

# Augusta University

## Policy Library

### Service and Comfort Animal

**Policy Owner: Student Affairs**

#### **POLICY STATEMENT**

This policy establishes the different requirements between the use of comfort animals and service animals for students with disabilities. It is necessary because comfort animals must be allowed in student housing with the required documentation but they do not necessarily have to be allowed in any other areas, again depending on documentation. This is a distinct difference from service animals who must be allowed at all times.

#### **AFFECTED STAKEHOLDERS**

*Indicate all entities and persons within the Enterprise that are affected by this policy:*

- Alumni       Faculty       Graduate Students       Health Professional Students  
 Staff       Undergraduate Students       Vendors/Contractors       Visitors  
 Other:

#### **DEFINITIONS**

**Pet** - any animal kept for ordinary use and companionship. Assistance animals (service and support animals), as defined below, are not considered pets

**Service animal** - any dog that is individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the person's disability. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition. Species other than dogs or, in some cases, miniature horses, are not considered service animals for the purpose of this definition of a service animal.

**Support or comfort animal** - an animal that provides emotional or other support that ameliorates one or more identified symptoms or effects of a person's disability. Unlike service animals, support animals are not required to be trained to perform work or tasks, and they include species other than dogs and miniature horses.

#### **PROCESS & PROCEDURES**

##### **Service Animals**

Service animals generally will be permitted to accompany people with disabilities in all areas of Augusta University's facilities, including University Housing, where students, members of the public, and other participants in services, programs or activities are allowed to go. However, it should be noted that Augusta University may impose restrictions on the use of service animals

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**Office of Compliance and Enterprise Risk Management Use Only**

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if there are reasonable safety concerns for the animal, the handler, or others. Within the university there may be possible restrictions of service animals in clinical environments (i.e. health sciences programs) or in laboratories that can pose a safety risk. Under these circumstances, it will be necessary for the person with the service animal to register with disability services in order to discuss reasonable accommodations.

Augusta University does not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Individuals accompanied by a service animal on campus but who do not need any disability-related accommodations are not required to register with Testing and Disability Services, nor is such individual required to submit a request for a reasonable accommodation to receive access of his or her service animal.

Additionally, Augusta University cannot ask about the nature or extent of a person's disability to determine whether a person's animal qualifies as a service animal. However, when it is not readily apparent that a dog is a service animal, Augusta University staff may make two inquiries to determine whether the dog qualifies as a service animal, which are:

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

A service animal must be housebroken (i.e., trained so that it controls its waste elimination, absent illness or accident) and must be kept under control by a harness, leash, or other tether, unless the person is unable to hold those, or such use would interfere with the service animal's performance of work or tasks. In such instances, the service animal must be kept under control by voice, signals, or other effective means.

Augusta University will assess requests for the use of miniature horses by people with disabilities on a case-by-case basis. Requests should be submitted to the Department of Testing and Disability Services and consistent with applicable laws. Augusta University may permit the use of a miniature horse if certain criteria are met and the horse has been trained individually to perform tasks for the benefit of people with disabilities.

## SUPPORT (OR COMFORT) ANIMALS

Unlike service animals, support animals are generally not allowed to accompany persons with disabilities in all public areas of Augusta University. Support animals may reside in University Housing, including accompanying such individual in all public or common use areas of University Housing, when it may be necessary to afford the person with a disability an equal opportunity to use and enjoy University Housing. Before a support animal can move into University Housing with a person with a disability, a request must be submitted to Augusta University's Department of Testing and Disability Services and approval must be granted (preferably at least 30 days prior to move in). If the disability is not obvious, Testing and Disability Services may require documentation from a licensed physician or mental health provider, including without limitation

a qualified psychiatrist, social worker, or other mental health professional, to provide sufficient information to determine:

- that the individual qualifies as a person with a disability (i.e., has a physical or mental impairment that substantially limits one or more major life activities); and
- that the support animal may be necessary to afford the person with a disability an equal opportunity to use and enjoy University Housing (i.e. that the animal would provide emotional support or other assistance that would ameliorate one or more symptoms or effects of the disability).

While support animals are generally not allowed indoors on Augusta University's campus other than in University Housing, people with disabilities may request approval from the Department of Testing and Disability Services to have the support animal accompany them to other campus areas. Such requests will be considered on a case-by-case basis consistent with applicable laws.

## GUIDE AND HEARING TRAINEES

GA state law allows animals being trained as service animals for persons with physical, sight, and or hearing impairments the same access that is afforded animals that are already trained and certified {O.C.G.A. §30-4-2}. However, documentation stating that the handler is working with an accredited agency is required.

## RESPONSIBILITIES OF PEOPLE WITH DISABILITIES USING SERVICE OR COMFORT ANIMALS

Augusta University is not responsible for the care or supervision of service or comfort animals. People with disabilities are responsible for the cost, care, and supervision of these 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.

People with disabilities who are accompanied by service or comfort animals must comply with the same university rules regarding noise, safety, disruption, and cleanliness as people without disabilities.

## EXCEPTIONS AND EXCLUSIONS

Augusta University may pose some restrictions on, and may even exclude, a service or comfort animal in certain instances. As noted previously, support animals are generally not allowed indoors on Augusta University's campus other than in University Housing. Persons with disabilities may request approval from Testing and Disability Services to have the emotional support animal accompany them to other campus areas as a reasonable accommodation. Such requests will be considered on a case-by-case basis consistent with applicable laws. An animal may be excluded from an area in which it was previously authorized to be only 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.

In considering whether a service or comfort animal poses a direct threat to the health or safety of others, an individualized assessment will be made, based on reasonable judgment, current medical knowledge, or the best available objective evidence, to determine: (1) the nature, duration, and severity of the risk; (2) the probability that injury will occur; and (3) whether reasonable modifications of practices, procedures, or the provision of auxiliary aids or services, will mitigate the risk.

Complaints about a service or comfort animal should be made in writing to Testing and Disability Services. A committee will be convened to make appropriate decisions regarding the service animal, based on all of the information available, and using the previously listed criteria. A written statement of explanation will be given to any person with a disability whose service or comfort animal is deemed to fundamentally alter the nature of a program, service, or activity.

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

The above provisions on restrictions and exclusions is not intended to cover modifications to reasonable accommodations. The reasonable accommodation process and modifications to reasonable accommodations are covered under Augusta University's policy on reasonable accommodations.

As noted above, support animals are generally not allowed indoors on Augusta University's campuses other than in University Housing. Persons with disabilities may request approval from Testing and Disability Services to have the emotional support animal accompany them to other campus areas as a reasonable accommodation. Such requests will be considered on a case-by-case basis consistent with applicable laws.

## GUIDELINES FOR MEMBERS OF THE Augusta University COMMUNITY

To ensure equal access and nondiscrimination of people with disabilities, members of the Augusta University community must abide by the following practices:

Allow service animals to accompany people with disabilities on campus;

- Do not ask for details about a person's disabilities;
- Do not pet a service animal, as it distracts the animal from its work;
- Do not feed a service animal;
- Do not deliberately startle, tease, or taunt a service animal; and
- Do not separate or attempt to separate a person from his/her service animal.

If you have a disability that may be affected by the presence of animals, please contact Testing and Disability Services. Augusta University is committed to ensuring that the needs of all people with disabilities are met and will determine how to resolve any conflicts or problems as expeditiously as possible.

## GRIEVANCE PROCEDURE

Any student or employee who wishes to file a disability discrimination complaint should refer to the appropriate grievance procedure located in the Jaguar Student Manual.

## REFERENCES & SUPPORTING DOCUMENTS

Documentation criteria for specific disabilities can be found here:

<http://www.gru.edu/admin/tds/disabilityservices.php>

ADA regulations regarding service animals can be found here:

[http://www.ada.gov/service\\_animals\\_2010.htm](http://www.ada.gov/service_animals_2010.htm)

US Department of Housing Comfort Animal regulations can be found here:

[https://portal.hud.gov/hudportal/documents/huddoc?id=servanimals\\_ntcfheo2013-01.pdf](https://portal.hud.gov/hudportal/documents/huddoc?id=servanimals_ntcfheo2013-01.pdf)

## RELATED POLICIES

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## APPROVED BY:

President, Augusta University and CEO, AU Health System    Date: 06/11/2015