

Policies & Regulations

Facilities and Land

Subject: Service, Assistance and Other Animals on Campus		
Number	6.0210R	<input checked="" type="checkbox"/> New Regulation <input type="checkbox"/> Major Revision of Existing Regulation <input type="checkbox"/> Minor/Technical Revision of Existing Regulation <input type="checkbox"/> Reaffirmation of Existing Regulation
Effective Date	June 7, 2016	
Revised Date		
Responsible Division/Department: Administration & ADA Department		

I. Objective and Purpose

The purpose of this regulation is to set forth the University's procedures to allow the use of service animals and assistance animals on UNF property per Section 504 of the Rehabilitation Act of 1973 (Section 504), American with Disabilities Act as amended in 2008 (ADAAA), and the Fair Housing Act (FHA) and Section 413.08, Florida Statutes. Additionally, this regulation delineates campus practices concerning pets or other animals on campus.

II. Statement of Regulation

The University generally allows individuals with service animals in its buildings, classrooms, residence halls, dining areas, recreational facilities, land and any other area of the University where people are normally permitted when the individual with a disability indicates the service animals is trained to provide, and does so provide, a specific task directly related to the individual's disability.

The University may require the removal of a service animal from University property or University-sponsored events if it is determined that the individual's service animal poses a direct threat to the health and safety of others. Whether a service animal poses a "direct threat" to the health or safety of others will be determined on a case-by-case basis and be based on that particular service animal's actual behavior or its history. A service animal may only be denied access to UNF facilities on the basis of an actual threat. The animal may not be denied access due to speculation, stereotypes, or generalizations about individuals with disabilities or the breed of dog or miniature horse.

UNF reserves the right to determine locations where the animal or handler may be in danger and may present an alternative solution. A service animal may also be denied in a location where the animal or handler may be in danger, such as a boiler room or laboratory.

Service animals must be harnessed, leashed, or tethered while in public places unless these devices interfere with the service animal's performance or if the individual's disability prevents usage of such a device. In such cases it is the responsibility of the individual to maintain control of the service animal through voice, signal, or other effective controlling measures.

The University must allow individuals to request a reasonable housing accommodation for assistance animals. Assistance Animals are only allowed in Housing residences.

Other than service animals, assistance animals, animals used in study or scientific coursework, or animals approved for special events on campus, including all buildings, common or public areas, and nature trails, pet animals are not allowed on University property unless permission has been obtained through the Office of Environmental Health and Safety.

III. Definitions

For purposes of this regulation, the following definitions apply to the use of a service animal or an assistance animal by UNF students, faculty members, staff, or visitors.

- A. Assistance Animals (including but not limited to emotional support animals) for Housing on Campus:** Assistance Animals work, provide assistance, or perform tasks for the benefit of a person with a disability, or are animals that provide emotional support that alleviate one or more identified symptoms or effects of a person's disability. Assistance Animals are confined to use in University Housing as a University-approved accommodations for qualified individuals with disabilities. Assistance Animals are not "service animals" under the ADA, but may be permitted in University Housing, pursuant to the Fair Housing Act. Assistance Animals are not pets.

The University cannot require an assistance animal to be individually trained or certified. In evaluating a request for a reasonable accommodation to possess an assistance animal, the animal must perform the assistance or provide a benefit that affords the person an equal opportunity to use and enjoy University housing. An individual seeking a reasonable accommodation for an assistance animal must contact the Disability Resource Center (DRC) and notify the Director of Housing and Residence Life (contact information provided below).

The DRC staff will work with the Housing and Residence Life to administer the accommodation. The Housing and Residence Life staff will work to find an appropriate housing assignment.

If the assistance animal becomes a direct threat to the health or safety of others, and that direct threat cannot be reduced or eliminated by another reasonable accommodation, UNF has the legal right to deny the continuation of the housing accommodation. Direct threat will be based on individualized assessment of the specific animal's actual conduct and not on fears, stereotypes, or generalizations.

- B. Pets:** includes mammals, insects/arachnids, amphibians, birds and reptiles.
- C. Qualified Individual:** This is an individual with a physical or mental impairment that substantially limits one or more of their major life activities; a record of such an impairment; or being regarded as having such an impairment. A person with a disability who because of functional limitations due to his/her disabling condition requires a service or assistance animal to perform a specific task(s) or function(s).
- D. Service Animal:** As defined by the Americans with Disabilities Act Amendment Act (ADAAA):

“Service Animals are dogs or miniature horses that are individually trained to do work or perform tasks for an individual with a disability. The work or task an animal has been trained to provide must be a specific action directly related to the person’s disability.”

IV. Service Animals Used By Students and Employees

- A. Service Animal:** While not required, Students and Employees using service animals on UNF’s campus are encouraged to partner with the Disability Resource Center (DRC) or ADA Compliance Office, respectively, to register their service animal for health and safety purposes. Contact information is listed below. Persons who require a reasonable accommodation in order to utilize their service animal on University property must contact the DRC for students, and the Office of ADA Compliance for employees. The process for approval of use of service animals on UNF’s property will require medical documentation for those needing reasonable accommodations. This documentation may only be requested by the DRC and ADA Compliance. Allergies and fear of animals are not permitted reasons to deny access or provide a service to a student or employee accompanied by a service animal. However, concerns about allergies or potential conflicting disabilities should be directed to the Office of ADA Compliance as discussed in the conflicting disabilities section below. Service animals are working animals, not pets.

Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

B. Permitted Inquiry

Faculty and staff are prohibited from requesting medical documentation, asking about the individual's disability, requesting an identification card or proof of training, or asking the handler to make the animal perform the activity for which the animal is trained to perform. They are only permitted to ask the following two questions:

1. Is the animal a service animal required because of the disability, and
2. What job or task has the animal been trained to perform?

C. Responsibility of the faculty, staff, and students

1. Not pet service or assistance animals. They are working and must not be distracted.
2. Not feed service or assistance animals. Unusual foods may distract them from their task or cause the service animal to become ill.
3. Not separate or attempt to separate the animal from his/her partner.
4. Not speak to service animals without handler's explicit permission; service animals respond to high-pitched puppy talk and direct address.

D. University Recommended Registration & Documentation

The University recommends that qualified individuals with a disability register with the DRC or ADA Compliance Office in order to be provided a reasonable accommodation.

Qualified individuals with disabilities who are visitors, patrons, or guests, and who use as a service animal are not required to notify the DRC or the ADA Compliance Office. However, the owner of the service animal must comply with the rules in this regulation.

E. Responsibility of Service Animals and Their Owners

The service or assistance animal owner is responsible for cleaning up after their animal. The ADA does not exempt owners/handlers from following local leash and scooping laws for their service animals.

Reasonable behavior is expected from service or assistance animals while on campus properties or at UNF-sponsored events. If a service or

assistance animal displays unacceptable behavior, the owner is expected to employ proper techniques to correct the animal's behavior.

Cleanliness of the service animal is mandatory for all areas which the service animal attends with its owner/handler. Daily grooming and occasional baths should be done to keep animal odor to a minimum. Flea control is essential, and preventative measures should be taken. In the event a flea problem develops, it should be dealt with immediately and effectively. Consideration of others must be taken into account when providing hygiene for animals.

UNF has the authority to remove a service animal from its grounds or facilities if the service animal becomes unruly or disruptive, unclean, or unhealthy to the extent that the animal's behavior or condition poses a direct threat to the health and safety of others. If such behavior persists, the owner may be directed not to bring the animal onto UNF grounds and facilities until the issue is resolved.

F. Areas Restricted to Service Animals

UNF may prohibit the use of service animals in certain locations due to health or safety restrictions where service animals may be in danger, or where their use may compromise the integrity of certain research. An example of such restricted locations would include, but are not limited to, certain research laboratories, mechanical rooms/custodial closets, areas where protective clothing is necessary and other areas where the animal's presence may constitute a danger or a fundamental alteration of the program or activity conducted in the area. Access to restricted areas may be granted on a case-by-case basis by contacting the appropriate department and/or laboratory representative and the Disability Resource Center (DRC) or ADA Compliance Office.

UNF may prohibit the use of assistance animals in all locations except University Housing residences. Questions regarding these restrictions should be directed to the ADA Compliance Office.

V. University Housing & Assistance Animals

University Housing allows assistance animals, as a reasonable accommodation for a disability, upon submission of documentation of disability and need for the assistance animal. Use of an assistance animal will be approved if it is determined that the assistance animal works, provides assistance, or performs tasks for the benefit of a person with a disability, or the assistance animal provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. The assistance the animal provides must be necessary to afford

the person with a disability an equal opportunity to use and enjoy University housing and allowing use of the assistance animal is determined to be reasonable given the individual's disability.

An individual seeking a reasonable accommodation for an assistance animal must contact the DRC and notify the Director of Housing and Residence Life, who may be contacted via phone at (904) 620-4663 or e-mail at housing@unf.edu. Housing and residence life will be in contact with the DRC and if an individual's request is validated the Department of Housing and Residence Life will work to find an appropriate housing assignment.

If the assistance animal becomes a direct threat to the health or safety of others, and that direct threat cannot be reduced or eliminated by another reasonable accommodation, UNF has the legal right to deny the continuation of accommodation the assistance animal serves. Direct threat is based on individualized assessment of the specific animal's actual conduct and not on fears, stereotypes, or generalizations.

VI. Damages

UNF may require Housing residents to cover the costs of repairs or damage caused by the resident's use of an assistance animal.

VII. Conflicting Disabilities

While allergies are not valid reasons for denying access or refusing service to persons with service or assistance animals, some persons may have an allergic reaction to animals that is substantial enough to qualify as a disability. In which case, a person with such an allergy who has contact with a service or assistance animal on campus should request assistance from the University's ADA Compliance office or the DRC who will consider all facts surrounding the contact and make an effort to resolve the issue.

VIII. Grievances

Any individual with a disability who is not satisfied with a decision made concerning a service animal or assistance animal may file a complaint with the Director of ADA Compliance Office within 10 business days of the result of the decision. The Director will be responsible for reviewing the complaint, gathering information, and responding to the complainant regarding any decision made.

IX. Sanctions

Any member of the University community who interferes with a service or assistance animal or the duties it performs may face sanctions under the appropriate University misconduct charges.

Pursuant to Section 413.08, Florida Statutes, a person who misrepresents herself or himself as using a service animal, being qualified to use a service animal, or as a trainer of service animal commits a misdemeanor of the second degree, punishable by up to 60 days imprisonment, a fine of up to \$500 dollars and up to 30 hours of community service.

X. University Department Contact Information

A. Disability Resource Center

Building 57, Room 1500
Phone: (904) 620-2769
Fax: (904) 620-3874
drc@unf.edu

B. ADA Compliance Office

Building 6, Room 1314
Phone (Voice): (904) 620-2870
Phone (TDD/TTY): (904) 620-2969
Fax: (904) 620-2585
rrgonz@unf.edu

C. Office of Environmental, Health and Safety

Building 6, Suite 1301
Phone: (904) 620-2019
Fax: (904) 620-2025
dendicot@unf.edu

D. Department of Housing and Residence Life

Building 14b, Room
Phone: (904) 620-4663
Fax: (904) 620-4670
housing@unf.edu

Approved by BOT June 7, 2016.