

**Salish Kootenai College**

**Animals on Campus Procedure**

**Purpose:**

It is the policy of Salish Kootenai College (SKC) to comply with Section 504 of the Rehabilitation Act, the Americans with Disabilities Act as amended (ADA), the Fair Housing Act (FHA) and other tribal and federal regulations that prohibit discrimination on the basis of disability.

SKC is committed to maintaining a healthy and safe environment for all members of the college.  Based on reasons of health, sanitation and safety, animals are not allowed inside any campus facilities without prior approval.

This document describes the procedures for the use of Service Animals and Emotional Support Animals by students on the SKC campus.

**Definitions:**

**Service Animal** (SA). Service Animals are defined as dogs that are individually trained to do work or perform tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The task(s) performed by a SA must be directly related to the person’s disability.  Under Title II and III of the ADA, SA are limited to dogs. However, entities must make reasonable modifications in policies to allow individuals with disabilities to use miniature horses if they have been individually trained to do work or perform tasks for individuals with disabilities. Service Animals are not considered pets and are explicitly permitted under federal civil rights laws. Service Animals must be appropriately marked while on campus.

**Emotional Support Animal (ESA).** An Emotional Support Animal provides emotional or other support that alleviates or mitigates symptoms of a medically-diagnosed disability. An ESA is not a SA; therefore, an ESA will not need to accompany its owner or user at all times or in all places. In order to bring an ESA to campus housing, the owner must contact Disability Services no less than 60 days prior to arrival in order to gather and process all necessary documentation.

**Animals may not be brought to campus prior to granted approval.** *www.hud.gov/sites/documents/SERVANIMALS\_NTCFHEO2013-01.PDF*

**Pet.** A pet is an animal that does not meet SKC’s standard for an ESA or the ADA definition of a Service Animal. It is an animal kept for ordinary use and companionship unrelated to a documented disability. Individuals are not permitted to bring pets into college buildings or college housing.

**Approval Process to have a Service Animal (SA) on Campus:**

For a student to have a Service Animal on campus, they must:

* Register with the Disability Service Office (DSO).
* Have a disability as defined by the ADA.
* Inform DSO what specific task the SA performs.
* Register the SA with SKC Student Housing if student resides on campus.

**Approval Process to have an Emotional Support Animal (ESA) on Campus:**

Federal laws have no specific provisions for people to be accompanied by an ESA in places of public accommodation that have a no-pet policy. Therefore, requests for ESA in SKC housing and campus facilities will be reviewed under SKC’s Animals on Campus Procedure.

SKC reserves the right to enforce all relevant rules for the use of ESA’s through the SKC Student Handbook, the SKC Student Housing Handbook, and applicable laws. SKC also reserves the right to revoke permission granted for the campus presence of any ESA whose owner fails to follow the requirements set forth in this procedure.

For a student or registered family member to have an ESA in SKC Housing, they must:

* Register with the DSO.
* Have a documented disability as defined by the ADA.
* Provide a referral letter from an established healthcare provider that shows the ESA is a necessary accommodation.
* Have an already established relationship with the ESA.
* Register the ESA with Student Housing.
* Notify DSO if the ESA is no longer needed or is no longer residing on SKC property. If the animal will be replaced, a new request must be submitted.
* **Emotional Support Animal requests must be renewed each academic year.**

**Residents in SKC Lefthand Dormitory and Family Housing:**

* SKC Disability Services Office and SKC Housing serve as the campus authority for the approval of an ESA in an SKC housing facility.
* DSO will assess the required referral letter from a licensed healthcare provider that the ESA is necessary as an accommodation in housing (see attached Referral Letter criteria). The healthcare provider must have an established relationship with the student and know his/her needs, and not be contacted solely for a referral letter. Disability Services may contact the referring healthcare provider to verify the provider/patient relationship. Documentation/referral letters purchased through the Internet will not be accepted as valid documentation.
* Students must complete the **Application for An Animal on Campus**, and**Animal Registration Form**.
* Current vaccination records are required, including rabies.
* A current photo of the animal is required.

**Visitors with Animals on SKC’s Campus:**

While SKC welcomes all visitors to campus, we are private property and hold the expectation that all visitors who bring animals to campus will follow the Animals on Campus Procedure. Leashes are required at all times for all animals using campus facilities, both inside and outside.

**Responsibilities of all Animals and Their Owners/Users:**

Individuals who have been approved under the SKC Animals on Campus Procedure must comply with the following requirements:

* The owner/user must have completed all requirements outlined in this procedure, including the **Application for An Animal on Campus** and **Animal Registration Form**.
* Animals must be a minimum of 9 months old, and have an established relationship with the owner/user.
* To be allowed in SKC Student Housing, animals must be housebroken. The use of “puppy pads” is not permitted.
* The animal must be accompanied by the owner/user at all times.
* Animals must wear a leash, collar, cape, harness, backpack or other appropriate visible identification that identifies, in writing, that the animal is a Service Animal or Emotional Support Animal.
* The owner/user must be in full and positive (non-abusive) control of the animal at all time
* The animal’s behavior may not be disruptive, such as barking or displaying aggressive behavior.
* Animals cannot pose a direct threat to the health and safety of others, or create conflicts with another animal.
* The owner/user will be liable for any accident or property damage caused by the animal while on campus.
* The owner/user must clean up after the animal, including the sanitary disposal of animal wastes.
* The user/owner is responsible for the health of the animal and must provide documentation from a qualified veterinarian that all vaccinations, including rabies, appropriate for the type of animal are current.
* All vaccination and care documentation must be in the name of the current owner.
* The owner/user is responsible for the care necessary for the animal’s wellbeing. The arrangements and costs of the care are the sole responsibility of the owner/user at all times, including bathing and grooming, as needed.
* Students will not be approved to have more than one (1) animal per household, unless it is necessary under the ADA.
* Animals are not to be in private living areas other than their owner/user’s.
* In shared living spaces, the animal should be in an appropriate kennel/crate if it is left alone.
* Animals must leave campus with the owner anytime the owner leaves overnight and/or during breaks.

Students should contact SKC Housing and/or DSO if it is suspected that an animal does not meet the aforementioned responsibilities. Failure to meet any conditions will result in an animal’s removal from a facility, including a classroom. If a housing tenant is found responsible for not adhering to any of these responsibilities, he or she will face lease violation points, and/or removal of the animal from campus and/or housing.

**Conflicts Over the Use of Animals on Campus:**

The use of animals may negatively affect others with allergies, respiratory impairments and other relevant disabling conditions. Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

SKC Administration will manage all conflict resolution.

**Grounds for Removal of a Service Animal or Emotional Support Animal:**

A SA or ESA may be ordered to be removed and not be allowed participation on campus for the following reasons:

**Disruptive animal:** The animal is found to be out of control or disruptive and the animal’s owner does not take immediate and effective action to control it. Some examples include but are not limited to excessive barking, growling, whining, or howling.

**Non-housebroken animal:** The animal is not housebroken, or kept in a kennel/crate where waste can be managed effectively.

**Non-compliance:** The animal is found to be neglected or mistreated and prompt corrective action is not taken. The animal is physically ill. The animal is unreasonably dirty. An Emotional Support Animal is brought inside a building other than the approved area(s).

The documentSKC Animals on Campus Procedurewas created with assistance from the Department of Community Living, Carroll College, Helena, Montana; and, Student and Employee Accessibility Services, Brown University, Providence, Rhode Island. Printed November 14, 2018