

# SPRINGFIELD COLLEGE

## ANIMAL POLICY

### I. Purpose:

This animal policy addresses the presence of animals on Springfield College property. It is intended to foster a campus environment that respects and protects the health, safety and well-being of all members of the College community and also to promote responsible and humane treatment of animals at the College.

### II. Scope:

This policy applies to all members of the College community, including employees, students and visitors, and to all property owned or controlled by the College.

### III. Defined Terms

**Emotional Support Animal (“ESA”):** an animal that is providing emotional support to an individual with a disability just by its presence. ESAs can be any species, the use of which is supported by a qualified physician, psychiatrist, or other health professional which provides some benefit for a person with a disability as defined by the Americans with Disabilities Act (“ADA”) by mitigating one or more symptoms or effects associated with the owner’s or handler’s disability. An ESA provides comfort and companionship to its owner and is not trained or licensed to complete or perform any particular tasks. Relative to the Fair Housing Amendments Act, the keeping of an ESA is a reasonable accommodation in housing facilities only. An ESA must be necessary to afford the individual an equal opportunity to use their dwelling, or to effectively participate in the residential life of the College.

**Handler/Owner:** any person having legal and assigned control, custody, or possession of an animal.

**Pet:** an animal kept for ordinary use and companionship. A pet is not a Service Animal, ESA, therapy animal, or working animal as defined in this policy. Pets are generally not permitted in or on any property owned or controlled by the College and are permitted only in outdoor areas open to the general public. Additional information pertaining to the presence of pets in the residence halls can be found in the Housing Contract.

**Service Animal:** any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

- **Service animal in training:** Service Animals in training / service puppies are allowed on College property in accordance with applicable state law. The handler must provide the College with evidence that a puppy is a bona fide Service Animal candidate supplied by an authorized Service Animal organization, and is one that the Service Animal organization expects will return for specialized training when the puppy is old enough

(i.e. proof that puppy is not a program dropout and will, in fact, be given up after the raising period is over).

- **Miniature horse:** While the service animal definition is limited to dogs, the College must make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. The College may take into account a series of assessment factors in determining whether to allow a miniature horse into a specific facility, including the type, size, and weight of the miniature horse, whether the handler has sufficient control of the miniature horse, whether the miniature horse is housebroken, and whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation. Individuals with a miniature horse serving as a service animal must contact the College's 504 Coordinator for further instructions.
- Other species of animals, whether wild or domestic, trained or untrained, are not Service Animals for the purposes of this Service Animal definition.

**Therapy Animal:** an animal that is trained for specific therapeutic applications and under the control of a trained handler. Therapy animals can provide physical, psychological, and emotional benefits to those they interact with. Although most frequently dogs, therapy animals can include other domesticated species such as cats, equines, and rabbits. Trained therapy animals are allowed on campus only as part of an approved therapy animal program.

**Working Animal:** an animal that is trained for specific tasks and under the control of police, security or emergency personnel, or other College employees or agents. Examples of working animals include, but are not limited to, patrol, rescue, or sentry dogs, and comfort animals.

#### **IV. Determining Animal's Purpose On-Campus**

##### ***Service Animal***

To determine if an animal is a Service Animal, the College shall not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a Service Animal.

- a. Is this a Service Animal that is required because of a disability? *and*
- b. What work or tasks has the animal been trained to perform?

Under the ADA, the College is not permitted to require the registration of Service Animals. Furthermore, it shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a Service Animal.

Student's may choose, but are not required, to register their Service Animal with Disability and Accessibility Services to assist with notifying faculty and staff of the animal's accepted presence on campus.

Employees may also choose, but are not required, to register their Service Animal with Human Resources to assist with notifying colleagues and other key staff members of the animal's accepted presence.

### ***Emotional Support Animal***

To determine if an animal is an Emotional Support Animal (ESA) and therefore permitted in housing facilities owned and maintained by the College, students must initiate a disability accommodation request, found at [springfield.edu/access](http://springfield.edu/access), and provide all necessary documentation. The College will follow the disability accommodation review process to determine if an ESA is an appropriate accommodation through the interactive process. Handlers must receive explicit approval for an ESA from the College prior to the animal's arrival on campus and before being brought into the handler's assigned housing unit. If the accommodation request is approved by the College, the handler will receive written notification.

Handlers must register the ESA each academic year to ensure documentation is up to date. Handlers are responsible for ensuring that ESA is in compliance with applicable state and local laws, which, depending upon the jurisdiction, may include but are not limited to the following:

- possession of an animal license;
- proper immunization and/or vaccination; and
- wearing a current license and/or rabies vaccination tag

Note that there is no certification or training that establishes an animal as an Emotional Support Animal and documentation stating as such will not be accepted in lieu of the above requirements.

### ***Therapy Animal***

To determine if an animal is a therapy animal, the handler must provide proof of training of the animal and handler that must meet specific qualifications set forth for the therapy animal engagement. This includes:

- Canine Good Citizen certification or demonstrated equivalent obedience performance as assessed by a qualified instructor; and/or
- Demonstrated progress according to therapy dog skill and affect development if enrolled in a Springfield College therapy dog training program.

The proof of training and qualifications as outlined above are to be provided to the Dean of Health Sciences.

Therapy animals do not have any legal rights of access in public facilities and must abide by any restrictions put in place by the Vice President of Finance & Administration (for extracurricular therapy animal programs) or the Dean of Health Sciences (if enrolled in a curricular and/or extracurricular educational program in the School of Health Sciences).

## ***Working Animal***

To determine if an animal is a working animal, the handler must submit a request to the Vice President of Finance & Administration, who shall review such request in consultation with other divisional administrators potentially impacted by any presence of the working animal. The working animal does not have any rights of access in public facilities and must abide by any restrictions put in place by the Vice President of Finance & Administration.

## **V. Permissible and Restricted Campus Locations**

Any animal may be restricted when their presence would fundamentally alter the nature of the service, program or activity; or where the animal poses a direct threat to the health or safety of others. The safety of locations will be considered on an individual basis by the Disability & Accessibility Services staff (for students), Director of Human Resources (for employees), the employee(s) responsible for control of the location and/or the Vice President of Administration and Finance. If a location is determined to be unsafe, reasonable accommodations will be provided to ensure the individual equal access to the service, program or activity. Handlers will be informed, in writing, of the approved or restricted campus locations.

***A. Outside of Buildings:*** Animals (pets, ESA, etc.) are allowed outside of buildings subject to the following: animals must be leashed (or confined to a carrier), be accompanied at all times by its handler, and not left unattended (e.g., tied to railings outside of buildings).

a. *Athletic fields/playing surfaces:* Animals are not allowed on any outdoor athletic field/playing surface or in spectator seating areas (i.e. bleachers), except for Service Animals. Pets are permitted in other surrounding areas, but must be leashed and properly controlled by the owner at all times, and waste clean-up is the sole responsibility of the handler. Animals are not allowed at indoor athletic venues, except for Service Animals.

***B. Inside of Buildings:*** Generally, animals are not allowed inside of College owned or controlled buildings, unless serving as a Service Animal or Working Animal, subject to the following:

a. *Academic facilities:* Therapy animals may be permitted in specific academic facilities, such as the Health Sciences Center, for instructional purposes only. Any presence of therapy animals in the academic facilities must be pre-approved by the Dean of Health Sciences.

b. *College-owned faculty/staff residential facilities:* Animals are not permitted in College-owned residential facilities that are occupied by faculty and staff, except for the President's residence, without express written permission by the Vice President for Finance and Administration/CFO. The President may designate one or more of their animals as a Springfield College Pet Ambassador. Such Pet Ambassadors may attend college related events at the President's discretion, excluding dining facilities as outlined above and must be under the control of a handler at all times.

c. *Dining facilities:* In accordance with Massachusetts Food Codes, animals are not permitted in Pride's Place, Marketplace at the Union, and Cheney Dining Hall.

d. *East Campus Southwestern-style building:* Animals are permitted on the East Campus property, including inside the Southwestern-style building. Animals must be accompanied by their handler at all times and may not be left unattended.

e. *Residential facilities:* Approved ESAs and pets that conform with the Residential Life housing contract are permitted in residential facilities and must remain in the handler's assigned housing unit at all times. Working animals may be permitted in residential facilities as long as they are performing a work task under control of the handler.

**C. Performing Work Task:** None of the above restrictions shall stop a working animal under the control of police, security or emergency personnel, from responding to an emergency call.

## **VI. Responsibility of all animal owners/handlers**

**Control of Animal:** The College is not responsible for the care or supervision of any animal present on College property, except for any animal owned by the College. Animals must be under the control of their handler at all times and shall have a carrier, leash or other tether when being transported from the handler's assigned housing unit to any other public space on campus. Under circumstances where an animal is not in a carrier or tethered, such as within the handler's assigned housing unit, the animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means). If the handler cannot maintain control of the animal, the College reserves the right to require the animal to be removed from College property.

**Health, Hygiene and Cleanliness:** Animals must be clean. Appropriate regular grooming and occasional baths should be utilized to keep the animal's odor to a minimum. Adequate flea and tick prevention and control must be maintained. If an animal's odor is offensive to other individuals, the handler will be requested to bathe the animal. An animal's handler must clean up after the animal. If the handler does not appropriately clean up after the animal, the College reserves the right to require the animal to be removed from College property. Additionally, the handler should be prepared to provide the College with evidence of current vaccinations at any time.

**Financial and Medical Responsibility:** A person who has an animal on College property is financially responsible for personal and college property damage caused by the animal including, but not limited to, cost of repairs, replacement or cleaning of facilities or furnishings, and any bodily injury or personal injury caused to the handler or other persons by the animal. If an animal causes any damage to persons or property, the College reserves the right to require the animal to be removed from College property. Additionally, the handler is required to provide all medical care of the animal in a manner that prioritizes responsible and humane animal care.

## **VII. Basis for denial of accommodation or removal of animal**

The College may direct an individual with a disability to remove a Service Animal or ESA from the premises if:

- the animal cannot be appropriately housed within the handler's assigned residence;
- the animal is out of control and its handler does not take effective action to control it (including if the animal poses a direct threat to others on campus and/or exhibits behavior that interferes with the educational process);
- the animal is not housebroken, is ill, presents a reoccurring offensive odor, or requires outdoor living space;
- the animal is not properly licensed and/or vaccinated as required by applicable state or local law;
- the handler is unable to provide or arrange for care; and/or
- the handler is unable to provide sufficient documentation confirming a disability or need for the animal as an accommodation.

The College maintains its right to limit the number, size, and breed of animals permitted on campus. Animals that cannot be appropriately housed within the handler's assigned residence will not be permitted. Animals that require outdoor living space will not be permitted.

If the College excludes a Service Animal from its premises, it shall still afford the individual with a disability the opportunity to participate in its programs or activities without having the Service Animal on the premises. Alternative accommodations may also be provided as appropriate to ensure the handler maintains equal access to the College's education programs or activities.

### **VIII. Public Etiquette Rules**

Service Animals, ESAs, and working animals are working animals and not pets. Accordingly, the College asks that members of the College community and visitors adhere to the following best practices when interacting with these animals. Individuals should not:

- Pet/touch an animal unless otherwise invited to by the handler, as petting distracts them from their responsibilities.
- Assume the handler may have visible disability or make assumptions about the necessity of the animal.
- Ask the handler about their specific medical condition.
- Prioritize the needs of another individual over the needs of an individual with a Service Animal or ESA.
- Feed an animal without express permission of the handler.
- Deliberately startle, tease or taunt the animal.
- Separate or attempt to separate the animal from its handler. Service Animals and working animals are trained to be protective of the handler.
- Hesitate to ask the handler if they would like assistance if the handler and animal seem confused about a direction in which to turn, an accessible entrance, the location of an elevator, etc.

## IX. Exceptions

One-time exceptions may be granted for events involving animals where the animals are performing a task or service as part of the event. Events involving animals are usually required to have general liability insurance coverage.

Requests for exceptions to this Policy should be directed to the Vice President for Finance & Administration who shall review such requests in consultation with other divisional administrators potentially impacted by any exception.

## X. Violations of Policy

Violations of this policy and the presence of animals on campus should be directed to the College's Department of Public Safety for investigation.

The College reserves the right to have any animal removed from the College's property for violation of this policy and/or for behavioral, safety, or health reasons.

Concerns about whether or not an animal is a Service Animal or Emotional Support Animal can be directed to Disability & Accessibility Services (students) or Human Resources (employees). Concerns whether or not an animal is a participant of an approved therapy animal program should be directed to the Vice President of Finance & Administration (for therapy animal programs not related to programming offered through the School of Health Sciences) or the Dean of Health Sciences (for Springfield College therapy dog training programs).

## XI. Complaints/Grievances

Any claims of discrimination on the basis of a disability or failure to provide reasonable accommodations regarding the use of a Service or Emotional Support Animal on campus may be brought by the handler pursuant to the College's Section 504 Grievance Procedure.

## XII. Summary Table

Animal Category	Where Allowed	Registration Process
Emotional Support Animal	Inside, residence halls	Contact <u>Disability &amp; Accessibility Services</u> to request accommodation (students)
Pet	Outside, public spaces Inside, residence halls (only as permitted in housing contract)	N/A
Service Animal	Outside, public spaces Outside, athletics areas Inside, public spaces Inside, academic buildings Inside, dining Inside, residence halls Inside, East Campus	Contact Human Resources (employees) or Disability & Accessibility Services (students); requested but not required

	<b>Inside, Fac/Staff College-owned Residences</b>	
<b>Therapy Animal</b>	<b>Academic training program: Approved locations only</b>	<b>Contact Dean of Health Sciences</b>
	<b>Extra-curricular programs outside of approved Health Sciences programs: Approved locations only</b>	<b>Contact VP for Finance &amp; Administration</b>
<b>Working Animal</b>	<b>Outside, public spaces</b> <b>Outside, athletics areas</b> <b>Inside, public spaces</b> <b>Inside, academic buildings</b> <b>Inside, residence halls</b> <b>Inside, East Campus</b> <b>Inside, Fac/Staff College-owned Residences</b>	<b>Contact VP for Finance &amp; Administration</b>

### **XIII. Contact Information**

Questions regarding this policy can be directed to the following:

VP for Finance & Administration  
413-748-3145

Office of Non-discrimination Initiatives  
413-748-3248

### **XIV. Resources**

[ADA National Network: Service Animals and Emotional Support Animals](#)

[ADA Requirements: Service Animals](#)

[Higher Education Mental Health Alliance: Animals on Campus 2023](#)

[Massachusetts Office on Disability Rights: Rights for Users of Assistance Animals](#)

[US Department of Housing & Urban Development: Assistance Animals](#)

Approved by: President's Leadership Team  
Date Adopted: May 30, 2023  
Date Effective: May 30, 2023