

Residential Life Assistance Animal Policy

Policy Date: 8/2019

I. SCOPE

This policy applies to all faculty, staff, students, visitors and guests of Hellenic College Holy Cross (HCHC).

II. POLICY STATEMENT

Animals may pose a real or perceived threat to other members of the HCHC community and may disrupt HCHC activities. Consequently, animals brought into campus buildings present a liability for the HCHC that is not normally associated with HCHC operations. In order to promote a safe, non-threatening and healthy work environment for the members of the HCHC community and to protect the HCHC's physical assets, HCHC prohibits animals in campus buildings. (Exceptions are defined in the Policy below.)

III. DEFINITIONS

Campus Building - Any HCHC controlled and/or managed building, including any office, dormitory or housing facility.

Emotional Support/Assistance Animals – As defined by the Fair Housing Act, an emotional support/assistance animal may provide physical assistance, emotional support, calming, stability, and other kinds of support. The presence of the animal must be necessary in order to provide the resident with a disability the use and enjoyment of the dwelling. There must be an identifiable relationship or nexus between the disability and the assistance or support the animal provides. Emotional support/ assistance animals do not perform work or tasks that qualify them as “Service Animals” under the Americans with Disabilities Act.

Owner - Any person having an interest in or right of possession to a service animal, or any person having control, custody, or possession of an animal.

Service Animal – As defined by the Americans with Disabilities Act (ADA), a service animal is 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. (In some instances, as set out in the ADA regulations at 28 CFR 35.136(i), a miniature horse may qualify as a service animal.) The work the dog has been trained to do must be directly related to the person's disability.

IV. POLICY

In general, animals are not permitted in HCHC controlled and managed buildings, except for the animals listed in this Policy, the Policy on Emotional Support/Assistance Animals, and as defined above.

It is the policy of HCHC to provide reasonable accommodations to on-campus residents with a documented disability.

A. Where Emotional Support/Assistance Animals Are Allowed

HCHC policy allows assistance animals to live with residents/owners in their on-campus accommodation upon approval by the Dean of Students.

Assistance animals are only permitted in the resident's on-campus assigned residential room or housing.

Assistance animals are only allowed in other residential common indoor areas (i.e. lobbies) as needed to enter or exit the building.

Exceptions may be granted on a case-by-case basis. To request an exception, the Owner must contact the Dean of Students; the person directing the restricted area has the final decision.

B. Assessing Service Animal Status

The resident/owner will be asked to provide documentation verifying: 1) the person has a disability, 2) the animal is necessary to afford the person with a disability an equal opportunity to use and enjoy a dwelling; and 3) there is an identifiable relationship or nexus between the disability and the assistance the animal provides.

Office of Student Life may exclude an assistance animal from housing if it 1) poses a direct threat to the health or safety of others, 2) would cause substantial physical damage to the property of others, 3) would pose an undue financial and administrative burden, or 4) results in a fundamental alteration of HCHC's program(s).

C. The following tasks will comprise the process for approval under this policy:

- Register with Dean of Students as a qualified person with a disability under the Americans with Disabilities Act (ADA) of 1990.
- Meet with Dean of Students to request eligibility for use of an Assistance Animal while living in campus housing. Academic Services will determine eligibility on a case-by-case basis. Academic Services will orient eligible residents to any pertinent campus-wide policies that may relate to the assistance animal.

- Review, initial and sign the *Assistance Animal Agreement (attached)*
- Meet with the Dean of Students prior to the animal taking occupancy in order to review the agreement and expectations.
- Provide documentation that the animal is in good health and has been vaccinated against diseases common to that breed of animal as recommended by the American Veterinary Medical Association. The Assistance Animal Accommodation form must be submitted and approved prior to the animal taking residence.

D. Standards for Maintaining an Approved Assistance Animal

The following guidelines apply to all Approved Animals and their Owners, unless the nature of the documented disability of the Owner precludes adherence to these guidelines, and permission for a variance from the guidelines has been granted by Residential Life.

- Approved Animals must be housebroken. The Owner is responsible for properly containing and disposing of all animal waste. Indoor animal waste must be placed in a sturdy bag and tied securely before being disposed of in outside trash dumpsters. Outdoor animal waste, such as dog feces, is only allowed in the area defined by your Residential Life Liaison and must be immediately retrieved by the Owner, placed in a plastic bag and securely tied before being disposed of in outside trash dumpsters.
- In accordance with state and local ordinances and regulations, the Approved Animal must be immunized against diseases common to that type of animal. Routine maintenance of the animal is expected and includes flea and tick prevention, deworming, and annual examinations. Assistance Animals health must be documented annually by a licensed veterinarian. HCHC has authority to direct that the Assistance Animal receive veterinary attention.
- Dogs must have a current vaccination against rabies and wear a rabies vaccination tag. Local licensing is also required for all dogs.
- Owner must give permission to the College to contact the animal's veterinarian to request additional medical documentation if needed.
- All Assistance Animals must have a tag that identifies the Owner and contact info in case of emergency.
- Owner is responsible for all grooming and care of the Animal, not HCHC.
- Owner shall advise HCHC of the training the Approved Animal received to become an Assistance/Emotional Support Animal (see *Assistance Animal Agreement*)

- Residential Life may place other reasonable conditions or restrictions on the Assistance Animal depending on the nature and characteristics of the Assistance Animal.

E. Standards for Interaction with Roommates and the Community

- The Owner must effectively control the animal at all times. The animal cannot pose a direct threat to the health or safety of others. If the Owner cannot effectively control the animal or if it poses a direct threat to the health or safety of others, HCHC may suspend the accommodation made for to keep that particular animal until such time that the problem is rectified. In the event that HCHC determines that the animal poses a serious direct threat to health or safety, HCHC may rescind the accommodation made for that particular animal.
- The Owner must keep the assistance animal on a leash/lead or in a carrier when the animal is in a public area (i.e. exiting a residence hall, outdoors on campus, etc.).
- The Owner is responsible for assuring that the animal does not interfere with the routine of the residence or cause difficulties for individuals who reside in the unit. Sensitivity to residents with allergies and to those who fear animals is important to ensure a positive residential community.
- The Owner is responsible for any odors, noise, damage, or other conduct of his or her animal that disturbs others or damages the premises. Residential Life has the right to reassign the Owner to another accommodation if care of the animal or interactions interfere with other's educational experience.
- The Owner is responsible for instructing others on appropriate interactions with the animal and setting clear expectations.
- Roommates, suitemates and apartment mates will be notified about the animal. The notification will include the type of animal and size. Roommates, suitemates and apartment mates retain the right to request a room change from Residential Life if they have a desire to do so.
- Approved Animals may not be left overnight in HCHC housing to be cared for by another individual. Approved Animals must be taken with the Owner if they leave campus for a prolonged period.
- The Owner's residence may be inspected for pests once a semester or as needed. Residential Life will schedule the inspection. If pests are detected through inspection, the residence will be treated using approved fumigation methods by a HCHC-approved pest control service. The Owner will be billed for the expense of any treatment above and beyond standard pest management in the residence halls or housing.

- The Owner is financially responsible for the actions of the Approved Animal including bodily injury or property damage. The Owner's responsibility covers but is not limited to additional cleaning, repair, or replacement of furniture, carpet, window, wall covering, and the like. The Owner is expected to cover these costs at the time of repair and/or move-out.

F. Additional Agreements

- The Owner will be assigned a liaison within Residential Life who will oversee any moves from one location to another, arranging for staff notifications and trainings and assisting with re-introduction of the animal to a new community.
- The Owner must notify the office of Student Life in writing if the Approved Animal is no longer needed as an Approved Animal or is no longer in residence. To replace an Approved Animal, the Owner must file a new request for an Assistance Animal.
- The Owner agrees to continue to abide by all other residential policies. Reasonable accommodation which may constitute an exception to a policy that otherwise would prohibit having an animal does not constitute an exception to any other policy.
- Should the Approved Animal be removed from the premises for any reason, the Owner is expected to fulfill his/her housing obligations for the remainder of the Residence Hall Contract or lease.

G. Violations of Policy

- Any violation of the above rules may result in immediate discussion with Dean of Students to identify the issues and process moving forward. Continuous issues may result in the removal of the Approved Animal from HCHC and may be reviewed through the Code of Student Conduct and the Residence Hall Community Standards and the Owner will be afforded all the rights and procedures provided by that process.
- Owners who violate this policy or disregard an instruction to remove or exclude an Approved Animal from HCHC property may be subject to additional penalties, including banning from any HCHC property, or other fines or penalties under applicable city, town or state rules, regulations, or laws.

H. Designated Disability Services Offices

Dean of Students
Fr. Antonios Papathanasiou

Title IX Coordinator
Fr. Philip Halikias

I. Information for Members of the HCHC Community

- Residents with medical condition(s) who are affected by animals (e.g., respiratory diseases, asthma, severe allergies) are asked to contact Residential Life if they have a health or safety related concern about exposure to an Assistance Animal. HCHC is prepared to also reasonably accommodate individuals with such medical conditions that require accommodation when living in proximity to Assistance Animals.
- Office of Student Life will resolve any conflict in a timely manner. Staff members will consider the conflicting needs and/or accommodations of all residents involved.
- Upon approval of an Assistance Animal, the Owner's roommate(s), suitemate(s) or apartment mate(s) will be notified (if applicable) that the approved animal will be residing in shared assigned living space.

J. Requirements for Members of the HCHC Community

Members of the HCHC community are required to abide by the following practices:

- They are to allow the support animal to accompany its Owner at all times unless otherwise provided herein.
- They are not to touch or pet the service animal unless invited to do so.
- They are not to feed the service animal.
- They are not to deliberately startle the service animal.
- They are not to separate or attempt to separate an Owner from service animal.
- They are not to inquire for details about the Owner's reasons for having the animal. The nature of a person's reasoning is a private matter.

K. Complaint Resolution Resources

Individuals who wish to make a complaint that a HCHC student or employee may have violated the HCHC's nondiscrimination and/or non-retaliation policies, including a failure to allow an Assistance/Emotional Support Animal under this policy, may do so by:

Students: Email to osl@hchc.edu

Employees and members of the public: Contact the Human Resources Director

Individuals who wish to file allegations of discrimination also may contact the following:

Office for Civil Rights
US Department of Education
Boston Office
8th Floor
5 Post Office Square
Boston, MA 02109-3921
Telephone: 617-289-0111
FAX: 617-289-0150; **TDD:** 800-877-8339
Email: OCR.Boston@ed.gov

Equal Employment Opportunity Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: 1-800-669-4000
Fax: 617-565-3196
TTY: 1-800-669-6820
ASL Video Phone: 844-234-5122
Website: www.eeoc.gov.
Online system: <https://publicportal.eeoc.gov/portal/>.

Assistance Animal Agreement

First Name: _____ Last Name: _____

Campus ID: _____ Contact Phone: _____

Please review each area and initial each paragraph. The resident (Owner) requesting an assistance animal must complete this form. If the Owner is under the age of 18 then the parent/guardian will also sign the agreement.

Animal Name: _____

Animal Type: _____ Animal Breed: _____

Hair Length: _____ Animal Weight: _____

Training Received by Animal to become an Assistance/Emotional Support Animal:

Date of Training: _____

Veterinarian name: _____

Veterinarian phone: _____

I have read and agree to all of the terms of HCHC's *Assistance Animal Agreement and the Residential Life Assistance Animal Policy*. I understand that if I have questions, concerns, or need assistance that I will contact my Academic Services Coordinator.

Student Signature Date

Parent/Guardian Signature (for students under 18) Date