



Rowan College at Burlington County Assistance Animal Procedure

Rowan College at Burlington County is committed to accommodating students and others with disabilities that require the assistance of service or support animals. As established and defined by the Americans with Disabilities Act (ADA) service animals shall not be excluded from RCBC campuses, facilities or activities. The procedure is coordinated by the RCBC Office of Student Support (OSS).

I. Overview

Animals are only allowed on campus when they are providing service or support to a member of the College or guest to campus as a reasonable disability accommodation. This policy applies to those individuals with disabilities who will be accompanied by a service animal or who will require a support animal while on campus.

Definitions of Assistance Animals (as per the ADA)

- *Service Animal:* "...any . . . animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or fetching dropped items" (ADA as amended). If an animal meets the definition of a service animal, it is considered a service animal regardless of whether it has been licensed or certified by a state or local government or a training program. Service animals are generally dogs.
- *Support Animal:* An animal that is prescribed or otherwise documented by a healthcare or mental health professional as treatment for a disabled individual and that is beneficial in alleviating one or more identifiable symptoms or effects of that individual's disability.
- *Assistance Animal:* A service animal or a support animal.
- *Comfort Animal:* An animal utilized by an individual for personal comfort without a prescription or otherwise documented by a healthcare or mental health professional as treatment. Comfort animals are not permitted on campus.

II. Service Animals On Campus

Service Animals are permitted on campus when accompanied by any student, guest, or member of the public who has a disability as defined by the ADA or the New Jersey Law Against

Discrimination. College staff members, including Public Safety Officers, may ask the person accompanying the Service Animal may be asked:

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

Additional information about the types of questions permitted or restricted by the ADA are available at: www.ada.gov/regs2010/service_animal_qa.html

III. Support Animals On Campus

Support Animals are permitted on campus when

- a student with a disability has registered with the Office of Student Support (OSS),
- provided disability documentation demonstrating the benefits provided by the support animal, and
- been granted an accommodation permitting the presence of the support animal on campus.

Student use of support animals may be limited to defined areas of campus and generally will not be permitted in academic or recreational facilities.

Campus guests with support animals must follow the RCBC Assistant Animal procedure in regards animal care, clean up and behavioral expectations. Inquiries regarding a support animal may be made by or to the Office of Public Safety.

Students who intend to utilize support animals throughout the semester must provide documentation for a Support Animal, to include:

- A typed, official letter from a medical or mental health professional with an explanation of the need for the animal, the type of animal, a description of the animal and the animal's name, when the animal was prescribed, the date when the animal was acquired, and the area(s) of campus where the support animal is needed.
- Medical documentation of the student's disability that meets RCBC documentation guidelines as maintained by the OSS. Documentation must likewise specify the area of campus where the support animal is needed.

IV. Responsibilities for use of Assistance Animal

- **Responsibilities of All Persons with Disabilities Using Assistance Animals:**
 - All animal owners are responsible for any damage caused by their animals on campus and must take appropriate precautions to prevent property damage or injury. The cost of care, arrangements and responsibility for the well-being of authorized animals are the sole responsibility of the owner at all times. Assistance

animals may not be left unattended in parked cars or tied or chained to poles, fences, etc. on campus.

- In the event that an Assistance Animal is found unattended or the owner does not adhere to the procedure, Public Safety will respond and engage local law enforcement when necessary. Additional action may be taken by the college through the Student Code of Conduct.

- **As per state regulations, the following is required in order for assistance animals to be on campus:**

- **Meet Legal Requirements*:** All requirements for the presence of animals in public places (vaccinations, licensure, ID tags, etc.) mandated by state or local ordinances must be followed, including but not limited to:
 - **Licensing:** The animal must meet licensing requirements and wear the tags if the animal is residing on campus. Students authorized to bring support animals to campus must provide documentation of licensing on an annual basis. Records of such are to be maintained by OSS.
 - **Be Under Control of the Owner:** The animal must be under full control of the owner at all times. Reasonable behavior is expected from all assistance animals while on campus. If a service dog, for example, exhibits unacceptable behavior, the owner is expected to employ appropriate training techniques to correct the situation. In addition:
 - When outside of the owner's residence, the animal must be on a leash or caged at all times. It should never be permitted to wander the campus off leash even when accompanied by the owner.
 - The animal must be as unobtrusive as possible when in the presence of other members of the College community.
 - Animals must be house-trained. The animal must urinate or defecate in a litter box, in a cage, or outside. Waste must be collected by the owner and disposed of properly.
 - Assistance animals are prohibited from kitchens and food preparation areas except those in apartment residence facilities.
 - **Consequences for misbehavior:** The assistance animal is held to the conduct and etiquette stated in this policy. The owner is fully responsible for all actions of the assistance animal. When an assistance animal is determined to be out of control or otherwise in violation of this Policy or the RCBC Code of Conduct, the College will take appropriate action to protect the health and safety of its members. Consequences for animal misconduct may include, but are not limited to, removing or muzzling a barking dog (unless barks are required for commands), temporary removal from campus with a requirement for refresher training for the animal and

its handler (fulfilled by owner), or temporary removal from College facilities. If the actions of the animal result in a violation of the College Code of Conduct, the owner may be charged accordingly.

- **Adhere to Cleanup Rule:** The owner must follow local clean up ordinances when the animal defecates. Individuals with disabilities who physically cannot clean up after their own assistance animal are still responsible for ensuring that waste is disposed of properly.
- *Please see Licensing requirements listed below for each county.

V. Conflicting Needs:

It is common for persons to have a condition that precipitates an allergic reaction to animals. Persons (including College faculty or staff) who have asthma/allergy/medical issues when in prolonged close proximity with an authorized animal on campus are to be directed to make this known to OSS. The person (student, staff, faculty, etc) vocalizing the concern must provide verifiable medical documentation to support their claim. Action will be taken to consider the needs of both persons to resolve the problem as efficiently and effectively as possible.

VI. Damages:

The owner is responsible for all damages that the assistance animal may cause while on campus. If a student's assistance animal causes damage to college property, the cost of the damage will be assessed and assigned to the student's bill.

VII. Responsibility of Students using Support Animals on Campus:

If the request to have a support animal on campus is approved, the requesting student must:

- Register the animal with OSS prior to the animal being on campus as described in Section III of this procedure.
- At the start of each academic year, provide documentation to OSS showing proof that the animal is licensed* and in good health. (*Please see Licensing requirements listed below for each county). This documentation can be submitted via email to studentsupport@rcbc.edu.
- Review and sign appropriate forms and agreements as requested at the start of each academic year.
- Produce, upon request from OSS, the Accommodation Plan which allows the animal on campus.

VIII. Removal of Assistance Animals from Campus:

In cases of imminent danger or threat to the animal or others, Public Safety Officers or On-Call Administrators may order the immediate removal of an assistance animal. Non-emergency removals may be authorized by the Dean of Student Success or designee. In such cases, the

owner will be notified in writing that the animal must be removed, including the reasons for removal. This process will be utilized for any issues related to assistance animals for both students and campus guests.

An assistance animal may be ordered removed from any area on the campus and may be prohibited from College facilities for the following reasons:

- **Disruption:** An owner may be directed to remove an assistance animal from a public or common area on campus when the animal is unruly or disruptive (e.g. barking, snapping, running around, bringing attention to itself, jumping up on people, escaping from cage or leash). If the improper behavior happens repeatedly, the owner may be prohibited from bringing the animal to campus until the owner can demonstrate that s/he has taken significant steps to mitigate the behavior. Any animal that exhibits aggressive or unsafe behavior may be prohibited from College facilities.
- **Threatening behavior:** An assistance animal may be excluded from the campus when that animal's behavior or condition poses a direct threat to the health and safety of others including other assistance animals.
- **Ill health:** Assistance animals that are ill should not be taken into public or common areas on campus. An owner with an ill assistance animal may be asked to remove the animal from college facilities.
- **Uncleanliness:** Owners must ensure that their animals are kept in sanitary conditions, and are clean and well-groomed. An owner of an animal whose condition is excessively unclean or unsanitary (e.g., flea infested, foul-smelling and/or shedding excessively, urinating or defecating inappropriately) may be asked to remove the animal from college facilities.

Should an owner's assistance animal be ordered removed from campus and prohibited for any reason, the owner may request the OSS allow for the replacement of the assistance animal with a substitute that meets the above requirements. Owners may also request to continue attending the College with other reasonable accommodations but without an assistance animal on campus.

IX. Public Etiquette by the Assistance Animal:

The animal:

- Must not be allowed to sniff people, store shelves, tables in eating areas, or personal belongings of others.
- Must not initiate contact with someone without the owner's direct permission.
- Must not display any behaviors or noises that are disruptive to others, such as barking, whining, or growling; scratching doors or chewing on furniture or personal belongings of others.
- Must avoid excessive personal grooming in public settings.
- Must not block an aisle or passageway.
- Must be trained not to be attracted to food that may be in common areas.

- Be housetrained when accompanying the owner inside campus facilities.

An owner may be issued a verbal or written warning by College staff whenever an assistance animal exhibits poor etiquette on campus. Such warnings will be documented on a Public Safety Incident Report or a report filed by an RCBC staff member, depending upon the circumstances surrounding the behavior. All such reports will be sent to the Dean of Student Success. Following an etiquette warning, the owner is expected to take action to train the animal to prevent reoccurrence of the offending behavior. If etiquette warnings for animal misconduct are repeatedly issued to an owner, the assistance animal may be ordered removed from College facilities, or the owner may be subject to disciplinary action under the Student Code of Conduct.

X. Areas of Safety:

It may be considered unsafe for assistance animals to be present in certain areas of College facilities, or during specific educational or recreational activities on campus. Each place or activity will be considered as to its risk potential by a team of individuals, including OSS, the area director or professor, and the college crisis team. OSS will arrange reasonable accommodations when it is determined unsafe for the assistance animal to accompany a student in one of these areas or College activities.

XI. Appeal Procedures:

A decision to deny approval of an assistance animal or to remove a previously approved animal may be appealed in writing to the Dean of Student Success within five (5) business days of the initial notice. Appeals must state a specific reason(s) for why the owner believes the request should be reconsidered. The Dean may consider records and information relevant to the owner's reconsideration request, whether submitted by the owner or obtained from any College office or staff person, including OSS and the Public Safety Office. Decisions on assistance animal appeals shall be issued in writing and shall be the final administrative actions of the College.

If the owner believes the denial or removal of an assistance animal may be discriminatory, or a denial of a reasonable accommodation under the protections afforded to students with disabilities under federal law or the New Jersey Law Against Discrimination, the owner may submit a written complaint to the Office of Human Resources. If an owner alleges discrimination based upon a protected category in an appeal letter, the Dean of Student Success shall refer the appeal to the Office of Human Resources for a confidential investigation. The senior level administrator responsible for Human Resources will offer an administrative decision which shall be the final actions of the College.

Procedure References and Resources:

1. ADA Requirements: Service Animals https://www.ada.gov/service_animals_2010.htm
2. Frequently Asked Questions about Service Animals and the ADA
https://www.ada.gov/regs2010/service_animal_qa.html
3. COMMONLY ASKED QUESTIONS ABOUT SERVICE ANIMALS IN PLACES OF BUSINESS <https://www.ada.gov/archive/qasrvc.htm>
4. Law Against Discrimination - State of New Jersey
<http://www.nj.gov/oag/dcr/accom.html>
5. *Dog Licensing - State of NJ
 - http://www.state.nj.us/nj/community/community/dog_licenses.html
 - <http://www.nj.gov/health/vph/dog-licensing/>

This procedure was adapted from related procedures at Rowan University and Ramapo College.