

ANIMALS ON CAMPUS

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McPherson College supports the use of service animals, emotional support animals, and pets by students in accordance with this policy.

Service Animals are defined under the Americans with Disabilities Act ("ADA") as dogs that are individually trained to do work or perform tasks for people with disabilities. Service animals are working animals, not pets. The work or tasks performed must be directly related to the individual's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals.

Examples of work or tasks that service animals perform include, but are not limited to: assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as books or the telephone, alerting a person to a sudden change in blood sugar levels, providing physical support and assistance with balance and stability to individuals with mobility disabilities, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. Miniature horses may also be considered service animals in certain situations.

An Emotional Support Animal is a companion animal that provides therapeutic benefit, such as alleviating or mitigating symptoms of a person's disability. Emotional support animals are not service animals. However, emotional support animals will be permitted in residential facilities with prior approval from the Center for Academic Development and the Division of Student Affairs pursuant to the procedures and standards outlined below.

Pets are defined as a domestic or tamed animal that is kept for companionship.

Certified Therapy or Comfort Animals are dogs who go with their owners to volunteer in settings such as schools, hospitals, and nursing homes working to improve the lives of other people. Therapy and comfort animals are not service animals.

An Owner is a student or employee who has an approved animal on campus.

A Handler is a student or employee with a disability that a service animal assists or a personal care attendant who handles the animal for a person with a disability.

PROCEDURES

Service Animals: Students with disabilities who wish to bring a service animal (defined as a service dog or miniature horse) to the McPherson campus – including residential facilities, classrooms, and other College buildings, must register with Academic Development and provide proof of vaccinations required by the state of Kansas and the city of McPherson. Students with service animals who plan to live in residential facilities should inform residence life staff that they plan to have a service animal living with them. Advance notice of a service animal in residential facilities may allow more flexibility in meeting a student's needs.

Emotional Support Animals: Students who wish to bring an emotional support animal into residential facilities must go through the reasonable accommodation process with the Center for Academic Development and the Division of Student Affairs. While accommodation requests will be accepted and considered at any time, requests should be made as far in advance as possible before the student intends to bring the animal to campus to ensure timely consideration. An emotional support animal will not be allowed until formal approval has been received.

Upon receipt of request for an emotional support animal, the Center for Academic Development and Division of Student Affairs will communicate with the student to determine if the use of the animal is a reasonable accommodation. This is an individualized assessment, and determinations will be made on a case-by-case basis.

For an emotional support animal to be considered as reasonable accommodation for a student with a disability, supportive documentation should be from a professional healthcare provider (on letterhead) and generally include the following information:

- A current diagnostic statement that identifies the disability, including date of initial and most current diagnosis, any evaluations/testing that support the diagnosis, and a description of the functional limitation of the disability;
- Information regarding the relationship between disability and the relief the animal provides; and
- Information that demonstrates the animal is necessary for the student to use and enjoy his/her living arrangement.

In addition, an owner with an approved emotional support animal must keep the animal within the owner's residence. Students are not permitted to bring emotional support animals into classrooms, meetings, or other College facilities and events.

Pets on Campus: An approved animal may be allowed on campus for occasional and infrequent short visits in the company of the owner in outdoor public access areas. Indoor areas are not considered "pet friendly." Animals should never be left unattended by the owner and are to be always under the control of their owners. Pets should be leashed, healthy and pose no reasonable risk to humans. Excessive noise, barking or other disruptive behavior is not permitted, and may result in the animal not being permitted on campus until able to meet acceptable standards of behavior. Pet owners are personally responsible for any damage the animal causes to College property, and for any injuries or illnesses caused by their animal. It is the pet owners' responsibility to clean up after the animal and dispose of the animal's waste properly.

Pets in Residence Halls: Residents are allowed fish in a 5-gallon fish tank. The tank may only contain fish (no reptiles or amphibians). Lab specimens are prohibited. Unapproved animals found in College buildings must be removed immediately, or the resident may be in violation of the housing contract and assessed damage and cleaning fees. The College is not responsible for what happens to any animal if it is removed or while present on College property.

With approval from the Division of Student Affairs, small dogs and cats are permitted as pets in the Baer Apartments. Students wishing to bring a pet to reside on campus should request approval at least one month prior to the start of their residency to allow adequate time for review. A \$200 pet deposit will be charged to all residents with an approved pet in the Baer Apartments. The student will pay the College for any damage to College property caused by the pet. The pet deposit is not applied to these charges.

Approval of Animals:

Owners of Emotional Support Animals and approved pets must complete the following prior to the arrival of the animal. Failure to do so may result in the revocation of approval.

- Submit request and receive approval
- Review and agree to owner responsibilities. A copy must be submitted to the Division of Student Affairs.
- Schedule a meeting with their Resident Assistant and roommate to complete a Roommate Agreement. A copy of this must be submitted to the Division of Student Affairs.
- Submit proof of animal age
- Submit proof of current vaccinations
- Submit proof of registration

Failure to complete these tasks prior to bringing the approved ESA or pet to campus will result in revocation of this approval.

Annually, owners will need to submit updated vaccination information and complete a new Roommate Agreement. These must be submitted prior to the start of the semester.

REMOVAL OF ANIMALS

Decisions to remove a service animal or disapprove/remove an emotional support animal or pet will be made on a case-by-case basis, considering all surrounding circumstances. The following general standards reflect reasons why an animal may be removed, or approval revoked:

- The animal poses a direct threat to the health or safety of others. For example, the animal displays vicious behavior towards others or has a serious illness.
- The animal disrupts the community or ability of students to sleep and study by making excessive noise.
- The animal causes or would cause substantial physical damage to the property of the College and other community members, including but not limited to students, faculty, staff, and visitors.
- The animal poses an undue financial and administrative burden to the College.
- The animal would fundamentally alter the nature of the College's housing and/or general operations.
- The animal is out of control and the handler/owner does not take effective action to control it. If the out-of-control behavior happens repeatedly, the handler/owner may be prohibited from bringing the animal into College facilities until the handler/owner can demonstrate that he/she has taken significant steps to mitigate the behavior.
- The animal is not housebroken.
- The handler/owner does not abide by his/her responsibilities as outlined in Section V of this policy.

When an animal has been removed pursuant to this policy, McPherson will work with the handler/owner to determine reasonable alternative opportunities to participate in the College's services, programs, and activities without having the animal on the premises.

RESPONSIBILITIES OF HANDLERS AND/OR OWNERS

Laws, Ordinances, and Policies: Handlers/owners are responsible for complying with all state laws and local animal ordinances and are subject to all College policies and guidelines regarding housing and residence life.

Proper Identification: All animals are subject to local licensing and registration requirements.

Health and Vaccination: Animals must be immunized against diseases common to that type of animal. All vaccinations must be current. These animals must wear a rabies vaccination tag, and vaccination documentation must be provided to the appropriate office prior to the animal being allowed into any classroom or residence hall.

Caring for the Animal: The cost of care, arrangements, and responsibilities for the well-being of the animal are always the sole responsibility of the handler/owner. McPherson College will accept no responsibility for the care of any animal covered by this policy.

Animals must be well groomed (residential facilities such as showers, tubs, sinks, and the like may not be used for this purpose).

Animals cannot be left unattended overnight at any time. If the handler/owner must be away, they must either take the animal with them or arrange for the animal to be cared for elsewhere off campus.

Animals cannot be confined to a vehicle, tethered, or abandoned at any time.

Regular and routine cleaning of floors, kennels, cages, etc. must occur. Regular health and safety checks will be conducted by College staff. The odor of an animal emanating from a residence hall room is not acceptable and may result in disciplinary action.

Keeping the Animal Under Control: The animal should respond to voice and/or hand commands at all times and be fully controlled by the handler/owner.

Being Responsible for Damage Caused by the Animal – Handlers/owners are personally responsible for any damage caused by their animals and must take appropriate precautions to prevent property damage. The handler/owner will be required to pay for any damage caused by the animal.

An individual with an animal covered by this policy in a residence hall has an obligation to make sure that his/her residence is as clean and damage-free as the original standard, excepting normal wear and tear. When the individual moves out of residential housing or no longer owns the animal, the residence will be assessed to determine if damage to College property or extraordinary cleaning costs are attributable to the animal. If so, the owner will be financially responsible for associated costs.

The College maintains the right to conduct facility inspections for the purpose of assessing damage caused by the animal or otherwise determining the owner's compliance with this policy.

Being Responsible for Waste – Cleaning up after the animal is the sole responsibility of the handler/owner, and it must be done so immediately. If the handler/owner is not physically able to clean up after the animal, it is then the responsibility of the handler/owner to hire someone capable of cleaning up after the animal.

Leash Requirements – Service animals should be on a leash at all times, unless the owner is unable to use a leash due to a disability or the use of the leash would interfere with the animal's ability to perform its duties. Emotional support animals and pets must be on a leash or in a crate when leaving a residence hall to go to an off-campus location.

Observing Good Animal Etiquette – To the greatest extent possible, the handler/owner should ensure that the animal does not display behaviors or make noises that are disruptive or frightening to others, unless it is part of the service being provided to the handler (e.g., barking to alert the handler of danger). The animal must possess friendly and sociable characteristics.

Other Conditions and Restrictions – In response to a particular situation, McPherson reserves the right to impose other reasonable conditions or restrictions on the use of service animals and emotional support animals as necessary to ensure the health, safety, and reasonable enjoyment of College programs and activities by others.

INFORMATION SPECIFICALLY RELATED TO SERVICE ANIMALS

Permitted Inquiries

In general, members of the McPherson community should not ask about the nature or extent of a person's disability. However, as permitted by the ADA, if it is not obvious that the animal is required because of a disability, the handler may be asked:

- If the animal is required because of a disability, and
- What work or task the animal has been trained to perform.

The handler should not be asked for documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, McPherson community members should not make inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., if the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

Areas Off Limits to Service Animals

While service animals are generally allowed to go anywhere on campus that the handler is allowed to go, there are certain areas where the presence of a service animal fundamentally alters the nature of a program or activity or is disruptive. Examples of the areas that are off limits to service animals include:

- Research Laboratories: The natural organisms carried by service animals may negatively affect the outcome of the research. At the same time, the chemicals and/or organisms used in the research may be harmful to service animals.
- Mechanical Rooms/Custodial Closets: Mechanical rooms, such as boiler rooms, facility equipment rooms, electric closets, elevator control rooms and custodial closets, are off-limits to service animals. The machinery and/or chemicals in these rooms may be harmful to animals.
- Food Preparation Areas: Food preparation areas are off limits to service animals per health codes.
- Areas Where Protective Clothing is Necessary: Any room where protective clothing is worn is off-limits to service animals. Examples impacting students include kiln areas, chemistry laboratories, wood shops and metal/machine shops.
- Areas Where There is a Danger to the Service Animal: Any room, including classroom, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface; where there is hot material on the floor (e.g., molten metal or glass); where there is a high level of dust; or where there is moving machinery is off-limits to service animals.

Questions regarding areas that are off limits to service animals should be directed to the Academic Development, Executive Director of Operations or, in the laboratory setting, the laboratory instructor. Exceptions may be granted in some circumstances.

Additional Matters

Roommates: Upon approval of an emotional support animal, or if a student intends to have a service animal in residential housing, the student's roommate(s) will be notified (if applicable) and solicited for their acknowledgement of such. All roommates must sign an agreement allowing the approved animal to be in residence with them. If one or more roommates do not approve, the Division of Student Affairs will consult with all the individuals involved and determine the appropriate course of action, including a possible change in housing assignments. If, at a point later in time, there is a conflict between roommates regarding the animal that cannot be resolved, the Division of Student Affairs should be contacted. Appropriate parties will be consulted to reach a solution.

Animal No Longer Necessary: The Division of Student Affairs should be notified when an animal covered by this policy will no longer be in residence or, in the case of emotional support animals, is no longer needed as accommodation.

Conflicting Disabilities: Some people may have respiratory conditions or allergic reactions to animals that are substantial enough to qualify as disabilities. McPherson College will consider the needs of both people in meeting its obligations to reasonably accommodate all disabilities to resolve the problem as efficiently and expeditiously as possible. Students requesting allergy accommodation should contact the Division of Student Affairs.

Concerns: Concerns regarding an animal covered by this policy may be brought to the attention of the Division of Student Affairs.

Individuals with animals covered by this policy in residential housing should understand that issues may arise with other residents. The individual with the animal should be receptive to these concerns and, if necessary, contact the Division of Student Affairs for assistance in resolving the situation.

Other residents with minor concerns about an animal in their residence hall may discuss the matter with the owner/handler or talk with a representative of the Residence Life Staff. Major concerns should immediately be brought to the attention of the Division of Student Affairs.