



National University of Health Sciences General Policies

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Policy

The purpose of this policy is to provide the University community with guidelines for the use of service animals on campus. This policy will assist in understanding the rights of students/employees with disabilities who utilize service animals, identify the types of service animals and provide a framework for managing service animals on university property. Disability Support Services is responsible for implementing this policy for students. The Office of Human Resources is responsible for implementing this policy for employees and visitors.

State and Federal Laws

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. 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 disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

The ADA and Illinois law (720 ILCS 630 and 775 ILCS 30) allow service animals that accompany persons with disabilities to be on the National University of Health Sciences (NUHS) campus. A service animal must be permitted to accompany a person with a disability everywhere on campus. However, there are some places on campus that are not safe for service animals; these areas are discussed in the section entitled: Areas Off Limits to Service Animals.

Definitions

Companion animal: These animals are prescribed for some disabilities for their calming influence, affection, stability, or feeling of security. They are not trained and not afforded the legal protection of service animals.

Animal in training: An animal being trained to be a service animal. It has the same rights as a fully trained animal when accompanied by a trainer and is identified as such.

Partner/handler: A person with a service or therapy animal. A person with a disability is called a partner; a person without a disability who has some temporary responsibility for the service animal is called a handler.

Service Animal: A dog that is individually trained to do work or perform tasks for the benefit of a person with a disability.

Pet: A domestic animal kept for pleasure or companionship. Pets are not permitted in University facilities (except on-campus housing).

Team: A person with a disability, or a handler, and his or her service animal. The two work as a team in accomplishing the tasks of everyday living.

Therapy Animal: A therapy animal does not assist an individual with a disability in the activities of daily living. Current disability laws do not protect a therapy animal.

Inquiries, Exclusions, Charges, and Other Specific Rules Related to Service Animals

- When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff 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. Staff cannot ask about the person's disability, require medical 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.
- Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

- A person with a disability cannot be asked to remove his or her service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.
- Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.
- People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a business requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.
- If a business such as a hotel normally charges guests for damage that they cause, a customer with a disability may also be charged for damage caused by himself/herself or his/her service animal.
- University employees or students are not required to provide care or food for a service animal.

Faculty, Staff and Student Responsibilities

- Allow a service animal to accompany the partner/handler at all times and everywhere on campus except where service animals are specifically prohibited.
- Do not pet a service animal unless given permission by the partner/handler; petting a service animal when the animal is working distracts the animal from the task at hand.
- Do not feed a service animal. The service animal may have specific dietary requirements. Unusual food or food at an unexpected time may cause the animal to become ill.
- Do not deliberately startle a service animal.
- Do not separate or attempt to separate a partner/handler from her or his service animal.

Licensing: The animal must meet the same licensing requirements as the dogs permitted within on-campus student housing.

Identification: In case the animal is accidentally separated from the partner/handler, it should wear, at all times, some type of commonly recognized identification tag with a contact name and phone number, in addition to appropriate license/township tags. Ideally, an animal will be recognized as a service animal by an identifying jacket that is frequently worn by a service animal.

Conflicting/Competing Disabilities: Students with medical condition(s) that are affected by animals should contact the Dean of Students if they have a health or safety related concern about exposure to the service animal. Employees with medical conditions(s) that are affected by animals should contact Human Resources if they have a health or safety related concern about exposure to the service animal. This individual will be asked to provide medical documentation that identifies the condition(s) and will allow determination to be made as to whether the condition is disabling and whether there is a need for an accommodation.

Responsibility of Persons Who Have Service Animals: The care and supervision of a service animal is the responsibility of the partner/handler. The partner/handler must maintain control of the animal at all times. The partner/handler is responsible for ensuring the immediate clean-up of all animal waste. (When appropriate, areas will be designated as animal toileting areas by University Physical Plant and University Housing staff.) Individuals with disabilities, who physically cannot clean up after their own service animal, need to make the necessary arrangements for assistance.

Control Requirements

- **Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices 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.
- The animal must be as unobtrusive as possible.
- The partner/handler is responsible for protecting University property from damage from the service animal. Any damage to University facilities beyond typical use, as determined by the appropriate facility manager, will be the financial responsibility of the partner.

Humane Treatment of Animal

Partners/handlers of service animals shall comply with State of Illinois/State of Florida Anti-cruelty statutes.

Public Etiquette by the Animal

The animal:

- Should not be allowed to sniff people, store shelves, tables in eating areas, or personal belongings of others.
- Must not initiate contact with someone without the partner's direct permission.
- Must not display any behaviors or noises that are disruptive to others, such as barking, whining, growling, running around, displaying aggressive behavior, or bringing attention to itself. If such behavior persists, the partner may be told not to bring the animal into any University facility until the partner takes significant steps to mitigate the behavior. Ill and/or unclean service animals are not permitted in public campus areas. The partner for such an animal may be required to remove the animal.
- Must avoid excessive personal grooming in public settings.
- Must not block an aisle or passageway.
- Must stay within about 2 feet of the partner's leg or chair unless engaged in a helping activity that requires more distance.
- Should be trained to ignore food that may be around in common areas.

Exclusion for behavior: A service animal may be excluded from the campus when that animal's behavior poses a direct threat to the health and safety of others. Should the animal be excluded due to being out of control, the University will give the individual who uses the service animal the option of continuing to attend the University without having the service animal on the premises.

Areas Off Limits to Service Animals

Research Laboratories: The natural organisms carried by dogs and other animals may negatively affect the outcome of the research. At the same time, the chemicals and/or organisms used in the research may be harmful to service animals.

Mechanical Rooms/Custodial Closets: Mechanical rooms, such as boiler rooms, facility equipment rooms, electric closets, elevator control rooms and custodial closets, are off-limits to service animals. The machinery and/or chemicals in these rooms may be harmful to animals.

Areas Where There is a Danger to the Service Animal: Any room, including a classroom, 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; or where there is moving machinery is off-limits to service animals.

Access to other designated off-limits areas may be granted on a case-by-case basis. A student who wants her or his animal to be granted admission to an off-limits area should contact the department responsible for that area.

Emergency Situations

In the event of an emergency, the first responder should be trained to recognize service animals and to be aware that the animal may be trying to communicate the need for help. The animal may become disoriented from the smell or smoke in a fire or laboratory emergency, from sirens or wind noise, or from shaking and moving ground. The partner and/or animal may be confused from the stressful situation. The first responder should be aware that the animal is trying to be protective and, in its confusion, is not to be considered harmful. The first responder should make every effort to keep the animal with its partner. However, the first responder's first effort should be toward the partner; this may necessitate leaving an animal behind in certain emergency evacuation situations. ***To help ensure appropriate response, this policy should be disseminated to the appropriate campus and community offices.***

Grievance Procedures

If you feel as though you have been discriminated against because of disability, the appropriate contact is the Office of Student Services for students, 2nd floor Janse Hall, (630) 889-6543, and the Office of Human Resources for employees, 1st floor Janse Hall, (630) 889-6556. Complaints will be promptly investigated. Information obtained in the review of a complaint will be kept as confidential as possible.

Frequently Asked Questions about Service Animals and the ADA

(Source: U.S. Dept. of Justice, Civil Rights Div., Disability Rights Section)

Are emotional support, therapy, comfort, or companion animals considered service animals under the ADA?

A. No. These terms are used to describe animals that provide comfort just by being with a person. Because they have not been trained to perform a specific job or task, they do not qualify as service animals under the ADA. However, some State or local governments have laws that allow people to take emotional support animals into public places. You may check with your State and local government agencies to find out about these laws.

If someone's dog calms them when having an anxiety attack, does this qualify it as a service animal?

A. It depends. The ADA makes a distinction between psychiatric service animals and emotional support animals. If the dog has been trained to sense that an anxiety attack is about to happen and take a specific action to help avoid the attack or lessen its impact, that would qualify as a service animal. However, if the dog's mere presence provides comfort, under the ADA, it does not qualify as a service animal.

Does the ADA require service animals to be professionally trained?

A. No. People with disabilities have the right to train the dog themselves and are not required to use a professional service dog training program.

Are service-animals-in-training considered service animals under the ADA?

A. No. Under the ADA, the dog must already be trained before it can be taken into public places. However, some State or local laws cover animals that are still in training.

What questions can a covered entity's employees ask to determine if a dog is a service animal?

A. In situations where it is not obvious that the dog is a service animal, staff may ask only two specific 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? Employees are not allowed to request any documentation for the dog, require that the dog demonstrate its task, or inquire about the nature of the person's disability.

Do service animals have to wear a vest or patch or special harness identifying them as service animals?

A. No. The ADA does not require service animals to wear a vest, ID tag, or specific harness.

Does the ADA require that service animals be certified as service animals?

A. No. Covered entities may not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal, as a condition for entry.