

AZUSA PACIFIC UNIVERSITY

Title: Service Animal As A Disability Accommodation Policy
Policy Number: PO2015040
Effective Date: January 13, 2015
Issuing Authority: Office Of the President
Responsible Office: The Learning Enrichment Center

Notice of Service Animal as a Disability Accommodation Policy

Service animals perform some of the functions and tasks that an individual with a disability cannot perform. Guide dogs are one type of service animal, used by some individuals who are blind. A guide dog is the type of service animal with which many are familiar. There are, however, service animals that assist persons with other kinds of disabilities in their day-to-day activities. Some examples include:

- Alerting persons with hearing impairments to sounds.
- Pulling wheelchairs or carrying and picking up things for persons with mobility impairments.
- Assisting persons with mobility impairments with balance.

A service animal is not a pet.

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.

The intent of the University is to fully comply with section 504 of the Rehabilitation Act of 1973, and under that law the University permits the use of a service animal by an individual with a disability as further set forth in the Policy.

A service animal is a dog that is individually trained to do work or perform tasks for the benefit of the individual with a disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. The work or tasks performed by the service animal must be directly related to the individual’s disability. 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.

Questions about this Policy may be directed to the Director of the Learning Enrichment Center, 901 E. Alostia Avenue, Azusa, CA 91702, East Campus (between North Citrus Avenue and Stadium Way Road next door to Adams Hall) at 626-815-3849 or lec@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 the Director of the Learning Enrichment Center and at the One Stop: Undergraduate Enrollment Services Center, East Campus (near the intersection of E. Alosta Avenue and North Citrus Avenue).

Service Animal as a Disability Accommodation Policy

In compliance with Section 504 of the Rehabilitation Act of 1973 including its implementing regulations, Azusa Pacific University ("University") does not discriminate on the basis of disability and is committed to providing equal educational opportunities for disabled students who qualify. The University permits the use of a service animal in accordance with its Service Animal as a Disability Accommodation Policy, as follows:

I. 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. 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, 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.

II. IN GENERAL

Azusa Pacific University permits the use of a service animal by an individual with a disability. APU requests such an individual complete a Learning Enrichment Center (LEC) Accommodation Application and discuss his or her accommodation needs with an advisor in the LEC.

III. OTHER PROVISIONS

(1) Removal of Service Animal. The University may ask an individual to remove a service animal from the premises if:

- (i) The animal is out of control and the animal's handler does not take effective action to control it;

(ii) The animal is not housebroken; or

(iii) The animal poses a direct threat to the health and safety of others (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). A direct threat to the health and safety of others may be the basis for reasonable time, place and manner restrictions.

(2) If an Animal is Properly Excluded. 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.

(3) 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).

(4) Care or Supervision. The University is not responsible for the care or supervision of a service animal.

(5) Inquiries. 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).

(6) Access to Areas of the University. 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.

(7) Surcharges. 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.

(8) Questions. Questions about this policy may be directed to the Director of the Learning Enrichment Center, 901 E. Alostia Avenue, Azusa, CA 91702, East Campus (between North Citrus Avenue and Stadium Way Road next door to Adams Hall) at 626-815-3849 or lec@apu.edu.

(9) 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 the Director of the Learning Enrichment Center and at the One Stop: Undergraduate Enrollment Services Center, East Campus (near the intersection of E. Alostia Avenue and North Citrus Avenue).

[end of policy]