



Service Animal Policy

Arkansas Tech University (ATU) is committed to allowing people with disabilities the use of a service animal on campus to facilitate their full participation in University programs and activities. Set forth below are specific requirements and guidelines concerning the appropriate use of, and protocols associated with, service animals. Students who knowingly provide false information about the need for a service animal to Disability Services may be referred to the Department of Student Conduct. ATU reserves the right to amend this policy as circumstances require.

Per Arkansas Code § 20-14-310, misrepresentation of an animal as a service animal or service animal-in-training to a person or entity that operates a public accommodation may be subject to a civil penalty fee.

Section I. Definitions

A. Service Animal

A service animal is “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler’s disability. Examples of work or tasks 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, providing physical support and assistance with balance and stability to individuals with mobility disabilities, 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. Dogs whose sole function is to provide comfort, emotional support, well-being, or companionship do not constitute work or tasks for purposes of this definition¹.”

¹ Department of Justice Revised ADA Regulations Implementing Title II and Title III, Federal Register, September 15, 2010 (Volume 75, Number 178)

B. Emotional Support Animal

An emotional support animal (ESA) is an animal that ameliorates the effects of a mental or emotional disability through its presence. Unlike a service animal, ESAs are not individually trained to assist a person with a disability with daily activities, nor do they accompany a person with a disability at all times. ESAs are considered for access to University housing; however, they are not permitted in other areas of the University (e.g., libraries, academic buildings, classrooms, labs, student union, etc.) unless specifically approved to be in one of these spaces by Disability Services as a reasonable accommodation.

C. Handler/Owner

A handler/owner is a person with a service animal or approved ESA. Either term may be used interchangeably throughout the policy.

D. Pet

A pet is a domestic animal kept for pleasure or companionship. A pet is not considered a service animal or ESA. Pets are not permitted on campus and are not covered by this policy. The Pet Policy can be found in the ATU Student Handbook.

E. Approved Animal

An “approved animal” is a service animal or an ESA that has been granted as a reasonable accommodation by Disability Services in the student’s assigned on-campus residence. The University will not ask the individual with a disability to pay a fee or surcharge for an approved animal. Service animals not residing on campus do not require approval by Disability Services but must meet the criteria listed in the service animal definition and must comply with Section VII of this policy.

Section II. Service Animal Use on Campus

Visitors: Visitors to campus with service animals may access all public facilities, except areas where service animals are prohibited due to safety or health restrictions (see Section VI, Part D).

Employees: Employees with a disability who wish to utilize a service animal as a reasonable accommodation in a University office or other areas of campus buildings not open to the general public must request this accommodation with the Office of Human Resources.

Students: Students with a disability who wish to utilize a service animal in classrooms and other campus buildings, but who do not reside on campus, are not required to register with Disability Services. Those animals must meet the criteria listed in the service animal definition above. The student handlers are encouraged to notify Disability Services for access to resources, information, and advocacy around a range of disability-related dynamics, including service animals. Service animal handlers must follow “Handler Responsibilities” found in Section V (as applicable to non-resident handlers). See Section IV below regarding approval for service animals residing in University housing.

Section III. Conflicting Health Conditions

Students with medical condition(s) that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) are asked to complete and submit the online application form on the Disability Services website if they have a health or safety-related concern about exposure to a service animal. The University is prepared to also reasonably accommodate individuals with such medical conditions that require accommodation when in close proximity to service animals.

Section IV. Procedures to Have Service Animals in University Housing

Students planning to bring their service animals to reside in University housing are required to follow the steps outlined below:

1. A student seeking to keep a service animal in University housing must make a formal request to Disability Services by completing and submitting the online application form on the Disability Services website.
2. Students should be prepared to engage in an interactive process, answering legal and relevant questions regarding the use of a service animal.
3. Disability Services will review the student's application and arrange a meeting with the student regarding their request for a service animal to be housed in University housing, communicating the approval with University Housing staff as needed.
4. The student handler will engage in a renewal process each summer to ascertain the intention to bring the animal back to University Housing and ensure necessary notifications are made to staff, roommates, and suitemates.

Section V. Handler's Responsibilities

A. General Campus Spaces

1. The handler is responsible to attend and be in full control of the approved animal at all times. A service animal outside of the handler's own residence hall room (if applicable) shall have a harness, leash, or other tether unless a.) the handler is unable to use a harness, leash, or tether, or b.) using a harness, leash, or tether will interfere with the animal's ability to safely and effectively perform its duties. In that case, the handler must maintain control of the service animal through voice, signal, or other effective controls.
2. The handler is fully responsible for the costs, care, and upkeep of an approved animal, including routine bathing and grooming as necessary. University bathroom facilities may not be used for bathing a service animal or cleaning animal waste containers, and animal hair must not be left in University washers or dryers.
3. The handler is solely responsible for the sanitary removal of the approved animal's waste. Service dogs must be taken outside for all toileting needs. Any solid waste must be promptly bagged and disposed of in an outside trash dumpster. Animal

waste of any type must never be placed in a building's garbage cans or other small trash cans available on University property or be flushed down a toilet. Indoor toileting solutions such as puppy pads, diapers, or artificial turf mats are not allowed in campus residences.

4. The handler is responsible for ensuring that the approved animal does not unduly interfere with the routine activities of the space or cause difficulties for other students who are using the spaces or services. This could include disruptive noises or odors.
5. The handler is solely financially responsible for the actions of the approved animal including bodily injury or property damage. The handler's responsibility covers, but is not limited to, replacement of furniture, carpet, windows or window coverings, wall covering, or other damaged items. The University shall have the right to bill the student account of the handler for damages, including any damage discovered once the residence of an approved animal is vacated.
6. The handler is solely responsible for any expenses incurred for additional cleaning or repairs to campus spaces if they result from the service animal's presence or behavior.

B. Service Animals Approved to Live on Campus

1. The handler's residence may be routinely inspected for pests each semester, or as needed. The Department of Residence Life will schedule the inspection(s) and will make treatment arrangements with a University-approved pest control service, when needed. The handler will be billed for the expense of any pest treatment beyond standard pest management in the residence halls.
2. The handler is solely responsible for any expenses incurred for cleaning beyond a standard cleaning or for repairs to University premises that are assessed, either during a term or after the student and animal vacate the residence. These may include additional cleaning and maintenance costs to HVAC systems. The University shall have the right to bill the student account of the handler for unmet obligations. The handler must feed and provide water for the approved animal inside their own assigned room in University housing. If the handler is assigned to a residence with shared common areas, all the animal's supplies must be placed inside the handler's assigned bedroom. This includes, but is not limited to:
 - a. Food and water bowls
 - b. Crate, kennel, enclosure, etc.
3. All roommates or suitemates of the handler will be notified by University housing staff that an approved service animal will be in residence with them. In the event that one or more roommates or suitemates notifies the Department of Residence Life that they prefer not to live with the approved animal for non-health related reasons, either they, or the handler and animal, may be relocated based on factors such as available housing, room selection dates, housing accommodations, earned hours, and the timing of the animal's approval.
4. The Department of Residence Life has the authority to relocate the handler and approved animal as necessary according to current contractual agreements.

5. Approved animals may not be left overnight in University housing to be cared for by any individual other than the handler. If the handler is to be absent from the residence hall overnight or longer, the animal must be removed from campus.
6. Handlers must provide Disability Services with a designated emergency contact who does not live in University housing and has agreed to take custody of the animal in the event the handler is unable to care for it due to an emergency. Residence Life staff will escort the emergency handler to retrieve the animal from the handler's room. If the emergency contact does not take possession of the animal within 12 hours, the University may shelter the animal at a local boarding facility at the handler's expense.
7. University personnel shall not be required to manage the animal during emergency evacuation for events such as a fire alarm. If the handler is not in the room during an emergency evacuation, 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. In the event of a tornado warning or shelter-in-place directive, students may bring their animal on a leash, harness, or carrier (if applicable) to the appropriate safe location.
8. The handler agrees to continue to abide by all other University housing policies. Accommodations based on this policy do not create exceptions for any other University policy.
9. Should the approved animal be removed from the residence hall for any reason, the handler is expected to fulfill their housing obligations for the remainder of the housing contract.
10. The handler agrees to comply with approved animal health and well-being requirements as set forth in Section VI, Item A.
11. The handler must notify Disability Services, in writing, if the approved animal is no longer needed as an approved animal, is no longer in residence, or if the handler's room assignment changes after approval. To replace an approved animal in the residence hall, the handler must submit a new request.
12. Failure to comply with this policy may result in referral to the Department of Student Conduct and may result in disciplinary action, including immediate removal of the service animal from the University, as well as monetary fines and other applicable sanctions.

Section VI. Requirements for Maintaining an Approved Animal at Arkansas Tech University

A. Animal Health and Well-Being

1. **Vaccination:** In accordance with local ordinances and regulations, the approved animal must have current vaccination against rabies and wear a rabies vaccination tag, and must also be immunized against other diseases common to dogs.
2. **Health:** Disability Services has authority to direct that an animal receives medical care from a licensed veterinarian.

3. Leash: If appropriate, the approved animal must be on a leash except when in the handler's residence, unless the leash would inhibit the approved animal's ability to be of service.
4. City Ordinance: Per Russellville City Ordinance 1671, "all persons bitten and the parents or guardians of minor children bitten, as well as any person owning or having custody or control of a dog (or other animal of a species subject to rabies) that bites a person, must promptly report the incident to the Department of Animal Control. This is necessary so that such animals can be temporarily isolated (as required by law) in an approved place and manner (...) and observed for at least 10 days for any symptoms of rabies. This requirement applies whether or not the biting animal has been vaccinated against rabies". ATU requires that this 10-day waiting period be observed off campus.
5. Animal approval expiration: Service animal approvals in housing issued at any time during the academic year expire on August 6th and need to be renewed for the next academic year.

B. Requirements for Faculty, Staff, Students, and Other Members of the University Community

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

1. They are to allow a service animal to accompany its handler at all times and in all places on campus, except where animals are specifically prohibited.
2. They are not to touch or pet a service animal unless invited to do so by the handler.
3. They are not to feed a service animal.
4. They are not to deliberately startle a service animal.
5. They are not to separate or to attempt to separate a handler from his or her service animal.
6. They are not to inquire for details about the handler's disabilities. The nature of a person's disability is a private matter. Additional information for faculty and staff is available on the Disability Services website.
7. Infractions of this policy by a student should be reported to the Department of Student Conduct. Faculty and staff infractions should be reported to the Office of Human Resources.

C. Removal of a Service Animal

The University may exclude/remove an approved animal when:

1. The animal poses a direct threat to the health or safety of others;
2. The animal's presence results in an alteration of a University program;
3. The handler does not comply with handler's responsibilities on campus;
4. The animal or its presence creates an unmanageable disturbance or interference (e.g., barking, wandering, displaying aggressive behavior) and the behavior is outside the duties of the approved animal;

5. The animal is not housebroken;
6. The animal is physically ill;
7. The animal is unreasonably dirty or has persistent offensive odors; or,
8. The animal is found by the University to be out of control, and the animal's handler does not take immediate and effective action to control it.

D. Areas Off Limits to Service Animals

The University may prohibit the use of service animals in certain locations because of health and safety restrictions (e.g. where the animals may be in danger or where their use may compromise the integrity of research). Restricted areas may include, but are not limited to, the following areas: custodial closets, boiler rooms, facility equipment rooms, research laboratories, classrooms with research/demonstration animals, areas where protective clothing is necessary, wood and metal shops, rooms with heavy machinery, and areas outlined in state law as being inaccessible to animals. If an instructor or department believes an area they manage should be established as an area off-limits to a service animal and there is a handler who may need to utilize the space, the ATU employee may request this analysis by contacting Disability Services. Disability Services has final decision-making authority.