

## Dartmouth College Assistance Animal Policy

**Note:** This document is available in alternate format. Contact Student Accessibility Services, (603) 646-9900 or Student.Accessibility.Services@Dartmouth.edu.

Dartmouth College ("Dartmouth") is committed to affording people with disabilities an equal opportunity to access its programs, services, and activities.

### GETTING HELP

<p><b>Students</b></p> <p>. . . bringing an assistance animal to campus.</p>	<p>Undergraduate: Student Accessibility Services</p> <p>Graduate: Dean of Student Affairs within the respective school.</p>
<p>. . . bringing an assistance animal to Dartmouth Housing.</p>	<p>Undergraduate: Student Accessibility Services and Office of Residential Life, Undergraduate Housing Graduate: Real Estate Office</p>
<p>. . . reporting any animal anywhere on campus that is disruptive, out of control, or poses a threat to safety.</p>	<p>Department of Safety and Security 646-4000 or, in cases of immediate danger of serious injury, the Hanover Police, 911.</p>
<p>. . . reporting a concern about disability discrimination or harassment.</p>	<p>Undergraduate: Start with the informal complaint resolution process at <a href="http://www.dartmouth.edu/~accessibility/current/undergraduate_student_questions_concerns_and_complaint_grievance_resolution.html">http://www.dartmouth.edu/~accessibility/current/undergraduate_student_questions_concerns_and_complaint_grievance_resolution.html</a>.</p> <p>Office of Institutional Diversity and Equity</p>
<p><b>Faculty/Staff</b></p> <p>. . . bringing an assistance animal to campus.</p>	<p>Office of Institutional Diversity and Equity</p>
<p>. . . bringing an assistance animal to live in Dartmouth Real Estate Office managed housing</p>	<p>Real Estate Office</p>
<p>. . . reporting any animal anywhere on campus that is disruptive, out of control, or poses a threat to safety.</p>	<p>Department of Safety and Security or, in the event of an immediate threat of injury, 911.</p>
<p>. . . reporting a concern about disability discrimination or harassment.</p>	<p>Office of Institutional Diversity and Equity</p>

## ASSISTANCE ANIMALS

This policy applies to assistance animals that may be used by individuals with disabilities at Dartmouth. The term "assistance animal" is the overarching term that refers to both service animals as well as support animals as defined below. Therefore, an assistance animal is an animal that either (1) works, provides assistance, or performs tasks for the benefit of a person with a disability; or (2) provides emotional or other type of support that alleviates one or more identified symptoms or effects of a person's disability.

Definitions:

### a. SERVICE ANIMALS

A "service animal" means any dog that is individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the person's disability. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition. Species other than dogs or, in some cases, miniature horses, are not considered service animals for the purpose of this definition of a service animal.

Service animals will be permitted to accompany people with disabilities in all areas of Dartmouth's facilities, including college housing, where students, members of the public, and other participants in services, programs or activities are allowed to go. Dartmouth does not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Individuals accompanied by a service animal on campus but who do not need any disability-related accommodations are not required to register with Dartmouth, nor is such individual required to submit a request for a reasonable accommodation to receive access of his or her service animal.

Additionally, Dartmouth cannot ask about the nature or extent of a person's disability to determine whether a person's animal qualifies as a service animal. However, when it is not readily apparent that a dog is a service animal, Dartmouth staff may make two inquiries to determine whether the animal qualifies as a service animal, which are:

- (1) Is the service animal required because of a disability?
- (2) What work or task has the dog been trained to perform?

A service animal must be housebroken (i.e., trained so that it controls its waste elimination, absent illness or accident) and must be kept under control by a harness, leash, or other tether, unless the person is unable to hold those, or such use would interfere with the service animal's performance of work or tasks. In such instances, the service animal must be kept under control by voice, signals, or other effective means.

Dartmouth will assess requests for the use of miniature horses by people with disabilities on a case-by-case basis. Requests by undergraduate students should be submitted to Director of Student Accessibility Services, requests by graduate and professional school students should be sent to the appropriate official of their school, which can be found at: <http://dartmouth.edu/accessibility>, and requests by faculty and staff should be sent to the Assistant Director for Equal Opportunity & Affirmative Action in the Office of Institutional

Diversity and Equity. Consistent with applicable laws, Dartmouth will permit their use if they meet certain criteria and have been individually trained to do work or perform tasks for the benefit of people with disabilities.

#### b. SUPPORT ANIMALS

A "support animal" is an animal that provides emotional or other support that ameliorates one or more identified symptoms or effects of a person's disability. Unlike service animals, support animals are not required to be trained to perform work or tasks, and they include species other than dogs and miniature horses.

A support animal may reside in a student's room or in staff housing, and may accompany such individual in all public or common use areas in the path of travel to his or her room, but, unlike a service animal, a support animal is not allowed in public or common-use areas of a residence hall (e.g. kitchens, laundry rooms, study rooms, lounges, etc.) under other circumstances. Before a support animal can move into student housing, a request must be submitted to Dartmouth's Office of Residential Life and approval must be granted (preferably at least 30 days prior to move in). Before a support animal may move into faculty or staff housing with a person with a disability, a request must be submitted to the Office of Real Estate and approval must be granted (preferably at least 30 days prior to move in). If the disability is not obvious, the requestor may be required to provide documentation from a licensed physician or mental health provider, including without limitation a qualified psychiatrist, social worker, or other mental health professional, to provide sufficient information for Dartmouth to determine:

- that the individual qualifies as a person with a disability (i.e., has a physical or mental impairment that substantially limits one or more major life activities); and
- that the support animal may be necessary to afford the person with a disability an equal opportunity to use and enjoy housing and to more fully engage as a Dartmouth student (i.e. that the animal would provide emotional support or other assistance that would ameliorate one or more symptoms or effects of the disability).

A support animal must be housebroken (i.e., trained so that it controls its waste elimination, absent illness or accident) and must be kept under control by a harness, leash, or other tether when it is outside of a student's room or faculty or staff housing unless the person is unable to hold those, or such use would interfere with the service animal's performance of work or tasks. In such instances, the service animal must be kept under control by voice, signals, or other effective means. In addition, Dartmouth staff and emergency personnel (e.g., police or fire personnel) must be able to enter a student's room or faculty or staff housing with or without advance notice without concern about encounters with the support animal. If a support animal is likely to react negatively to someone entering the space, the support animal must be kept in an appropriate container (e.g., a crate) when the owner is not present.

### c. PETS

A "pet" is any animal kept for ordinary use and companionship. Assistance animals (service and support animals), are not considered pets. Pets are generally prohibited indoors on the Dartmouth campus, except that dogs are permitted in non-dormitory buildings, provided that the dog is in the immediate custody of the owner or keeper and does not create a mess or interfere with the normal activities of either the building occupants or FO&M service personnel.

## **HOUSING**

Housing is available to undergraduate students, graduate students, faculty and staff. Undergraduate housing is managed by the Office of Residential Life within the Student Affairs Division of the Office of the Provost. Graduate student, faculty and staff housing is managed by the Real Estate Office, which is part of the office of Campus Services. In order to accommodate the physical needs of other residents, including those with allergies and or other conditions that rise to the level of disability, housing for residents with Assistance Animals will be identified from the available housing base, which may result in fewer options for residents with Assistance Animals than those without. Dartmouth will review the available housing as needed to insure that the legal obligations of accessibility are being met.

## **RESPONSIBILITIES OF PEOPLE WITH DISABILITIES USING ASSISTANCE ANIMALS**

Dartmouth is not responsible for the care or supervision of assistance animals. People with disabilities are responsible for the cost, care, and supervision of assistance animals, including:

- compliance with any laws pertaining to animal licensing, vaccination, and owner identification;
- keeping the animal under control as described above and taking effective action when it is out of control;
- in shared living spaces, such as dormitory rooms, suites and shared apartments, keeping the animal in an appropriate container while the responsible person is not in the space with the animal; and
- feeding and walking the animal, and disposing of its waste, as is appropriate for the animal.
- Provide Dartmouth with the name and contact information for two other individuals who can care for the animal on an emergency basis due to the owner's unavailability. These individuals must be in Hanover while they are so designated. Students are expected to update this information each term.

Dartmouth will not require any surcharges or fees for assistance animals. However, a person with a disability may be charged for damage caused by an assistance animal to the same extent that Dartmouth would normally charge a person for the damage they cause.

People with disabilities who are accompanied by assistance animals must comply with the same university rules regarding noise, safety, disruption, and cleanliness as people without disabilities.

## **EXCEPTIONS AND EXCLUSIONS**

Dartmouth may pose some restrictions on, and may even exclude an assistance animal in certain instances. For example, if the presence of an assistance animal will disrupt the validity of an experiment, assistance animals may be restricted from a laboratory. In addition, an animal may be excluded from an area in which it was previously authorized to be if:

- it is out of control and effective action is not taken to control it;
- it is not housebroken (or in the case of a support animal that deposits waste in a designated cage or litter box, the owner fails to clean such cage or box such that the cleanliness of the room is not maintained); **or**
- it poses a direct threat to the health or safety of others that cannot be mitigated by reasonable modifications of policies, practices, or procedures, or the provision of auxiliary aids or services.

In considering whether an assistance animal poses a direct threat to the health or safety of others, Dartmouth will make an individualized assessment, based on reasonable judgment, current medical knowledge, or the best available objective evidence, to determine: (1) the nature, duration, and severity of the risk; (2) the probability that the potential injury will actually occur; and (3) whether reasonable modifications of policies, practices, procedures, or the provision of auxiliary aids or services, will mitigate the risk. Dartmouth shall name a designee who shall provide a written statement of explanation to any person with a disability if a determination is made that the presence of that person's assistance animal would fundamentally alter the nature of a program, service, or activity.

In the event that restriction or removal of an assistance animal is determined to be necessary, the person with a disability will still be given the opportunity to participate in the service, program, or activity without having the assistance animal present.

The above provisions on restrictions and exclusions are not intended to cover modifications to reasonable accommodations. The reasonable accommodation process and modifications to reasonable accommodations are covered under Dartmouth's policy on reasonable accommodations.

As noted above, support animals are generally not allowed indoors on Dartmouth's campus other than in college housing.

## **NOTICE TO THE COMMUNITY**

Dartmouth may, at its discretion, post notices that an animal is living in a student residence or on a particular hall in order to alert visitors who might be negatively affected by contact with an animal and staff or emergency personnel who might encounter the animal. Students are

free to post notice of the presence of an animal on the door to their room in order to specifically identify an animal's presence in the room, provided the notices comply with residence hall policies.

## **GUIDELINES FOR MEMBERS OF THE Dartmouth COMMUNITY**

To ensure equal access and nondiscrimination of people with disabilities, members of the Dartmouth community must abide by the following practices:

- Allow assistance animals to accompany people with disabilities on campus;
- Do not ask for details about a person's disabilities;
- Do not pet an assistance animal, as it distracts the animal from its work;
- Do not feed an assistance animal;
- Do not deliberately startle, tease, or taunt an assistance animal; and
- Do not separate or attempt to separate a person from his/her assistance animal.

If you have a disability that may be affected by the presence of animals, please contact one of the following, as applicable: Office of Institutional Diversity and Equity at 603.646.3197 or [Institutional.Diversity.&.Equity@Dartmouth.edu](mailto:Institutional.Diversity.&.Equity@Dartmouth.edu); Undergraduate Students: Student Accessibility Services at 603.646.9900 or [Student.Accessibility.Services@Dartmouth.edu](mailto:Student.Accessibility.Services@Dartmouth.edu); Graduate or Professional School Students, please find the appropriate resource for your school at: <http://dartmouth.edu/accessibility>. Dartmouth is committed to ensuring that the needs of all people with disabilities are met and will determine how to resolve any conflicts or problems as expeditiously as possible.

## **GRIEVANCE PROCEDURE**

Undergraduate students should start with the informal complaint resolution process at [http://www.dartmouth.edu/~accessibility/current/undergraduate\\_student\\_questions\\_concerns\\_and\\_complaint\\_grievance\\_resolution.html](http://www.dartmouth.edu/~accessibility/current/undergraduate_student_questions_concerns_and_complaint_grievance_resolution.html). Contact Student Accessibility Services at 603.646.9900 or [Student.Accessibility.Services@Dartmouth.edu](mailto:Student.Accessibility.Services@Dartmouth.edu).

A graduate or professional student or employee who wishes to file a disability discrimination complaint should contact the Office of Institutional Diversity and Equity at 603.646.3197 or [Institutional.Diversity.&.Equity@Dartmouth.edu](mailto:Institutional.Diversity.&.Equity@Dartmouth.edu).

## **LEGAL REFERENCES**

Title II and III of the Americans with Disabilities Act  
 Section 504 of the Rehabilitation Act of 1973  
 Fair Housing Act