

Seattle Pacific University Service Animal Policy for Students

This policy addresses the use of Service Animals as reasonable accommodations for students with disabilities in compliance with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act. All SPU students and employees are encouraged to be familiar with this policy, regardless of whether they use a Service Animal, so that they can be aware of the rights and needs of others and understand the appropriate type of conduct towards Service Animals on campus.

1. Definitions

- 1.1. **Service Animal:** A Service Animal is any animal 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 the animal must be directly related to the person's disability. Service Animals are usually dogs, but in limited circumstances the law may permit another type of animal to be a Service Animal (for example, miniature horses, under federal law; while Washington law does not restrict the type of animal, the animal must be trained to do work or perform tasks for an individual with a disability). Service Animals can include guide dogs, hearing dogs, sig dogs, and seizure response dogs.
- 1.2. **Assistance Animal:** Under this policy, "Assistance Animals" are animals that work, provide assistance, or perform physical tasks for an individual with a disability or provide necessary emotional support to an individual with a mental or psychiatric disability that alleviates one or more identified symptoms of an individual's disability, but do not meet the definition of a Service Animal because they are not individually trained to do work or perform tasks for an individual with a disability. Assistance Animals are not Service Animals and are not permitted in the University's buildings or facilities, except as provided by the University's Assistance Animal Policy for University Housing.
- 1.3. **Handler:** The term "Handler" refers to the individual with a disability who requires the assistance of the Service Animal.

2. Notifying the Office of Disability Support Services

- 2.1. **Non-Residential Students:** Students who require Service Animals as a reasonable accommodation on SPU's campus and who do not live in University housing are not required to register the Service Animal with the University.

However, any student who brings a Service Animal to campus is encouraged to notify the Office of Disability Support Services (DSS). DSS may be able to assist the Handler by providing advance notice to University personnel about the presence of the Service Animal.

- 2.2. **Residential Students:** A student who needs to use a Service Animal on SPU's campus and intends to live in University housing with the Service Animal must notify DSS at the time the student submits a request to live in University housing. Advance notice helps the University better manage the housing assignment process and related facility matters. Also, students who live in University housing with Service Animals may be required to provide information regarding the student's disability, if the disability is not readily apparent, and the animal's licensing and health records.

3. Service Animal Access to University Facilities and Programs

- 3.1. **General Rule:** In general, Handlers are permitted to be accompanied by their Service Animals in all areas of the University's facilities and programs where the Handler is allowed to go. Such areas may include public areas, public events, classrooms, and other areas where University programs or activities are held.

- 3.2. **Limitations:** A Service Animal is not permitted to go where a Handler is not permitted to go. In addition, as permitted by law, the University restricts access by Service Animals to certain areas on campus. Examples of restricted areas include:

- Food preparation areas;
- Animal research facilities and grounds;
- Medically sensitive patient and clinic areas; and
- Biologically sensitive or hazardous sites.

If a Service Animal is restricted from certain areas that the Handler needs to go, DSS is available to assist in evaluating other reasonable accommodations for the Handler.

4. Permitted Questions About Service Animals

- 4.1. **Need is Apparent:** University personnel must permit Service Animal access to an event or activity with its Handler when it is readily apparent that the animal is trained to do work or perform tasks for its Handler. Examples include a dog guiding an individual who is blind or has low vision, pulling an individual's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability.

4.2. **Need is Not Apparent:** If the need for the Service Animal is not apparent, University personnel may only ask the following two questions of Service Animal Handlers:

- Is the animal a Service Animal required because of a disability?
- What work or task has the animal been trained to perform?

If the Handler states that the animal is required because of a disability and describes the work or task the animal has been trained to perform, then the Service Animal must be admitted (subject to other possible limitations stated in this policy). If there is doubt that an animal is a Service Animal, University personnel should admit the animal and then consult with DSS regarding future access.

Handlers must not be asked about the nature of their disability or for medical documentation of it, except in limited circumstances by DSS or the Office of Human Resources. Handlers may not be asked for a special registration, identification card, license, or other documentation that the animal is a Service Animal, or to demonstrate the animal's ability to perform work or tasks.

5. Requirements for Service Animals

- 5.1. An animal will only be considered a "Service Animal" under this policy if it meets the definition of "Service Animal" in this policy.
- 5.2. Each Service Animal must be housebroken.
- 5.3. Service Animals must not be disruptive (excessive noise, barking, etc.) to normal academic, administrative, or residential functions.
- 5.4. Service Animals must not pose a direct threat to the health or safety of the Handler or others (including growling, biting, clawing, jumping on others, and other aggressive behavior).
- 5.5. Service Animals must be properly licensed and vaccinated, as required by applicable law.
- 5.6. Service Animals should not initiate contact with another person, or with the belongings of another person, without such person's consent.

6. Responsibilities of Handlers

- 6.1. The Handler must be in full control of the Service Animal at all times. This could be through means of a leash, harness, or other tether. However, if the use of a leash, harness, or tether interferes with the Service Animal's safe, effective performance of work or tasks, or if the Handler's disability prevents the use of

such devices, then the Service Animal must be under the Handler's control through voice control, signals, or other effective means.

- 6.2. The Handler must comply with any relevant city, county, and/or state license and leash laws while the Service Animal is on University premises.
- 6.3. The Handler should prevent the Service Animal from blocking an aisle or passageway.
- 6.4. A Handler who lives with a Service Animal in University housing may not leave the Handler's Service Animal unattended overnight in University housing. The Handler also must notify DSS in writing if the Service Animal is no longer needed or is no longer in residence.
- 6.5. A Handler may not rely on others or the University for proper care or supervision of the animal. Among other things, this means the University is not responsible for removing the animal during any emergency evacuation or providing a Service Animal with food or water.
- 6.6. The Handler must ensure that the Service Animal does not disturb or disrupt normal academic, administrative, or residential functions.
- 6.7. The Handler must promptly and thoroughly clean up and properly dispose of the animal's waste in a safe and sanitary manner and in areas designated by the University so that there is no stain or odor. The Handler must have the animal use animal relief areas designated by the University or, if no areas are designated on campus, must have the animal go off campus for relief. The Handler must ensure that animal feeding areas and animal food storage is clean and sanitary.
- 6.8. Handlers are financially responsible for any damage caused by their Service Animals (beyond reasonable wear and tear), whether the damage is to University property or the property of another student or other person.
- 6.9. Upon request, the Handler must work with DSS or other University representatives to address questions, complaints, or other issues that arise with respect to the Service Animal's presence on campus.

7. Public Etiquette by Other Students and Employees

- Do not pet a Service Animal. Doing so may distract the animal from the task at hand.
- Do not feed a Service Animal.
- Do not deliberately startle a Service Animal.
- Do not separate or attempt to separate a Handler from his/her Service Animal.

8. Other Possible Limitations on Use of Service Animals

Some Service Animals may pose asthmatic, allergic, or other medical issues for others on campus. Anyone who experiences such an issue may make a report to the Office of Safety and Security or to DSS. DSS, the Office of Human Resources, and/or other appropriate University departments will evaluate the situation to determine how best to provide reasonable accommodations to persons with disabilities and address any other health issues present, and will discuss any necessary changes in circumstances or practices with the Service Animal's Handler. If a person is allergic to dog (or other animal) dander or experiences some other asthmatic or medical issue from exposure to a Service Animal, then, where possible, both that person and the Service Animal's Handler will be accommodated by, for example, assigning the individual with the allergy or other asthmatic or medical issue and the Handler to different locations in a room or different rooms in a facility.

Similarly, if any other circumstances require potential limitations or modifications of a Handler's use of a Service Animal on campus, DSS and/or another appropriate campus department will discuss the matter with the Handler.

Service Animals in training are not entitled to the same protections as Service Animals under applicable law. Whether a Service Animal in training is permitted on campus will be determined on a case by case basis. If a Service Animal in training is permitted on campus, the person who brings the Service Animal in training to campus is responsible for it and must follow all rules and restrictions stated in this policy.

9. Removal of Service Animal from University Facilities

9.1. Removal Decision. The University may remove or may require the Handler to remove the Service Animal from campus if:

- 9.1.1. The animal injures any person or other animal or otherwise poses a direct threat to the health or safety of the Handler or others, or causes substantial property damage to University property or the property of others;
- 9.1.2. The animal's presence results in a fundamental alteration of University housing or another University program;
- 9.1.3. The Handler does not comply with this Policy;
- 9.1.4. The animal or its presence creates an unmanageable disturbance or interference within the University community; or
- 9.1.5. The Handler no longer needs the Service Animal as a reasonable accommodation for the Handler's disability.

- 9.2. **Basis for Determination of Removal.** In cases of removal decisions involving the behavior of the animal, the University will base its determinations on the behavior of the particular animal at issue. If practicable under the circumstances, any removal of the animal will be done in consultation with the Assistant Director for Disability Support Services. Any removal decision may be appealed using the [Nondiscrimination Complaint Procedures](#) in the Student Handbook. If asked to remove the Service Animal, the Handler must be offered the opportunity to return to the University premises or the immediate area without the Service Animal and be provided with an opportunity to discuss with DSS options for other reasonable accommodations to participate in the University service or program. A Service Animal may only be excluded from an individual event based on its or the Handler's behavior at that event. The Service Animal or its Handler cannot be excluded from future events based on a problem at a past event, except as provided in Section 9.3.
- 9.3. **Violations of Policy.** Depending on the seriousness of the animal's conduct or repeated conduct, Service Animals may be excluded from University property temporarily or permanently. If a Service Animal is excluded, DSS will be available to assist in evaluating alternative reasonable accommodations for the Handler. Handlers who violate this policy or disregard an instruction to remove or exclude a Service Animal from University property may be subject to additional penalties, including banning from any University property. Violations of this policy by a Handler who is a University student or employee may be referred for corrective or disciplinary action.
- 9.4. **Handler's Continuing Financial Obligation.** If a Service Animal is removed from University housing for any reason and the Handler is living in University housing, the Handler must still fulfill the Handler's housing obligations for the remainder of the housing contract.