

Policy Name: Service Animals and Assistance Animals on Campus

Issuing Office: Office of Civil Rights and Title IX

Original Date Issued: July 12, 2018, Amended June 7, 2022.

Applicable To: All faculty, staff, students, guests, vendors, and visitors who access University-controlled property, including residence halls.

I. PURPOSE OF POLICY

The University of Massachusetts Boston (the “University”) is committed to providing appropriate access to all members of the University community. The University ensures that individuals with disabilities who use service animals will be granted access to all buildings, classrooms, residence halls, dining areas, recreation facilities, activities and events. The University allows service animals to accompany individuals with disabilities in all areas where members of the public are also permitted.

The University shall provide appropriate access to all on-campus residents with an assistance animal who demonstrate a documented disability. Assistance animals are not permitted in any area on campus *other than* the student’s on-campus housing and *only* after signing an approved Service Animal or Assistance Animal Agreement. Assistance animals are subject to restrictions on access and other requirements as described herein.

II. DEFINITIONS

Accommodation: A reasonable arrangement that provides equal access to educational courses, programs, services, employment, activities, and facilities available through the University.

Assistance Animal: An animal that provides emotional/therapy support which is documented by a health care provider for a person with a disability. This may include comfort animals, emotional support animals (ESAs), and therapy animals.

Civil Rights and Title IX (CRTIX): CRTIX administers the University’s Non-Discrimination and Harassment Policy and investigates complaints of violations of University policies related to discrimination and harassment.

Disability: A person is considered to have a disability if they have an impairment that substantially limits one or more major life activities; have a record of such impairment; and/or are being regarded as having such impairment.

Health Care Provider: A doctor of medicine or osteopathy, podiatrist, dentist, chiropractor, clinical psychologist, optometrist, nurse practitioner, nurse-midwife, or a clinical social worker who is authorized to practice by the State and performing within the scope of their practice as defined by State law, or a Christian Science practitioner.

Pet: Any domesticated or tamed animal that is kept as a companion and cared for affectionately, but is not a service animal, and is not recommended by a healthcare provider as an accommodation for a documented disability.

Ross Center Disability Services: RCDS provides academic accommodations on campus and encourages all student handlers of service animals to register with RCDS.

Service Animal: A dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a documented disability, including a physical, sensory, psychiatric, intellectual, or other cognitive disability.

In-Training Service Animal: A dog, puppy or miniature horse being trained has the same rights to access as a fully trained service dog or miniature horse. See MGL ch. 129, sec. 39F. For the purpose of this policy and procedure, reference to “Service Animal” shall include and refer to In-Training Service Animal.

Under Handler Control: A service animal or assistance animal must be under handler control at all times, which is defined as leashed, tethered, harnessed, unless that would interfere with the animal’s work, in which case the animal must be under the handler’s control via voice, hand signals, or other cue.

III. POLICY

Service Animal: In compliance with the Americans with Disabilities Act, as amended (ADA) and MGL ch. 272, sec. 98A, the University shall allow the use of service animals under handler control on University-controlled property as a means of providing access to employment, educational programs, activities and services to individuals with disabilities. Service animals may have access to all University-controlled property where the public are allowed to enter, including residence halls. The University has authority to direct that the service animal receive veterinary attention.

Assistance Animals In compliance with the Fair Housing Act, Section 504 of the Rehabilitation Act, and the ADA, the University shall provide appropriate access to all on-campus residence halls for students with assistance animals who demonstrate a documented disability. A residence hall student must provide to the Office of Housing and Residential Life (HRL) documentation verifying that the student has a disability and the assistance animal is necessary to afford them equal opportunity and access to educational activities. HRL will make the final determination as to the use of assistance animals living in the residence halls. Requirements and restrictions related to the animal’s access, care, and behavior in the residence halls are further described in the standards applicable to assistance animals, detailed below.

The University may exclude or remove a service animal if it poses a direct threat to the health and safety of others.

The University may exclude or remove an assistance animal if its continued presence would fundamentally alter the nature of the University's programs, it poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation, it would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation, or it would impose an undue financial or administrative burden. HRL will determine eligibility to bring an assistance animal onto university-controlled property on a case-by-case basis.

HRL may call Boston Animal Care and Control Services to remove the service animal or assistance animal in cases of direct threat to the community.

IV. Standards for Animal Interaction with the Community

A. Standards for the Care and Control of Service and Assistance Animals

The following standards apply to all service or assistance animals and their employees/students, unless the nature of the documented disability of the employee/student precludes adherence to these guidelines, and permission for a variance from the guidelines has been granted by Human Resources and/or HRL staff as applicable.

Vaccinations: In accordance with local ordinances and regulations, the service or assistance animal must have current vaccinations and must be immunized against diseases common to that type of animal. Routine maintenance of the service or assistance animal is expected and includes flea and tick prevention, deworming, and annual examinations. Local licensing and proper tagging is also required for all service or assistance animals. The health of service or assistance animals must be documented annually by a licensed veterinarian. The University has authority to ask for proof of documentation and/or direct that the service or assistance animal receive veterinary attention.

Care of Animal: Under Massachusetts' law a handler of an animal must provide (1) proper food and water, (2) shelter or protection from the weather, (3) veterinary attention needed to reduce or end suffering from disease or injury, and (4) a sanitary environment. A handler of an animal is prohibited from (a) willfully abandoning an animal, (b) carrying or causing an animal to be carried in or on a vehicle in a manner that endangers that animal including transport of an improperly secured animal, or (c) willfully permitting an animal to be subjected to unnecessary torture, suffering, or cruelty.

Housebroken: Service or assistance animals must be housebroken. The employee/student is responsible for properly containing and disposing of all animal waste. When indoors, animal waste must be placed in a sturdy bag and tied securely before being disposed of in a designated trash bin. When outdoors, animal waste must be immediately retrieved by the employee/student, placed in a plastic bag and securely tied before being disposed of in a designated trash bin.

Control of Animal: The employee/student must effectively control the service or assistance animal at all times, such that the animal is considered under handler control, as defined above.

If the employee/student cannot effectively control the service or assistance animal or if it poses a direct threat to the health or safety of others, the University may have the animal removed from campus and/ or suspend the accommodation until such time that the problem is rectified. In the event that the University determines that an assistance animal poses a serious direct threat to health or safety, the University may rescind the accommodation made for that particular animal on a case-by-case basis

Responsibility for Damage: The employee/student is financially responsible for the actions of service or assistance approved animal including bodily injury or property damage. The employee/student responsibility covers but is not limited to additional cleaning, repair, or replacement of furniture, carpet, window, wall covering, and the like. The employee/student is expected to cover these costs at the time of repair and/or move-out.

Communication with Others: The employee/student is responsible for instructing others on appropriate interactions with the service or assistance animal and setting clear expectations.

B. Expectation of Members of the University Community

No member of the general University community should approach an individual with an animal and ask about whether the animal is a service animal or assistance animal. Any general member of the University communication with a concern about an individual with an animal on University-controlled property should direct concerns to HRL, CRTIX, or law enforcement.

Members of the University community shall:

- Allow a service animal to accompany its employee / student at all times in all public spaces.
- Allow a service animal to accompany its student at all times in the student's residence hall.
- Allow an assistance animal to be present in the student's residence hall room and the direct path between that room and the exits.
- Not feed, touch, or pet a service or assistance animal unless invited to do so.
- Not deliberately startle a service or assistance animal.
- Not separate or to attempt to separate an employee/student from their service or assistance animal.
- Not inquire into details about the employee/student's disabilities.

University community members, including all employees and students, who have medical condition(s) which are affected by animals (e.g., respiratory diseases, asthma, severe allergies) shall contact Human Resources or HRL if they have a health or safety related concern about exposure to a service or assistance animal. The University will reasonably accommodate individuals with such medical conditions that require accommodation when working, studying, or

living in proximity to service or assistance animals and will seek to resolve any conflict in a timely manner, taking into consideration the conflicting needs and/or accommodations of all persons involved.

Roommates will be notified about the service or assistance animal. The notification will include the type of animal and size. Roommates retain the right to request a room change from HRL by following the procedures outlined by HRL if they desire to do so.

C. Standards for Residents with Service or Assistance Animals Related to Registration and Community Living

Students with an assistance animal in residence halls must register their animal with HRL BEFORE bringing the assistance animal into the residence halls. Students will complete an intake form and provide HRL with medical documentation of disability and the nexus relationship of the individual, the disability, and the need for an assistance animal. Upon review of documentation it will be determined if the student is eligible for reasonable accommodations in the residence halls on a case-by-case basis. The student will review and sign the University's Service Animal or Assistance Animal Agreement.

The student must notify HRL in writing if the assistance animal is no longer needed as an assistance animal or is no longer in residence. To replace an assistance animal, the student must file a new Service Animal or Assistance Animal Agreement.

Community Living: The student is responsible for assuring that the service or assistance 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.

Assistance animals are not permitted in any area on campus *other than* the student's on-campus housing and *only* after signing an approved Service Animal or Assistance Animal Agreement. Assistance animals are *only permitted* in a student's room, suite, or apartment and the most direct path to enter and exit the hall as needed. In suites/apartments, the assistance animal is allowed in the suite/apartment living space when accompanied by its handler.

The student's residence may be inspected for pests once per semester or as needed. HRL will schedule the inspection. If pests are detected through inspection, the residence will be treated using approved fumigation methods by a University-approved pest control service. The student will be billed for the expense of any treatment above and beyond standard pest management in the residence halls.

Service or assistance animals may not be left overnight in University housing to be cared for by another individual. Service or assistance animals must be taken with the student if they leave campus. In the event that a service or assistance animal is found unattended, efforts will be made to contact the handler. If these efforts are unsuccessful, HRL reserves the right to call Boston Animal Care and Control Services.

The student agrees to continue to abide by all other residential policies. Should a service or assistance animal be removed from University-controlled property for any reason, the student is expected to fulfill their housing obligations for the remainder of the Residence Hall Contract and lease.

V. PROCEDURES

A. Service Animals for Employees

The work or tasks performed by a service animal must be directly related to the employee'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, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability, helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Employees Using a Service Animal in the Workplace are encouraged to notify Human Resources to ensure equal access to all services, programs and activities on campus. To request use of a service animal as a workplace accommodation employees are directed to apply for a reasonable accommodation through Human Resources. The process is described here: <https://hr.umb.edu/accommodation-requests>.

B. Service Animals for Students

The work or tasks performed by a service animal must be directly related to the student'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, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability, helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Students With a Service Animal on Campus: Students with disabilities using a service animal and not living in residence halls are encouraged to register with the Ross Center for Disability Services (RCDS) to ensure equal access to all services, programs and activities on campus. Registration with the RCDS is not required in connection with a service animal.

Students With a Service Animal in Residence Halls:

1. Students with disabilities using a service animal and living in residence halls are encouraged to register with the Ross Center for Disability Services (RCDS) to ensure equal access to all services, programs and activities on campus.

2. Students who use a service animal are requested to review initial and sign the University's Service Animal or Assistance Animal Agreement. This will permit HRL to account for service animals during emergency situations and inform potential roommates about the characteristics of the service animal.¹
3. HRL will orient students to any pertinent campus-wide policies that may relate to the service animal.

C. Assistance Animals in Residence Halls

Students with an assistance animal in residence halls must follow the process below BEFORE bringing the assistance animal into the residence halls.

Students Requesting an Assistance Animal in Residence Halls:

1. Students will complete an request for accommodation in housing form and provide HRL with medical documentation of disability and the nexus relationship of the individual, the disability, and the need for an assistance animal.
2. The student will review and sign the University's Service Animal or Assistance Animal Agreement.
3. HRL will determine if the student is eligible for reasonable accommodations in the residence halls on a case-by-case basis.
4. The student shall receive an email from HRL verifying that the assistance animal has been approved and can be brought to campus.
5. HRL will orient students to any pertinent campus-wide policies that may relate to the assistance animal.

Oversight Department: Human Resources, Civil Rights and Title IX (CRTIX), Ross Center for Disability Services (RCDS), and Department of Housing and Residential Life (HRL)

Monitoring: Human Resources, Civil Rights and Title IX (CRTIX), RCDS, and HRL will monitor to ensure compliance with this policy, in conjunction with the UMass Boston Police Department (UMBPD).

¹ Students with a disability who use a service animal are not required to provide documentation of their disability prior to bringing their service animal to campus. In limited circumstances when the need for the service animal is not obvious HRL staff may ask if the animal is needed because of a disability and what work or task the animal has been trained to perform.

INFORMATION REGARDING SERVICE AND ASSISTANCE ANIMALS IN MASSACHUSETTS:

<https://www.mass.gov/service-details/about-service-and-assistance-animals>

INFORMATION TO LICENSE YOUR DOG:

<https://www.boston.gov/departments/animal-care-and-control/how-license-your-dog>

TO FIND A LOCAL VETERINARIAN:

<https://www.localvets.com/ml2/?v=430291718&u=08D099E98CE0CAD60210818280F807181820EDBBF382FD88B3ED8701&keyword=veterinarians+in&device=c&matchtype=b>

Service or Assistance Animal Agreement

First Name: _____ Last Name: _____

Campus ID: _____ Contact Phone: _____

Emergency Contact: _____

Emergency Contact: _____

(Must provide two emergency contacts)

Veterinarian Name & Contact Information: _____

Veterinarian License # & State: _____

Animal Type and Breed: _____

Hair Length: _____ Animal Weight: _____

Rabies Tag#: _____ Most Recent Rabies Vaccination Date: _____

(Record must be attached)

Spayed or Neutered Date for Assistance Animal: _____

(Record must be attached. For exceptions to this policy, please contact HRL)

Certificate of Health Date for Assistance Animal: _____

(Record must be attached)

HRL may place other reasonable conditions or restrictions on the assistance animal depending on the nature and characteristics of the animal (if so, it is noted below):

****Reminder:** Please attach the veterinarian’s verification that the assistance animal has all veterinary-recommended vaccinations and spayed/neutered record to maintain the animal’s health and prevent contagious disease. Also include a copy of Massachusetts required animal license (for dogs only). Verification of veterinary-recommended vaccinations for Massachusetts and animal license (for dogs only) must be updated as required by law and provided to HRL.

I verify, to the best of my knowledge, that all the information provided on this form is correct and I understand the steps I must take in order to have an assistance animal on campus.

I have read and agree to all of the terms of the University’s Service Animal or Assistance Animal Policy.

I understand that, should the service or assistance animal be removed from the premises for any reason, I am expected to fulfill my housing/academic for the remainder of the Residence Hall Contract and lease for housing or academic semester.

I understand that if I have questions, concerns, or need assistance that I will contact HRL or RCDS. I understand that any violation of the above rules may result in immediate removal of the service or assistance animal from the University and the handler will be afforded all the rights and procedures provided by the applicable grievance process.

I agree to continue to abide by all other campus and 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.

I give permission to the Director of HRL or Director of RCDS or their designee to contact my animal’s veterinarian to request additional medical documentation if needed.

Student Signature: _____ **Date:** _____

Approval Signature of HRL or RCDS Staff Member:

Date Materials Submitted to HRL or RCDS Staff:

** All medical documentation will be kept separately and held by The Ross Center for Disabilities Services.

**All reasonable accommodation applications related to housing and Service Animal or Assistant Animal Agreements will be held by Housing and Residential Life.