BRENAU UNIVERSITY
POLICIES AND PROCEDURES

Policy Subject: Service Animals
Policy Number: AA-ACS-100-01

This policy is to implement federal and state laws regarding access for Service Animals, as defined herein, which assist disabled persons at Brenau University ("University")

1. Definitions:
    a. Service Animal: As defined by the Americans with Disabilities Act and Fair Employment and Housing Act, Service Animals are defined as "any guide dog, signal dog, or other animal (miniature horse) individually trained to do work or perform tasks for the benefit of an individual with a disability (Handler), including, but not limited to, guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items." {28 C.F.R. 36.302(c)(1)}

    Service Animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's (Handler's) disability.

    Georgia law provides that for purposes of access to facilities, programs, services or activities, persons ("Partners") accompanying dogs being trained to be "Service Animals," subject to certain identification and other requirements ("Service Animals in training"), are required to be given the same degree of access to which a disabled Handler assisted by a Service Animal is entitled under applicable federal law.

    Accordingly, for purposes of this Policy, Service Animals are collectively defined to include those that are defined by, or the subject of, applicable federal law and Georgia law. **Service Animals do not include animals of any species that are pets or used as tools for emotional comfort, support or therapy.**

    b. Owner/Handler: the individual with a disability, as defined under federal and state law, who uses a service animal to perform a work or task directly related to the individual's disability. A Handler may also be a personal care attendant who handles the animal for a person with a disability.

    c. Partner: a person engaged in the training of a service animal for the purpose of accompanying a Handler.

    d. Service Animals in Training: dogs that are being trained by a trainer identified as an agent or employee of an entity specialized in training dogs to become service animals.

2. Access: Generally, Title II and Title III entities must permit Service Animals to accompany people with disabilities in all areas where members of the public are allowed to go. The University may prohibit or otherwise restrict the access of Service Animals in certain University facilities due to health or safety restrictions and concerns, where their presence may compromise the integrity of certain research, or areas where the presence of the Service Animal would cause or require a fundamental alteration of a University program or activity. Such restrictions may include, but are not limited to:
    - Research laboratories and/or areas that require protective clothing. A laboratory director, or an instructor in a classroom or teaching area with moving equipment or machinery, may grant or deny admission to an area on a case-by-case basis. This denial or granting of admission to an area will be made based on the nature of the machinery and/or on the nature of the research.
    - Areas where there is a danger to the Service Animal such as classrooms or wood/metal/machine

shops, 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, where there are harmful chemicals or materials, or where there is moving machinery may grant or deny admission to an area on a case-by-case basis.

- A Service Animal may be excluded from a facility, including a classroom, if that animal's behavior, such as barking, is disruptive to the other participants within the facility.
- Food preparation areas
- Mechanical rooms or custodial closets such as boiler rooms, facility equipment rooms, electrical closets, elevator control rooms, and similar spaces.

3. Notifications: The University Disability Compliance Officer will coordinate with University units that restrict access of Service Animals from specific facilities to provide appropriate notice to all members of the University community and the public at large as to those facilities that are Service Animal restricted.

4. Requirements of Handlers/Partners and Grounds for Removal of Service Animals:
   - Handlers/Partners are required to keep their Service Animals under their direct physical control at all times by means of an appropriate leash or other lead of a type and length that enables the Handler/Partner to maintain close and direct physical control of the Service Animal. Service Animals can be voice command trained and/or off leash if necessitated by a particular task being performed. Handlers/Partners are prohibited from transferring such control to another person even momentarily, requesting the assistance of other persons in supervising or controlling their Service Animals or otherwise leaving the presence of the Service Animals for any period of time while on University facilities. Any Handler/Partner seeking an exception from these requirements must request an appropriate exception as provided under Exceptions in this policy.
   - Handlers/Partners are required to remove a Service Animal that is unruly or disruptive (e.g. biting or attempting to bite, barking, running around, jumping at or up on people or other excessive physical activity that goes beyond repositioning itself on the down stay), or may be directed to do so by a University faculty or staff member or by any member of University Security. In the event of such behavior by a Service Animal, it may be denied access to University facilities until the Handler/Partner can demonstrate that he/she has taken sufficient steps to correct or control the unacceptable behavior of the Service Animal.
   - Handlers/Partners shall not bring a Service Animal that is ill to University facilities and must remove the Service Animal from University facilities immediately if it becomes ill.
   - Handlers/Partners must abide by current city ordinances/laws pertaining to licensing and vaccination requirements for Service Animals. It is the responsibility of the Handler/Partner of the animal to know about these ordinances and/or laws. It is the responsibility of the Handler/Partner to keep the Service Animal clean, well groomed, and in good health. Handlers/Partners with Service Animals that are, in the reasonable opinion of a responsible faculty or staff member of the affected University unit, unhygienic (e.g. flea-infested, foul-smelling, or inadequately groomed as may be appropriate for the breed of the particular Service Animal) may be asked to leave University facilities or activities until such conditions are corrected.
   - Handlers/Partners must ensure that the Service Animals are housebroken. Service Animals will be excluded from University facilities if they are not. In the event of an isolated incident of a Service Animal failing to control its bodily eliminations due to illness or accident, the Handler/Partner is responsible for the immediate, proper clean up and disposal of any bodily fluids or solid waste from the Service Animal whether indoors or outdoors.

     Proper clean-up will depend on the specific circumstances but includes, at a minimum, the immediate physical removal of any liquid and solid wastes and disposal of the same, and the cleaning materials used, wrapped securely in a plastic bag and deposited in an outdoor waste container. To this end, Handlers/Partners are required to have in their possession at all times when accompanied by their Service Animals, appropriate and sufficient cleaning materials and disposal bags whenever their Service Animals

are present in University facilities or grounds. Animal feces may not be disposed of in any indoor trash receptacle or through the sewer system inside any building at the University.

In the case of a Handler whose disability prevents or impairs the ability to comply with the requirements of this paragraph, as required by applicable federal laws, it is the responsibility of such Handler to have previously made satisfactory arrangements for a third party to perform all actions required by the paragraph. Such arrangements must be documented in the Handler's disability records either at the Office of Accessibility Services (530 Washington St.), if a student, or at the University Human Resources Office (316 Boulevard) for all others. In all cases of damage to University facilities by a Service Animal failing to control its bodily eliminations due to illness or accident or in any other manner, the Handler/Partner is personally responsible for the cost of additional cleaning of or repairs to University facilities.

In the event of any such incident and after the immediate clean-up action required above, the Handler or Partner must notify an appropriate University employee in the affected building or area of the incident, such as those persons performing custodial or reception functions in the affected building so that further deodorization and disinfection procedures can be performed as needed by appropriate University personnel.

- Handlers/Partners of a Service Animal shall be liable for any and all costs resulting when a Service Animal causes damage to University facilities or injury to persons. In the case of any incident involving injury to a person by a Service Animal, the Handler/Partner shall make an immediate report to Campus Safety and Security so that the incident can be properly investigated and documented. The Handler/Partner shall also fully comply with any state or local law or regulation requiring additional reports to other government agencies that may be required due to the physical injury caused by the Service Animal.

  In addition, within 24 hours following any such incident involving such property damage or personal injury, the Handler/Partner shall submit a detailed written report regarding the incident that should include copies or other written confirmation that all other reports required in this policy have been duly made and that any actions required under other state or local laws such as quarantine of the Service Animal and the like have been taken. For purposes of this Policy, all such summary reports must be filed with the Office of Accessibility Services Director (student) or Human Resources Director (employee).

5. University Housing: For those Handlers/Partners residing in University housing, the policies and procedures applicable to University housing and contained in the Housing Contract, the University Student Handbook, and provisions of the *Service & Assistive Animals in Residential Housing, Policy (#*SS-RL-700-42) continue to apply and supplement this Policy. Residents accompanied by service animals must notify Residence Life in writing at residencelife@brenau.edu and sign the appropriate service animal notification form from the OAS office before the animal can reside in University Housing. Students are also encouraged to register with the Office of Accessibility Services if other housing or campus accommodations are needed.

6. Exceptions: Exceptions to any provision of this Policy, including restrictions placed by University units on access to specific areas or other aspects of the University facilities for Service Animals will normally be considered on a case-by-case basis upon written request to the Office of Accessibility Services Director or Associate Vice President for Human Resources, submitted not less than five business days prior to the effective date of any such exception. The responsible office will consult with other appropriate members of the University community in an interactive process to determine whether or not the request will be granted or denied taking into account all of the relevant facts and circumstances and will so inform the requester in writing, including any specific additional conditions or restrictions in those cases where exceptions are granted.

7. Administrative Process: Handlers are ***strongly encouraged*** to register their Service Animal with the appropriate office to ensure adequate support is provided in the case of building evacuations, incidents involving the Handler or Service Animal, or other situations that may arise. The Office of Accessibility Services shall

maintain appropriate records for student Handlers or Partners, and the Office of Human Resources shall maintain such records for University faculty or staff. To voluntarily register the Service Animal, Handlers should complete the *Service and Assistive Animal Registration and Information Acknowledgement Form (form is attached to this document)* and submit it to the appropriate office. Following receipt of the submitted form, the Office of Accessibility Services or Human Resources will then provide the information to other University offices who may need to be aware of the presence of the Service Animal (e.g. Campus Security, Student Services, Residence Life Director, Office Managers in affected buildings, Dining Hall Director).

The provisions of this Policy are minimal requirements that may be supplemented by more specific requirements and procedures developed and implemented by individual Brenau units due to the particular circumstances involved. Upon approval by the University Disability Compliance Officer, these shall also be enforceable under this Policy.

8. Violations of this Policy:

   Student Handler/Partner: Any violation of this Policy on the part of a student will be reviewed by the Office of Accessibility Services Director. The student will be afforded the right to appeal their case to the University Disability Compliance Officer.
   If the Handler/Partner is a residential student, violation(s) of this Policy may result in the resident having to find alternative housing off-campus for the Service Animal and, as warranted, may also result in a resident being in breach of their housing contract. Should the Service Animal be removed from a university residential facility for any reason, the Handler/Partner will be required to fulfill his/her housing obligations for the remainder of their contracted period.

   Faculty/Staff Handler/Partner: In the case of faculty or staff Handlers/Partners, failure to comply with this Policy will be addressed through the Office of Human Resources with any appeals directed to the University Disability Compliance Officer.

Brenau University Service Animal
Registration and Information Acknowledgement Form

This form is encouraged to be submitted prior to a Service Animal being present in University housing or accompanying a student or employee in approved University facilities. If the animal owner is a student, the form is to be submitted to the Office of Accessibility Services. If the owner is an employee, the form is to be submitted to the Human Resources Office.

Animal Owner or Handler is: (circle one) Student Employee Other

Animal is: (Check one)
____ Service Animal
____ Service Animal in training

Animal species and breed: _____(Please attach a photograph)

Animal's Name:_____

Most Recent Rabies Vaccination Date: _____ (attach documentation)

Spayed or Neutered Date: _____ (attach documentation)

I acknowledge having read all policies applicable to this animal's presence on the grounds/facilities of Brenau University and agree to abide by the terms and conditions outlined therein, including accepting responsibility for any charges incurred as a result of damage caused by the aforementioned animal.

_____ _____
(Signature of owner/Handler/Partner) (Date)

_____ _____
(Printed Name) (Student/Employee ID #)

_____
(University Housing Address, if residential student)

_____
(Local Address, if commuter student)

_____
(Cell Phone or Local Phone #)

_____(Title)_____
Signature of Director of the Office of Accessibility Services (if animal's owner/Handler/Partner is a student)
OR Signature of Human Resources Director (if animal's owner/Handler/Partner is an employee)

Date of Signature: _____ An annual update of this form is required by:_____

Cc. to Campus Security, Dean of Students, Dir. of Residence Life, Univ. Disability Officer, Office Manager(s) of affected building(s), Director of Dining Services