

SERVICE ANIMALS

POLICY NUMBER: ADM-SERVICEANIMALS

POLICY TYPE: ADMINISTRATIVE

RESPONSIBLE OFFICIAL TITLE: VICE PRESIDENT FOR STUDENT AFFAIRS

RESPONSIBLE OFFICE: OFFICE FOR STUDENT ACCESSIBILITY

EFFECTIVE DATE: UPON PRESIDENTIAL APPROVAL – 7/17/2020

NEXT REVIEW DATE: PREVIOUS REVIEW PLUS TWO (2) YEARS – 8/11/2024

SUPERSEDES POLICY: SERVICE & ASSISTANCE ANIMALS - 8/15/2018

BOARD OF REGENTS REPORTING (CHECK ONE):

PRESIDENTIAL RECOMMENDATION (CONSENT AGENDA/VOTING ITEM)

PRESIDENTIAL REPORT (INFORMATION ONLY)

I. POLICY STATEMENT

Northern Kentucky University's (NKU) Service Animals policy is used to outline rules for the presence of Service Animals, as defined by the Americans with Disabilities Act as Amended (ADAAA), while on campus and in the residence halls. NKU reserves the right to alter the policy, as necessary, at any time. NKU is committed to allowing individuals with disabilities the use of a Service Animal on campus to facilitate their full-participation and equal access to University programs and activities.

Verification of Service Animal

A service dog can be any breed or size. It might wear specialized equipment such as a backpack, harness, or special collar or leash, but this is not a legal requirement. If a Service Animal meets the definition as outlined in this policy, it is considered a Service Animal regardless of whether it has been licensed or certified by a state or local government or training program.

The Partner's disability may not be visible. Those not sure whether an animal is a pet or a Service Animal may ask two questions: (1) Is the dog a Service Animal required because of a disability? and (2) What work or task has the dog been trained to perform? Individuals, including faculty and staff, cannot ask about a person's disability, require documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

What to Do When Bringing a Service Animal to Campus

- a) Partners of Service Animals are not required to contact the Office for Student Accessibility or the Campus ADA Coordinator in order to have their Service Animal on campus. Service Animals may be used without written permission, according to federal law.
- b) If a Partner would like to inform Northern Kentucky University of the use of a Service Animal, students should contact the Office for Student Accessibility at (859) 572-5282 and faculty, staff, or visitors should contact the ADA Coordinator at (859) 572-7600.

Emergency Situations

In an emergency situation, emergency personnel will make every effort to keep the Partner and the Service Animal together. However, emergency personnel's first effort should be to the individual; this may necessitate leaving the animal behind in certain emergency evacuation situations.

Requirements of Service Animal and Partner

- a) All vaccinations and licenses required by state law and/or local ordinances should be up to date.
- b) Service animals must be accompanied by their Partners.
- c) The Partner must remain in close proximity to the Service Animal.
- d) The Service Animal must be harnessed, leashed, or tethered, unless these services interfere with the Service Animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- e) The Service Animal should be responsive to voice commands at all times, and be under the full control of the Partner.
- f) To the extent possible, the Service Animal should be unobtrusive to other students and the learning environment.
- g) The Partner is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner. Partners who are not physically able to pick up and dispose of feces are responsible for making all necessary arrangements for assistance. The University is not responsible for these services.

Campus Locations

Pets and non-research animals are typically restricted on University property. Under federal law, a Service Animal is generally permitted to accompany the individual with a disability to University facilities where members of the public, students, staff, and faculty are allowed to go. The University may impose legitimate safety requirements on the use or presence of a Service Animal that are necessary for safe operation of its facilities. There may be individual exceptions in places where the presence of the animal may compromise a sterile environment and from which the University may exclude Service Animals on a case-by-case basis based on actual risk.

Service Animals in Training

A service-dog-in-training and its trainer have the same access to areas of the University that a Service Animal has. Because Kentucky state law does not clarify further its use of the term "in training," Northern Kentucky University has established policy, based on accepted practice suggested by Assistance Dogs International (ADI). 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. In accordance with Kentucky state law ([KRS 258.500](#)), all trainers accompanied by a service-dog-in-training shall have in their personal possession identification verifying that they are a trainer of Service Animals. This does not include obedience training or socialization of puppies who may later become Service Animals (generally 15-18 months old). Thus, generally only adult dogs are recognized as being "in training" to provide disability-specific assistance, and only after they have completed an earlier period of socialization (obedience training, being house broken, getting acclimated to public places and everyday activities as pets).

Service Animals in Residence in University Housing

- a) NKU will not limit room assignments for individuals with a Service Animal to any particular building or buildings.
- b) Partners planning to bring their Service Animals to reside in University housing should provide sufficient notice of the intent, in order for University housing to be able to make appropriate arrangements regarding placement, roommates, etc.
- c) Partners must submit up-to-date vaccinations and licenses required by state law and/or local ordinances to University housing.
- d) Institutional personnel are not required to provide food or care for the animal.
- e) NKU will not require any surcharges or fees for Service Animals. However, in keeping with appropriate University policies and procedures, the Partner may be charged for excessive damage to housing beyond reasonable wear and tear caused by the Partner or Service Animal.

Removal of a Service Animal

Under limited circumstances, NKU may ask for removal of the Services Animal from University property. Such circumstances include, but are not limited to the following:

- a) If the Service Animal is out of control, aggressive to others, or significantly disruptive and the Partner does not take effective steps to control the animal;
- b) If the animal is not housebroken (i.e., trained to control its waste elimination absent illness or accident);
- c) If the animal poses a direct threat to the health or safety of others that cannot be eliminated or reduced to an acceptable level by a reasonable modification to other policies, practices, and procedures.

NKU will make such determination on a case-by-case basis. However, where a Service Animal is properly removed pursuant to this policy, NKU will work with the Partner to determine reasonable alternative opportunities to participate in the service, program, or activity without having the Service Animal on premise.

For additional information concerning the use of a Service Animal or other accommodations and services, please contact the Office for Student Accessibility at (859) 572-5282.

II. ENTITIES AFFECTED

Faculty, staff, students, and visitors to campus

III. DEFINITIONS

Service Animals. Service Animals, as defined by the Americans with Disabilities Act as Amended (ADAAA), are working animals, not pets. They are defined as dogs (under particular circumstances set forth in the ADA regulations at [28 CFR 35.136\(i\)](#), a miniature horse may qualify as a service animal) that are individually trained to do work or perform tasks for individuals with disabilities, including but not limited to the following:

- a) Guiding Partners who are blind.
- b) Notifying Partners who are deaf.
- c) Pulling wheelchairs for those with limited mobility.
- d) Providing warning and protection to Partners who have seizures.
- e) Performing other special tasks.

The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as Service Animals under the ADA.

Partner. This term refers to an individual with a disability who uses a Service Animal. The Partner is responsible for the care and supervision of the Service Animal.

Emotional Support Animal. These animals are used for emotional support to provide individuals with mental health disabilities an equal opportunity to use and enjoy University housing. These animals are not covered under the ADA but do have recognition under the Fair Housing Act (FHA). The Emotional Support Animal Guidelines explaining specific requirements applicable to an individual's use of an Emotional Support Animal in University Housing are posted on the [Office for Student Accessibility website](#).

REVISION HISTORY

REVISION TYPE	MONTH/YEAR APPROVED
Review with No Changes	August 11, 2022
Revision and Name Change	July 17, 2020
Review with No Changes	August 16, 2019
Revision	August 15, 2018
New Policy	April 1, 2014

SERVICE ANIMALS

PRESIDENTIAL APPROVAL

PRESIDENT

Signature

Ashish K. Vaidya

Date

7/17/20

Ashish K. Vaidya

BOARD OF REGENTS APPROVAL

BOARD OF REGENTS (IF FORWARDED BY PRESIDENT)

- This policy was forwarded to the Board of Regents on the **Presidential Report (information only)**.
Date of Board of Regents meeting at which this policy was reported: 9 / 9 / 2020.
- This policy was forwarded to the Board of Regents as a **Presidential Recommendation (consent agenda/voting item)**.
- The Board of Regents approved this policy on ____/____/____.
(Attach a copy of Board of Regents meeting minutes showing approval of policy.)
- The Board of Regents rejected this policy on ____/____/____.
(Attach a copy of Board of Regents meeting minutes showing rejection of policy.)

VICE PRESIDENT AND CHIEF STRATEGY OFFICER

Signature

Bonita Brown

Date

9/14/20

Bonita J. Brown