

SS1.1

## **Assistance Animal Policy**

The University of Mobile is committed to making reasonable modifications to its rules, policies, and practices as required by law to afford people with disabilities an equal opportunity to access its programs, services, and activities. The university recognizes that assistance animals may be an effective accommodation for certain qualified students. The presence of such animals may, however, present health, safety, security, and other programmatic issues for all members of the university community. To preserve the mission of the university, to recognize the rights and obligations of all members of the UM community, and to ensure the health, safety, and security, and educational needs of these members, the following criteria and requirements are adopted.

SS1.2

The following guidelines apply to all approved assistance animals and their owners/handlers at the University of Mobile unless the nature of the documented disability of the owner/handler precludes adherence to these guidelines. Students, who are interested in bringing an Emotional Support Animal (ESA) or Service Animal to campus, must seek approval through the Student Support Services Office. All assistance animals must be registered with the Student Support Services Office and if the assistance animal belongs to a UM resident, it must be registered with the UM Residential Life Office.

SS1.3

Students wishing to make a request for approval of an assistance animal on campus must complete the necessary documentation including the Confidential Self-Disclosure form, and the Exemption to Pet Policy form prior to bringing the assistance animal on campus. These forms can be found on [UMobile.edu](http://UMobile.edu). All supporting documentation will be submitted to the Student Support Services office and shared confidentially as needed with the Residential Life Office, and Campus Security. All students requesting disability accommodations in campus residential halls must submit the request each academic year.

SS2.1

### **Assistance Animal Definitions and Policies**

**Pets** – A "pet" is any animal kept for ordinary use and companionship. Assistance animals (service and emotional support animals), as defined below, are not considered pets. Pets are generally prohibited indoors on the University of Mobile campus. The University of Mobile's pet and animal policy states that "pets are not allowed inside any building on the University of Mobile campus. This includes mammals, birds, fish, reptiles and amphibians. Feeding and temporarily keeping animals in or around living areas is also prohibited as this poses a potential health and safety hazard. Students found in violation of the Residential Life Pet and Animal policy may be charged \$100 per day they are in violation", referral to the Academic Affairs Committee, and further judicial action up to and including suspension. Any violation of these rules may result in immediate removal of the animal from campus. Regular follow up visits will be made to ensure the animal has been removed.

However, in all public places where potential health and safety hazards are not likely, service animals are allowed to accompany their owners/handlers.

Please note that the keeping of dogs and other animals is also subject to federal, state and city laws, including Ordinance 1640 of the Prichard Municipal Code, which prohibits the keeping of certain animals in the City and sets certain licensing, vaccination and control requirements. Prichard Animal Resource Center

### **Service Animal Policy**

Under Titles II and III of the Alabama Disabilities Act (ADA), beginning on March 15, 2011, only dogs or miniature horses are recognized as service animals. Service animals are defined by the ADA as dogs or miniature horses that are individually trained to do work or perform tasks for people with disabilities.

Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who has seizures, 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. Service animals are working animals, not pets. The work or tasks an 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 under the ADA.**

## SS2.2.1

The University of Mobile 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, University staff may make two inquiries to determine whether the dog qualifies as a service animal, which are:

## SS2.2.1A

- Is the service animal required because of a disability

## SS2.2.1B

- What work or task has the animal been trained to perform?

*These are the only two questions you may legally ask, all others infringe on the individual's right to privacy*

## SS2.3

**Emotional Support Animal** - Under the Fair Housing Act (FHA), a person with a disability may keep an Emotional Support Animal (ESA) in the individual's dwelling when there is an established need for the therapeutic nature of the animal that is connected to the individual's disability. An ESA is prescribed by a person's physician, licensed therapist, psychologist, psychiatrist, or mental health professional as a part of a treatment program for that person and is designed to bring comfort and minimize the negative symptoms of the person's emotional/psychological disability.

Unlike a service animal, an ESA does not need to be trained to provide a service or task and does not accompany a person with a disability at all times. An ESA may be a reasonable accommodation for a student with disabilities but only within the student's dwelling. ESAs are not allowed in classrooms or campus buildings other than the specified residence halls, campus-owned apartments, or houses. A student may qualify for this accommodation if: (1) the student has a documented disability; (2) the animal is necessary to afford the student with the disability an equal opportunity to use and enjoy their dwelling; and (3) there is an identifiable and documented nexus between the disability and the assistance that the animal provides. The University will only allow those ESAs that are allowed by local and state laws and conform to standards within this policy.

## SS3.1

### **Animal behavior**

An exception to the Pet Policy is granted for approved assistance animals provided that their behavior, noise, odor, and waste do not exceed reasonable standards for a well-behaved pet and that these factors do not create unreasonable disruptions for residents and residential and student service programs staff. An animal may be removed if its behavior is unruly or disruptive (e.g., barking, growling, running around, or displaying aggressive behavior). If such behavior persists, the owner/handler may be prohibited from bringing the

animal on campus until the owner/handler takes significant and effective steps to correct the animal's behavioral problems. Dangerous, poisonous, and/or illegal animals are not permitted.

SS4.1

### **Exceptions and Exclusions Regarding Assistance Animals**

The University of Mobile may pose some 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 only if:

SS4.1.1

- it is out of control and effective action is not taken to control it

SS4.1.2

- 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)

SS4.1.3

- 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

SS4.1.4

- the animal causes substantial property damage to the property of others, including University property

SS4.1.5

- the animal's presence results in a fundamental alteration of a University program

SS4.106

- the owner/handler does not comply with the owner's responsibilities outlined in this policy

SS4.2

In considering whether an assistance animal poses a direct threat to the health or safety of others, the University of Mobile will make an individualized assessment, 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 the potential injury will actually occur; and (3) whether reasonable modifications of policies, practices, procedures, or the provision of auxiliary aids or services, will mitigate the risk. Any removal of an approved assistance animal will be done in consultation with the Student Support Services Office. The Student Support Services Office will provide a written statement of explanation to any person with a disability if a determination is made that the presence of that person's assistance animal would fundamentally alter the nature of a program, service, or activity.

SS4.2.1

In the event that restriction or removal of an assistance 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 assistance animal present.

SS4.2.2

If the owner/handler is told to remove the approved assistance animal from campus and has not done so within 48 hours of notification, the University reserves the right to remove the animal and take it to the nearest humane society location. The student will then be reported to the Vice President for Student Life for violation of the student code of conduct.

SS5.1

### **Guidelines For Members of The University of Mobile Community**

To ensure equal access and nondiscrimination of people with disabilities, members of the University of

Mobile community must abide by the following practices:

SS5.1.1

- Allow assistance animals to accompany people with disabilities on campus

SS5.1.2

- Do not ask for details about a person's disability

SS5.1.3

- Do not touch or pet an assistance animal without permission

SS5.1.4

- Speak to the person first; do not distract the service dog without permission

SS5.1.5

- Do not offer food or treats to the service dog without permission

SS5.1.6

- Do not deliberately startle, tease, or taunt an assistance animal

SS5.1.7

- Do not ask that the animal demonstrate its ability to perform its work and/or tasks

SS5.1.8

- Do not separate or attempt to separate a person from his/her assistance animal

SS5.1.9

- Do not ask for medical documentation to support the need for the animal

SS5.1.10

- Do not ask for documentation that the animal has been certified, trained, or licensed

SS5.1.11

- Remember a service dog is not a pet; it is a worker and often a medical necessity

SS6.1

### **General Guidelines For People With Disabilities Using Assistance Animals**

The University of Mobile is not responsible for the care or supervision of assistance animals. People with disabilities are responsible for the cost, care, and supervision of assistance animals, including:

SS6.1.1

- Compliance with any laws pertaining to animal licensing, vaccination, and owner identification. If state or local licenses are required for the animal, they must be obtained and kept current in compliance with the local jurisdiction (i.e., dog license) requirements. It is the owner's/handler's responsibility to know and understand these ordinances, laws, and regulations. The University reserves the right to request proof of licensing at any time during the animal's residency

SS6.1.2

- Immunizations against disease common to that type of animal. Assistance animals must have current vaccination against rabies and if taken outside the home, must wear identification tags with home address and, if applicable, vaccination information

SS6.1.3

- Keeping the animal under control and taking effective action when it is out of control

SS6.1.4

- Feeding and walking the animal, and disposing of its waste

SS6.1.5

- The owners/handler is solely responsible for the safety, health, behavior, and actions of the animal at all times. Animals that are ill or in poor health must not be taken into public areas. An owner/handler with an ill animal may be required to remove the animal from University property

SS6.1.6

- The owners/handler is solely responsible for any harm caused by the assistance animal to other students, faculty, staff, or campus visitors. The owner/handler is also financially responsible for the actions of the approved animal including bodily injury or property damage including but not limited to any replacement of furniture, carpet, window treatment, or wall covering, etc. The owner/handler is expected to cover these costs upon repair and/or move-out

SS6.1.7

- In accordance with Mobile County leash laws, the assistance animal must be on a leash anytime it is outside of the student's residence hall room
- SS6.1.8
- Owners/handlers are responsible for properly containing and disposing of all animal fecal waste. Indoor animal waste must be placed in a sturdy plastic bag and tied securely before being disposed in outside trash dumpsters. Outdoor animal waste must be immediately retrieved by the owner, placed in a plastic bag, and securely tied before being disposed in outside trash dumpsters
- SS6.1.9
- The owners/handlers must not take the animal in any buildings other than those designated and approved according to the Assistance Animal Policy
- SS6.1.10
- The animal must not obstruct or disturb any space or activity of the academic program including but not limited to: residence halls, recreational areas, roads, walkways, and passages on any part of campus, legitimate campus activities and any other university programs, spaces, or activities
- SS6.1.11
- The animal must not disrupt the educational environment by engaging in behaviors or noises that are disruptive to others including but not limited to: excessive barking, excessive whining, excessive growling, excessive grooming, excessive sniffing people, or intrusion into the personal belonging of others

SS7.1

### **Guidelines For Residents With Disabilities Using Assistance Animals**

The following guidelines are in addition to those listed above and apply to those persons with disabilities who live on campus with an approved assistance animal:

SS7.1.1

- Before a support animal can move into a residential hall with a person with a disability, a request must be submitted to the University's Student Support Services Office and approval must be granted (preferably at least 30 days prior to move in). If the disability is not obvious, the Student Support Services Office 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 for University of Mobile to determine:

SS7.1.1.A

- 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)

SS7.1.1.B

- that the support animal may be necessary to afford the person with a disability an equal opportunity to use and enjoy Residence Life (i.e. that the animal would provide emotional support or other assistance that would ameliorate one or more symptoms or effects of the disability)

SS7.1.2

- Before bringing an assistance animal to campus, the owner/handler must register their service animal or emotional support animal with the Student Support Services Office by completing all the necessary documentation including the Confidential Self-Disclosure form, the Housing Accommodation form, the Roommate/Suitemate Acknowledgement Form, the Exemption to Pet Policy form, and all necessary and required veterinary records. The animal may not reside in campus housing until the these forms have been submitted

SS7.1.3

- Before bringing an assistance animal to campus, the student requesting an assistance animal must provide the name and contact number for an individual who can immediately remove the animal from campus in the event of an emergency. The individual may not be another student who intends to take

the animal to another University Housing location. The animal must be evacuated to an off-campus location

SS7.1.4

- Emotional support animals are to stay confined to the room assigned to the student for whom the request was approved, with the exception of transporting the animal to or from his/her permanent residence, for medical or health care outside the University, to use designated outdoor relief area, or for occasional outdoor exercise. The animal will be considered outside of the student's room when it crosses through the doorway of the student's assigned room. This policy also applies to common areas. All assistance animals must be transported in an appropriate carrier or containment device when being transported through the building. While in the room, the animal will be kept in a suitable cage or restrained by a suitable containment device

SS7.1.4A

- Emotional support animals may not accompany their owner/handler to classes or into UM facilities other than the owner's/handler's designated residence

SS7.1.4B

- No owner/handler shall permit the approved animal to go loose or run at large. If an Approved ESA is found running at large, the animal is subject to capture and confinement and immediate removal from University Housing

SS7.1.5

- The owner/handler must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the owner /handler's responsibility to know and understand these ordinances, laws, and regulations. The University has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate. The University reserves the right to request documentation showing that the animal has been licensed.

SS7.1.6

- The owner/handler is responsible for ensuring that the animal does not interfere with the routine activities of the residence hall or cause difficulties for students who reside there. Sensitivity to residents with allergies and to those who fear animals is important to ensure the peace of the residential community

SS7.1.7

- The owner/handler is responsible for any expenses that are required due to costs incurred for cleaning which is above and beyond a normal cleaning or for repairs to the University's premises that are assessed after vacating the residence. The University shall have the right to bill the student account of the owner for unmet obligations

SS7.1.8

- Approved ESAs may not be left overnight in University Housing to be cared for by any individual other than the owner/handler. If the owner/handler is to be absent from his/her residence hall overnight or longer, the animal must accompany the owner/handler. The owner/handler is responsible for ensuring that the approved ESA is contained, as appropriate, when the owner/handler is not present while attending classes or other activities. At such times, the approved ESA must be kept in a cage, crate, carrier, or kennel

SS7.1.9

- The owner's/handler's residence may be inspected for fleas, ticks, or other pests once per semester or as needed. The Student Life and/or Residential Life Offices will schedule the inspection. If fleas, ticks, or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a University approved pest control service. The owner/handler will be billed for the expense of any pest treatment above and beyond normal required pest management

SS7.1.10

- The owner/handler must notify the Director of Residential Life in writing if the animal is no longer needed as a service animal or emotional support animal or it is no longer in residence. To replace an approved animal, the owner must file a new “Request for Exception.”  
SS7.1.11
- University personnel shall not be required to provide care or food for any Approved ESA including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal  
SS7.1.12
- All roommates or suitemates of the owner/handler must sign an agreement allowing the approved animal to be in residence with them. In the event that one or more roommates or suitemates do not approve, either the owner/handler and pet or the non-approving roommates or suitemates, as determined by the Director of Residential Life, may be moved to a more suitable location  
SS7.1.13
- Residential Life has the ability to relocate owner/handler and service animal or therapy animal as necessary per current contractual agreements  
SS7.1.14
- Owner/handler agrees to continue to abide by all other residential policies. An exception to a policy that otherwise would prohibit having an animal does not constitute an exception to any other policy  
SS7.1.15
- Any violation of the above rules will be reviewed through the appropriate student disciplinary process and the student will be afforded all rights of due process and appeal as outlined in that process  
SS7.1.16
- Should the animal be removed from the premises for any reason, the owner/handler is expected to fulfill his/her housing obligations for the remainder of the housing contract

SS8.1

### **Non-retaliation Provision**

The University shall not discriminate or retaliate in any manner whatsoever against any person because that individual has requested or received a reasonable accommodation in University Housing, including a request for an ESA.

**Electronically submit your request by utilizing the Disability Support Services.**

## **Resource Information**

The City of Prichard Animal Resource Center

<http://www.thecityofprichard.org/animal-resource-center/animal-shelter.html>

Saad Healthcare

[http://www.saadhealthcare.com/sa\\_rental\\_equipment.html](http://www.saadhealthcare.com/sa_rental_equipment.html)

Goodwill Easter Seals Gulf Coast

<http://www.gesgc.org/disability-services-2/>

Mobile County Animal Control

<http://www.mobilecountyal.gov/animals/>