arranging it to be done. The University retains the right to designate a particular area for Service Animals to relieve themselves.
- C. **Leaving an animal in housing.** If the student owner of a Service Animal lives on campus and will be away from campus overnight, the animal is not to be left in campus housing, but must either accompany the student, or be kept by someone not living in campus housing. The care and supervision of the Service Animal is solely the responsibility of the student owner. The University is not responsible for the care or supervision of a service animal.
- D. **Safety.** The Service Animal may not pose a direct threat to the health and safety of a person on APU campus (allergies and a fear of animals by others, generally, are not valid reasons for

denying a student the right to have a service animal on University premises). The animal may not cause physical damage to property or fundamentally alter the nature of University operations. Local and state laws regarding animal vaccinations apply.

V. University Responsibilities

- A. The University shall not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal. The University may ask if the animal is required because of a disability and what work or task the animal has been trained to perform. The University shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, the University may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).
- B. The University shall not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. If the University normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by his or her service animal.

VI. Cause to Remove a Service Animal.

- A. If the student does not abide by the Service Animal Policy, the University may ask an individual to remove a service animal from the premises. If the University properly excludes a service animal under this Policy, it shall give the individual with a disability the opportunity to obtain goods, services, and accommodations without having the service animal on the premises.
- B. The following protocol applied for Service Animal Policy violations:
 - 1. The student will receive written notice from the Office of Accessibility and Disability Resources, Department of Campus Safety or other designated department staff who suspects a Service Animal policy violation
 - 2. The student will have 7 days from receipt of warning to remedy the issues and come back under compliance.
 - 3. If, after 7 days, the issues have not resolved, the student may be asked to remove the Service Animal from the University campus.

VII. Questions. Questions about this policy may be directed to the Director of Accessibility and Disability Resources, 901 E. Alost Avenue, Azusa, CA 91702, East Campus at 626-815-3849 or disabilityservices@apu.edu.

VIII. Complaints/Grievance Policy. Complaints alleging any violation of this Policy or noncompliance with its provisions will be governed by the University's Disability Grievance Policy for Students which can be found at <http://www.apu.edu/lec/disabilities/grievance/>. Copies are available at the Office of Accessibility and Disability Resources at the Academic Success Center, East Campus (near the intersection of E. Alost Avenue and North Citrus Avenue).

[end of policy}