

REASONABLE ACCOMMODATIONS AND ASSISTANCE ANIMALS IN UNIVERSITY HOUSING

Ohio University is committed to granting reasonable accommodations to its rules, policies, practices, or services when such accommodations may be necessary to afford people with disabilities an equal opportunity to use and enjoy their dwellings, as required by federal, state and local law. A reasonable accommodation may include a change or exception to a rule or policy that is needed because of a person's disability, or it may be a physical change to a unit or common area.

Ohio University accepts reasonable accommodation requests from persons with disabilities and those acting on their behalf. Application for Accommodation forms are available to students through the Office of Student Accessibility Services (SAS). If you require assistance in completing the form, please contact the Office of Student Accessibility Services in Baker Center 348. Employees seeking an accommodation in University-owned housing for themselves or an individual living with the employee should contact University Equity and Civil Rights Compliance (ECRC).

We will make a prompt decision on your request. In the event we need additional information to make a determination, we will promptly advise you of the information needed. It is Ohio University's policy to seek only the information necessary to verify whether you are a person with a disability and/or to evaluate if the reasonable accommodation is necessary to provide you an equal opportunity to use and enjoy Ohio University housing. If we grant the request, you will receive a letter so indicating.

Ohio University may deny the requested accommodation under specified circumstances. If we believe that the requested accommodation poses an undue financial and administrative burden or a fundamental alteration to the nature of Ohio University's operations, we will schedule a meeting at a mutually convenient time to discuss possible alternative accommodations that would not impose such a burden or result in a fundamental alteration. If agreement on an alternative accommodation is not reached, we will send you a letter providing Ohio University's decision on your requested accommodation and a detailed explanation of our reasons for a denial or decision to grant an alternative accommodation.

Assistance Animals

Ohio University Policy 44.120: Animals prohibits individuals from having animals other than fish in any type of University housing, unless an exception applies. Ohio University will consider a request by an individual with a disability for a reasonable accommodation from this prohibition to allow an assistance animal (e.g., emotional support animal). An assistance animal provides assistance or performs tasks for the benefit of a person with a disability or provides assistance that alleviates one or more identified symptoms or effects of a person's disability. Ohio University recognizes the importance of allowing assistance animals necessary to provide individuals with disabilities an equal opportunity to use and enjoy University housing.

An assistance animal does not necessarily need to be trained, and is not limited to any specific type of animal. An assistance animal is restricted to the owner's privately assigned individual living accommodations, and may not accompany the resident to other areas of the university without permission except to the extent the individual is taking the animal out for natural relief.

Service Animals in University Housing

Service animals are dogs or miniature horses that are individually trained to perform tasks or do work for a person with a disability. While service animals are permitted to accompany individuals with disabilities in public facilities, individuals seeking to reside with their service animal in university housing are asked to work with SAS or ECRC, as applicable, to ensure that the animal is in good health and to facilitate appropriate placement in housing.

Requesting an Assistance Animal as an Accommodation

A student wishing to request an assistance animal should follow SAS's general procedures for requesting an accommodation, which can be found on the SAS website (<https://www.ohio.edu/uc/sas/register.cfm>).

An employee seeking an assistance animal as an accommodation in University housing for themselves or an individual living with the employee should contact ECRC.

No assistance animal may be kept in Ohio University-owned housing at any time prior to the individual receiving approval as a reasonable accommodation pursuant to this Policy.

Ohio University, in consultation with the resident, and other parties, as appropriate, may consider the criteria below in determining whether the presence of the animal is reasonable in the making of housing assignments for individuals with assistance animals:

- Whether the animal poses or has posed in the past a direct threat to the individual or others;
- Whether the animal causes or has caused excessive damage to housing beyond reasonable wear and tear;
- Whether the size of the animal is too large for available assigned housing space;
- Whether the animal's presence would force another individual from individual housing (e.g. serious allergies);
- Whether the animal's presence otherwise violates individuals' right to peace and quiet enjoyment; and
- Whether the animal is housebroken or is unable to live with others in a reasonable manner.

The individual must provide written consent for SAS to disclose information regarding the request for and presence of the assistance animal to those individuals who may be impacted by the presence of the animal including, but not limited to, Housing and Residence Life, Facilities Management, Emergency Response personnel and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the animal

and shall not include information related to the individual's disability. Ohio University reserves the right to assign an individual with an assistance animal to a single room without a roommate upon availability.

Approval of an assistance animal is good for the duration of the academic year. If a student or employee is returning to live on campus for another academic year, the individual must seek renewal of the approval pursuant to the applicable process, i.e. SAS or ECRC.

Owner's Responsibilities

Owners granted the accommodation of an assistance animal in University housing shall be subject to the following rules, in addition to any other university rules and regulations not specifically related to assistance animals. The owner must:

- **Keep the Animal in the Housing Unit.** An assistance animal must be contained within the owner's privately assigned individual living accommodations except to the extent the individual is taking the animal out for natural relief. When an assistance animal is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. Assistance animals are not allowed in any University facilities other than the University housing to which the resident is assigned.
- **Keep the Animal under Control.** The assistance animal must be properly housed and restrained or otherwise under the dominion and control of the owner at all times. No owner shall permit the animal to go loose or run at large. If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from University housing.
- **Abide by Laws and Policies.** The owner 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'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. Additionally, the owner must abide by all equally applicable residential policies, such as assuring that the animal does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside there.
- **Ensure the Animal is Well Cared-For.** The owner is required to ensure the animal is well cared for at all times. Any evidence of mistreatment, abuse, neglect, or leaving the assistance animal unattended for unreasonably long periods of time may result in immediate removal of the assistance animal and/or discipline for the responsible individual pursuant to the University Student Code of Conduct, and/or Department of Housing and Residence Life Student Handbook. The University will not base this determination on speculation or fear about the harm or damages an animal may cause. University personnel shall ***not*** be required to provide care or food for any assistance animal 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. Additionally, assistance animals may not be left overnight in University housing to be cared for by any individual other than the owner. If the owner is to be absent from his/her University housing overnight or longer, the animal must accompany the owner. The owner is responsible for ensuring that the assistance animal is contained, as appropriate, when the owner is not present during the day while attending classes, work or other activities.

- **Be Responsible for Personal Injury and Property Damage, Including University Property.** The owner is financially responsible for all injury or damage to persons or property, including other animals, caused by the assistance animal. The owner is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner and, when provided, must use animal relief areas designated by the University. An individual with a disability may be charged for any damage caused by his or her assistance animal beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear. The owner's living accommodations may also be inspected for fleas, ticks or other pests if necessary as part of the University's standard or routine inspections. If fleas, ticks or other pests are detected through inspection, the owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls. The University shall have the right to bill the owner's account for unmet obligations to the University under this provision.
- **Notify SAS or ECRC if Assistance Animal is No Longer Needed.** The animal is allowed in University housing only as long as it is necessary because of the owner's disability. The owner must notify SAS or ECRC, as applicable, in writing if the assistance animal is no longer needed or is no longer in residence. To replace an assistance animal, the new animal must be necessary because of the Owner's disability and the Owner must follow the procedures in this Policy when requesting a different animal.

Removal of the Assistance Animal

The University may require the Owner to remove the assistance animal from University housing if:

- The animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others, including University property;
- The animal's presence results in a fundamental alteration of a University program;
- The owner does not comply with the Owner's Responsibilities set forth above; or
- The animal or its presence creates an unmanageable disturbance or interference with the University community.

SAS or ECRC will base such individualized determinations upon the consideration of the behavior of the particular animal and resident on a case-by-case basis, and in consultation with Housing and Residence Life, the resident, and other parties as appropriate. The University will not base this determination on speculation or fear about the harm or damages an animal may cause. Any removal of the animal may be appealed pursuant to the grievance procedure through,

as applicable, the Procedure for Appealing Student Eligibility as outlined in the Student Accessibility Handbook or the ADA/504 Coordinator. The owner will be afforded all rights of due process and appeal as outlined in those processes.

Should the assistance animal be removed from the premises for any reason, the owner is expected to fulfill his/her housing obligations for the remainder of the housing contract.

Acknowledgement and Release of Information Consent Form

By my signature below, I verify that I have read, understand and will abide by the requirements outlined here and I agree to provide the additional information required to complete my Application for Accommodation under the University’s Policy on Reasonable Accommodations and Assistance Animals in University Housing.

I have read and understand the Policy on Reasonable Accommodations and Assistance Animals in University Housing and I agree to abide by the requirements applicable to Assistance Animals. I understand that if I fail to meet the requirements set forth in the Policy, Ohio University has the right to remove the Assistance Animal and I will be nonetheless required to fulfill my housing, academic, and all other obligations for the remainder of the housing contract.

I furthermore give permission to the Office of Student Accessibility Services or Equity and Civil Rights Compliance to disclose to others impacted by the presence of my Assistance Animal (e.g., Housing and Residence Life, Facilities Management, Emergency Response personnel and potential and/or actual roommate(s)/neighbor(s)) that I will be living with an animal as an accommodation. I understand that this information will be shared with the intent of preparing for the presence of the Assistance Animal and/or resolving any potential issues associated with the presence of the Assistance Animal. I will hold Ohio University harmless from any liability for disclosing such information.

I further recognize that the presence of the Assistance Animal may be noticed by others visiting or residing in University Housing and agree that staff may acknowledge the presence of the animal, and explain that under certain circumstances Assistance Animals are permitted for persons with disabilities.

Owner’s Signature

Date

Student Accessibility Services Representative

Date

Housing & Residence Life Representative

Date