

SUNY Delhi Service and Assistance Animal Policy

SUNY Delhi recognizes the importance of Service and Assistance Animals to individuals with disabilities and has established the following policy regarding Service Animals and Assistance Animals to aid people with disabilities. This policy ensures that people with disabilities, who require the use of Service or Assistance Animals as a reasonable accommodation, receive the benefit of the work or tasks performed by such animals or the therapeutic support they provide. SUNY Delhi is committed to allowing people with disabilities the use of a Service or Assistance Animal on campus to facilitate their full-participation and equal access to the College's facilities, housing, programs and activities. Set forth below are specific requirements and guidelines concerning the appropriate use of and protocols associated with Service Animals and Assistance Animals. SUNY Delhi reserve the right to amend this policy as the law and circumstances require. The U.S. Department of Justice (DOJ) Civil Rights Division published revised regulations implementing the American with Disabilities Act (ADA) for Title II (State and local government services) and Title III (Public Accommodations and commercial facilities) on September 15, 2010.

Section I. Definitions

A. Service Animal

A "Service Animal" is defined 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." Examples of such work or tasks include, but are not limited to: guiding people who are blind, alerting people who are deaf, pulling a wheelchair, retrieving items such as medication or the telephone, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. The 2010 ADA revisions also include a separate provision for miniature horses that have been individually trained to do work or perform tasks for people with disabilities to be considered as Service Animals (see 28 C.F.R. Part 35.136).

Service Animals are working animals, not pets. The work or task a Service Animal has been trained to provide must be directly related to the person's disability. Animals whose sole function is to provide comfort or emotional support do not qualify as Service Animals.

B. Assistance Animal

The U.S. Department of Housing (HUD) under the Fair Housing Act (FHA), defines "Assistance Animals" as animals that provide assistance in the form of emotional support which reduces or alleviates one or more identified symptoms or effects of a person's disability. Under the FHA, a person may keep an assistance animal in his or her dwelling unit as a reasonable accommodation, if there is an identifiable relationship or nexus between the disability and the assistance the animal provides. Unlike a Service Animal, an Assistance Animal does not assist a person with a disability with the activities of daily living, nor does it accompany a person with a disability at all times. Assistance Animals may be allowed in college housing as a reasonable

accommodation, however, they may not be permitted in other areas of the college (e.g. libraries, classrooms, labs, dining halls, etc.).

C. Pet

A “Pet” is an animal kept for ordinary use and companionship. A pet is not considered a Service Animal or an Assistance Animal. They are not covered by this policy. Residents are not permitted to keep pets, other than fish, on College property or in College Housing.

D. Approved Animal

An “Approved Animal” is a Service Animal or Assistance Animal that has been approved as a reasonable accommodation under this policy.

E. Owner

The “Owner” is the student or other covered person who has requested the accommodation and has received approval to bring the “approved animal” on campus.

Section II. Procedure for requesting and obtaining a Service or an Assistance Animal in College Housing as a reasonable accommodation

1. Students requesting an Assistance Animal must fill out the Assistance Animal Request Form, found here [link].
2. This request should be made the preceding June 1 (for incoming students), or by April 1 (for continuing students) for the following academic year. Applications may be submitted after the due date but it is important the applicant recognizes that the committee that reviews assistance animal request forms meets approximately every other month. **As such, decisions on completed applications typically take up to 6 to 8 weeks. Applications must be completed fully before they can be reviewed. This includes sections to be filled out by a medical practitioner as well as the required veterinary records.**
3. The Accommodations Committee will review all applications.
4. Once the committee has made a decision on the Assistance Animal Request, a member of the committee will inform the applicant of the final decision in writing via their SUNY Delhi email.
5. Decisions can take up to 90 days from the date the Office of Residence Life receives the Assistance Animal Request Form for the Accommodations Committee to review. The Accommodations Committee typically meets once a month.

Section III. Conflicting Health Conditions

Housing personnel will make a reasonable effort to notify students in the residence building where the Approved Animal will be located. Students with medical condition(s) that are affected by animal (e.g., respiratory diseases, asthma, severe allergies) are asked to contact Residence Life if they have a health or safety related concern about exposure to a Service or

Assistance Animal. The College is prepared to reasonably accommodate individuals with medical conditions which require accommodations when living in proximity to Service or Assistance Animals. We will attempt to resolve any conflict in a timely manner. Staff member will consider the conflicting needs and/or accommodation requests of all persons involved.

Section IV. Guidelines for Maintaining an Approved Animal at SUNY Delhi

A. Care and Supervision:

Care and supervision of the animal are the responsibility of the person/Owner who benefits from the Approved Animal's use. This person is required to maintain control of the approved animal at all times. This person is also responsible for ensuring the cleanup of the animal's waste and, when appropriate, must toilet the animal in areas designated by the College consistent with the reasonable capacity of the person. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and securely tied up before being disposed of in outside trash dumpsters. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces.

B. Animal Health and Well-being:

1. Vaccination: In accordance with rules and regulations, the animal must be immunized against diseases common to that type of animal. Animals must have current vaccination against rabies (if applicable) and wear a rabies vaccination tag.
2. Health: Animals to be housed in College housing must have an annual clean bill of health from a licensed veterinarian. Documentation can be a vaccination certificate for the animal or a veterinarian's statement regarding the animal's health. The College has authority to direct the Owner to have the animal receive veterinary attention.
3. Licensing: The College reserves the right to request documentation showing that the animal has been licensed (e.g., New York law requires that every dog be licensed; service dogs are exempt from the license fee).
4. Training: Approved Animals must be properly trained.
5. Leash: The Assistance Animal must be on a leash. In the case of a Service Animal, if the leash inhibits the animal's ability to be of service, the Owner must maintain control of the Service Animal through voice, signal or other effective means.

C. Requirements for Faculty, Staff, Students, and Other Members of the College Community

Members of the College community are required to abide by the following practices:

1. They are to allow a Service Animal to accompany its Owner at all times and in all places on campus, except where animals are specifically prohibited due to health and safety restrictions.
2. They are not to touch or pet a Service or Assistance Animal unless invited to do so.
3. They are not to feed a Service or Assistance Animal.

4. They are not to deliberately startle a Service or Assistance Animal.
5. They are not to separate or to attempt to separate an Owner from his or her Service or Assistance Animal.
6. They are not to inquire for details about the Owner's disabilities.

D. Emergencies

The Owner of the Assistance Animal will be required to provide contact information (Name, email address, and phone number) of someone who will be responsible for the Assistance Animal in case the Owner is involved in an emergency situation (hospitalization, quarantine, isolation, etc.) where the Owner will not be able to care for the Assistance Animal. This responsible party cannot be someone who currently lives on campus. The responsible party has to be someone who lives off campus or a parent/legal guardian. The Owner will be given the opportunity to contact the responsible party to come get the Assistance Animal. If the Owner is unable to contact the responsible party due to the emergency situation (coma, being unconscious, etc.), then Residence Life Staff will contact the responsible party.

In the case of an emergency situation in the Residence Hall (fire, earth quake, flood, etc.) where the Owner is not able to remove the assistance animal from the building, Residence Life Staff (if they are present at the time of the emergency) will pass the information of where the assistance animal is located along to First Responders (University Police, Fire Department, etc.). The First Responders will make the decision on whether or not they are able to go into the Residence Hall to retrieve the Assistance Animal safely.

E. Removal of Approved Animal

The College may exclude/remove an Approved Animal when 1) the animal poses a direct threat to the health or safety of others, or 2) the animal's presence results in a fundamental alteration of the College's program, or 3) the Owner does not comply with the Owner's Responsibilities pursuant to College Housing requirements, or 4) the animal or its presence creates an unmanageable disturbance or interference with the SUNY Delhi community.

F. Areas "Off Limits" to Service /Assistant Animals

The College may prohibit the use of Service Animals in certain locations because of health and safety restrictions (e.g. where the animals may be in danger, or where their use may compromise the integrity of research). Restricted areas may include, but are not limited to, the following areas: custodial closets, boiler rooms, facility equipment rooms, research laboratories, classrooms with research/demonstration animals, areas where protective clothing is necessary, wood and metal shops, motor pools, rooms with heavy machinery, and areas outlined in state law as being inaccessible to animals. Exceptions to restricted areas may be granted on a case-by case basis by contacting Access and Equity Services and the appropriate department representative.

Request for Information

Student's Name: _____

SUNY Delhi ID Number: _____ Telephone Number: _____

Proposed Type of Assistance Animal: _____

Choose One: New Student Continuing Student Renewal

RESPONSIBILITIES OF PEOPLE WITH DISABILITIES USING SERVICE OR ASSISTANCE ANIMALS

SUNY Delhi is not responsible for the care or supervision of service or Assistance Animals even during an emergency. People with an assistance animal are responsible for the cost, care, and supervision of their animals, including:

- Compliance with any laws pertaining to animal licensing, vaccination, and owner identification;
- keeping the animal under control and taking effective action when it is out of control; and
- feeding and walking the animal, and disposing of its waste in proper disposal container.

People who are accompanied by animals must comply with the same campus rules regarding noise, safety, disruption, damage, and cleanliness as people without an animal.

EXCEPTIONS AND EXCLUSIONS

SUNY Delhi may pose restrictions on, and may even exclude, an Assistance Animal in certain instances. Any animal may be excluded from an area in which it was previously authorized to be if:

- it is out of control and effective action is not taken to control it;
- it is not housebroken (or in the case of a support animal that deposits waste in a designated cage or litter box, the owner fails to clean such cage or box such that the cleanliness of the room is not maintained); or
- it poses a direct threat to the health or safety of others that cannot be mitigated by reasonable modifications of policies, practices, or procedures, or the provision of auxiliary aids or services.
- it causes damage to College property or another student's personal property.
- it is left by its caretaker overnight, whether alone or with another person

In the event that restriction or removal of an animal is determined to be necessary, the person will still be given the opportunity to participate in the service, program, or activity without having the assistance animal present.

The above-named student has indicated that you are the treating physician, psychiatrist, psychologist, or licensed mental health counselor/therapist who has suggested that having an Assistance Animal in the residence hall will be helpful in alleviating one or more of the identified symptoms or effects of the student's disability.

Generally we accept documentation from relevant treatment providers within the State of New York or the student's hometown who through an established therapeutic relationship are knowledgeable of the student's mental health needs on a residential campus. Letters purchased from the Internet rarely provide the information necessary to support an Assistance Animal request and will not be accepted.

So that we may better evaluate the request for this accommodation, please answer the following questions:

Information about the Student's Disability

1. What is the nature of the student's mental health impairment? Please state the specific symptoms: _____

2. Describe the substantial limitations resulting from the disability on the student's major life activities, especially on aspects of daily living and learning within a residential college setting:

3. When did you first meet with the student regarding this mental health disability? _____

4. Date at which the disability was first made: _____

5. Dates of treatment: _____

Information about the Proposed Assistance Animal

1. Is this an animal that you specifically prescribed as part of the treatment plan for this student? If not, why not? _____

2. What symptoms of the student's impairment will be reduced by having the Assistance Animal? _____

3. Is there evidence that an Assistance Animal has helped this student's functioning in the past or is currently helping? _____

Importance of an Assistance Animal to the Student's Well-Being

1. In your professional opinion, how important is it for the student's well-being that the Assistance Animal be in residence on campus? _____

2. What consequences in terms of disability symptomology may result if this accommodation is not approved? _____

3. Have you discussed with the student the responsibilities associated with properly caring for an animal while engaged in typical college activities and residing in campus housing? _____

4. Do you believe those additional responsibilities might exacerbate the student's symptoms in any way? If so, why? _____

Thank you for taking the time to complete this form. We recognize that having an Assistance Animal in the residence hall can sometimes be a real benefit for someone with a mental health disorder. We are unfortunately also aware of some students who have deliberately sought a practitioner willing to casually endorse an Assistance Animal without giving its therapeutic importance due consideration. The practical limitations of our housing arrangements make it necessary for us to carefully consider the impact of each request on both the student and the campus community. We appreciate your support in evaluating these needs on an individual basis. If after reviewing your input we need additional information to determine eligibility, we have the student's permission to contact you directly.

Provider Information

Printed Name & Credential: _____

Professional Signature: _____

License #: _____

Office Address: _____

Telephone: _____

Date: _____

PLEASE NOTE: THIS COMPLETED FORM IS NOT TO BE GIVEN TO THE STUDENT. IT SHOULD BE SENT DIRECTLY TO SUNY DELHI'S OFFICE OF RESIDENCE LIFE

Thank you for printing, signing and returning this form to SUNY Delhi's Office of Residence Life as soon as possible via:

Fax:

(607) 746-5087

Office of US Mail:

Residence Life
111 Catskill Hall
454 Delhi Drive Delhi, NY 13753

12/31/2020