



Disability Services for Students

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Service Animal (SA) Policy, Procedures & Guidelines in University Housing

Baldwin Wallace University (“BW” or “University”) recognizes the importance of Service Animals (SAs), as defined by the Americans with Disabilities Act Amendments Act (ADAAA), in providing safety and independence for individuals with disabilities. BW is committed to allowing individuals with disabilities the use of Service Animals on campus to facilitate their full participation and equal access to the University’s programs and activities.

The Americans with Disabilities Act defines a Service Animals as a dog, “that is individually trained to do work or perform tasks for people with disabilities.” The work or tasks a dog has been trained to provide must be directly related to the person’s disability. A Service Animal can be any breed or size. It may wear specialized equipment such as a backpack, harness or special collar or leash, but it is not a legal requirement.

The Department of Justice further states that “dogs whose sole function is to provide comfort or emotional support do not qualify as Service Animals.”

Baldwin Wallace University reserves the right to amend the ESA Policy, Procedures and Guidelines at any time as circumstances require.

Section I: Definitions

A. Service Animal: “Service Animals (SAs)” perform some of the functions and tasks that the individual with a disability cannot perform for him or herself. Guide dogs are one type of Service Animal, used by some individuals who are blind. But there are Service Animals that assist persons with other kinds of disabilities in their day-to-day activities. Some examples include:

1. Alerting persons with hearing impairments to sounds
2. Pulling wheelchairs or carrying and picking up things for persons with mobility impairments
3. Assisting persons with mobility impairments with balance.

B. Pet: A “Pet” is an animal kept for ordinary use and companionship. A pet is not considered a Service Animal or an Emotional Support Animal. It is not covered by these guidelines. Residents are not permitted to keep pets on university property or in university housing, other than non-dangerous fish in an aquarium no larger than 20 gallons.

C. Owner: The “Owner” refers to the student who requested the accommodation and received written approval to bring the ESA into University Housing.

D. Disability Services for Students: Disability Services for Students (“DSS”) collaborates with students, faculty and staff to ensure that students with documented disabilities have equal access to all BW programs, services and activities.

Section II: Service Dogs in Training (SDIT)

In the State of Ohio, representatives of accredited non-profit agencies that are training future Service Animals to do tasks or provide disability-related services in support of people with disabilities must maintain a liability insurance policy provided by the non-profit special agency, protecting members of the public against personal injury or property damage caused by the dog. Trainers who fulfill this requirement will be provided with the same right of access to public facilities as is afforded to a person with a disability who is accompanied by a Service Animal. Service Animals in training are not mentioned (and thus not protected) in the ADA.

Ohio State Law about SDIT:

- A. The Americans with Disabilities Act (ADA) assures people with disabilities who are accompanied by Service Animals that they will not be excluded from public places or activities, nor charged any additional fees, because they are accompanied by their Service Animal. However, the ADA does not provide the same protection to Service Animals in training (that is, the ADA assures access for the handler/partner only if the dog is **fully trained** to give some disability-related service).
- B. Ohio state law (RC §955.43) provides those same rights of access for individuals who are training Service Animals for a non-profit special agency. For example, an individual employed by Pilot Dogs, Inc., who is preparing future guide dogs to be paired with someone who is blind (in order to provide independent mobility) may bring the dog onto campus and interact with the campus community in public areas, campus offices, and so on.
- C. Because Ohio state law does not clarify further its use of the term “in training,” the Baldwin Wallace University has established a policy, based on accepted practices suggested by Assistance Dogs International (ADI).
 - 1. A service-dog-in-training is a dog, accompanied by its trainer that is undergoing individual training to provide specific disability-related work or service for an individual with a disability.
 - 2. This does not include obedience training or socialization of puppies who may later become Service Animals (generally 15-18 months).
 - 3. Thus, adult dogs are recognized as being “in training” to provide disability-specific assistance **only after** they have completed an earlier period of socialization (obedience training, being housebroken, getting acclimated to public places and everyday activities as pets).
- D. Since Service Animals in training in Ohio are only given access rights when accompanied by someone employed by a nonprofit agency, they cannot be in residence in University housing, nor be present in other areas of campus. Similarly, puppies who are being raised/trained in preparation for participating in formal Service Animal training are not permitted in University housing.

Service Animals in training are not allowed in University housing based on the aforementioned definitions.

Puppies who are being socialized in preparation for more formal Service Animal training are not considered Service Animals by the University and are therefore not appropriate for the University’s campus and/or housing environments.

Section III: Procedures for Requesting Service Animals in University Housing

The procedure for requesting permission to have a Service Animal follows the general procedures set forth in the Reasonable Accommodation in University Housing (See Accessible Housing Policy) and the requirements included below. However, to the extent the requirements and procedures in this Policy conflict with the Reasonable Accommodation Policy, this Policy shall control.

A. Request for Accommodation

Incoming students, or students making a request for a Service Animal in University housing for the first time, must complete an application for accommodations using the Disability Services Online System. Select “Service Animal” under Accessible Housing.

B. Documentation

The student must provide documentation indicating that the Service Animal has up-to-date vaccinations and appropriate licensure.

C. Deadlines

Whenever possible, the student should submit the request to have a Service Animal in residence in conjunction with their request for University housing or at least sixty (60) days prior to moving in. When the Service Animal is acquired or replaced **after** the application for University housing is submitted, Disability Services for Students will work with the student and Residential Life to make appropriate arrangements as quickly as possible.

D. Process after Approval

1. As part of the process, a brief meeting is required with the Owner (student) to review the Service Animal Policy, Procedures and Guidelines, and sign the Service Animal Contract. The contract outlines the student's responsibilities in University housing. In addition, the student will sign an acknowledgement of this Policy and a Release of Information Consent Form. ***The Service Animal may not be brought into University housing until the contract is signed.***
2. If the student has a roommate, the roommate will also be required to sign a Service Animal Roommate Agreement before the Service Animal is allowed to be in University housing. BW reserves the right to reassign a student with a Service Animal to a different room configuration as necessary in working with potential roommates. Such decisions will be made on a case-by-case basis.
3. Service Animal requests in University housing are required to be renewed each academic year, using the process described above.
4. The University strongly recommends that the Service Animal be spayed or neutered before being brought into University housing.

Section IV: Responsibilities of Owners and Services Animals in University Housing

The Owner is solely responsible for the custody and care of the Service Animal and must meet the following requirements:

1. 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 the Service Animal has been licensed and vaccinated.
2. The Owner is required to clean up after and properly dispose of the Service Animal's waste in outdoor waste receptacles and must use designated animal relief areas.
3. The Owner will not bathe the Service Animal in any University-owned facilities.
4. The Owner will not launder any Service Animal materials or bedding in any University-owned facilities.
5. The Owner is required to ensure the Service Animal is well cared for at all times. Any evidence of mistreatment or abuse may result in immediate removal of the Service Animal and/or discipline for the Owner.
6. The Owner may be charged for any damage caused by the Service Animal beyond reasonable wear and tear to the same extent that other individuals would be charged for damages beyond reasonable wear and tear.
7. The Owner's living accommodations may 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 residence will be treated using approved fumigation methods by a University-approved pest control service. 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 under this provision.
8. The Owner must fully cooperate with University personnel with regard to meeting the terms of this Policy and developing procedures for care of the Service Animal (e.g., cleaning, feeding and watering the animal; designating an outdoor relief area, disposing of feces, etc.).
9. The Owner must abide by all equally applicable residential policies that are unrelated to the student's disability such as assuring that the Service Animal does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside there.
10. BW personnel are not required to provide care or food for any Service Animal including but not limited to, removing the Service Animal during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the Service Animal and may not be held responsible for the care of, injury/death of, or loss of the Service Animal.

11. The Owner must provide written consent for DSS to disclose information regarding the request for and presence of the Service Animal to those individuals who may be impacted by the presence of the Service Animal, including, but not limited to Residence Life personnel and potential and/or actual roommate(s) or neighbors. Such information shall be limited and only related to the Service Animal and shall not include details related to the student's disability.

Section V: Removal of the Service Animal

If an issue arises as to whether an approved Service Animal should be removed from campus, the University will base such determinations upon consideration of the behavior of the particular Service Animal at issue, unless it has demonstrated aggressive or threatening behavior. The determination will not be based on speculation or fear about the harm or damages the Service Animal may cause. Any removal of the Service Animal will be done in consultation with DSS and may be appealed through the Disability Services for Students Grievance Procedure. The Owner will be afforded all rights of due process and appeal, as outlined in that process. BW may require the individual to remove the Service Animal from University housing if:

- A. The Service Animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others;
- B. The Service Animal's presence results in a fundamental alteration of a University program;
- C. The Owner does not comply with the Owner's Responsibilities set forth above;
- D. The Service Animal or its presence creates an unmanageable disturbance or interference with the University community. If the Service Animal is disruptive to the living environment for others (for example, barking or other loud noises, significant odor from litter boxes or cages, etc.).

If such removal is necessary, the student will be given twenty-four (24) hours' notice to remove the animal voluntarily. After which time the University may remove the Service Animal to the nearest animal shelter.

In the event that restriction or removal of a Service Animal is determined to be necessary, every effort will be made to assure the individual still has access to the programs, services, or activities of the University without the use of the Service Animal.

Section VI: Grievance Procedure

Complaints arising under this Policy shall be handled under the provision of Disability Services for Students, Grievance Procedure.

Section VII: Additional Information

For additional information concerning Emotional Support Animals or other DSS policies and procedures, please contact:

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