

# INDIANA TECH

## Service Animal Policy and Agreement

### Policy Statement

This policy establishes guidelines and procedures for the presence and accommodation of service animals on Indiana Tech premises. The policy aims to ensure equal access and opportunities for individuals with disabilities who rely on service animals while promoting a safe and inclusive environment for all members of the Indiana Tech community.

Scope:

This policy applies to all college campuses, facilities, programs, activities, and events where individuals with disabilities may access or participate in college-related services or activities.

### Definition of Service Animal:

For the purpose of this policy, a service animal is defined as a dog or, in rare cases, a miniature horse<sup>1</sup> that is individually trained to perform tasks or provide assistance to an individual with a disability. The tasks performed by the service animal must be directly related to the person's disability.

### Service Animal Policy

In compliance with applicable law, Indiana Tech generally allows service animals in its buildings, classrooms, residence halls, meetings, dining areas, recreational facilities, activities, and events when an individual with a disability accompanies the animal who indicates the service animal is trained to provide, and does in fact provide, a specific service to the individual which is directly related to the individual's disability. Indiana Tech may not permit service animals when the animal poses a substantial and direct threat to health or safety or when the presence of the animal constitutes a fundamental alteration to the nature of the program or service. Accessibility Services, in conjunction with faculty and the subsequent Dean, will make those determinations on a case-by-case basis.

operation of the facility.

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<sup>1</sup> Miniature horse are permitted as service animals only when it is reasonable to do so. In particular, the facility at issue must be able to accommodate the miniature horse's type, size, and weight; and the miniature horse's presence must not compromise legitimate safety requirements necessary for the safe operation of the facility

In general, Indiana Tech will 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.

Indiana Tech may ask:

- 1) If the animal is required because of a disability and;
- 2) What work or task has the animal been trained to perform?

Indiana Tech will not require documentation, such as proof the animal has been certified, trained, or licensed as a service animal. Generally, Indiana Tech will not make any inquiries about a service animal when it is readily apparent an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

The service, work, or task a service animal has been trained to provide must be directly related to the person's disability.

Examples of such work tasks include but are not limited to:

- Assisting individuals who are blind or have low vision with navigation and other tasks.
- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds.
- Providing non-violent protection or rescue work.
- Pulling a wheelchair.
- Assisting an individual during a seizure.
- Alerting individuals to the presence of allergens.
- Retrieving items such as medicine or the telephone.
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities.
- Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

A service animal must be housebroken and must be kept under control by a harness, leash, or other tether, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In cases where a harness, leash, or other tether cannot be used, the owner must always maintain control of the service animal.

Service animals are working animals, not pets. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA but may be eligible as Assistance Animal in Student Housing. (See Indiana Tech's Assistance Animal Policy.)

## **Service Animals in Training**

Indiana law permits a service animal trainers to have access to places of public accommodations while engaged in the process of training a service animal. Owners of a service animal in training must also adhere to the policy and requirements for service animals and are subject to the removal procedures outlined in this policy.

## **Conflicting Disabilities, Health Conditions, and Aversions**

Some people may have allergic reactions to animals substantial enough to qualify as a disability. Individuals with a medical condition or aversion affected by animals (e.g., allergies, asthma, respiratory conditions, zoophobia, etc.) because of proximity to services animals should contact Accessibility Services. Indiana Tech will consider the needs of both the owner of the service animal and the affected individual in meeting its obligations to reasonably accommodate all disabilities and to resolve the problem as efficiently and expeditiously as possible.

## **Responsibility of Service Animal Owner**

Service animal owners are responsible for any damage or injuries caused by their service animal and must take appropriate precautions to prevent property damage or injury. The cost of care, arrangements, and responsibilities for the well-being of a service animal is always the sole responsibility of the owner.

## **Waste Cleanup**

Cleaning up after the animal is the sole responsibility of the owner. If the owner is not physically able to clean up after the animal, it is then the responsibility of the owner to hire someone capable of cleaning up after the animal.

The person cleaning up after the animal should abide by the following guidelines:

- 1) Always carry equipment sufficient to clean up the animal's feces whenever the animal is on Indiana Tech property.
- 2) Properly dispose of waste in an outdoor waste container.

- 3) Contact staff if arrangements are needed to assist with cleanup. Any cost incurred for doing so is the sole responsibility of the owner.

## **Service Animal Registration**

- 1) Non-Housing students are not legally required to register a service animal with the campus. However, Indiana Tech strongly encourages students to register their service animal with the Accessibility Services Office if the service animal will be on campus on a regular basis.
  - a. Service Animals registered with the Accessibility Services Office can be issued a Service Animal ID card, to help eliminate questions.
- 2) Students living in Campus housing **MUST** register the service animal with the Accessibility Services Office and provide the additional paperwork prior to moving the service animal onto campus.

## **Service Animal Control Requirements:**

- 1) The animal must be on a leash, harness, or other tether unless the animal's specific task requires freedom of movement.
- 2) The animal must respond to voice or hand commands, and the owner must always be in complete control of the animal.
- 3) The service animal should be housebroken.
- 4) To the extent possible, the animal should be unobtrusive to other individuals and the learning, living, and working environment to the extent possible.
- 5) The animal should not show aggression.
- 6) To the extent possible, the owner should ensure the animal does not:
  - a) Sniff people or the personal belongings of others
  - b) Display any behaviors or noises disruptive to others unless part of the service is being provided to the owner
  - c) Block an aisle or passageway for fire exits
- 7) Service Animals left unattended in dorm room must be crated and kept in the handlers assigned dorm room.

## **Grounds for Removal of a Service Animal**

A Service Animal may be ordered to be removed by Accessibility Services, Student Affairs, Residence Life and Housing, or Safety & Security for the following reasons:

- 1) Disruptive animal: An owner may be directed to remove an animal if the animal is out of control and disruptive to the Indiana Tech community. Some examples include but are not limited to excessive barking, whining, growling, yowling, howling, and grooming (licking or chewing). The animal may also be removed if it causes excessive damage.
- 2) Non-housebroken animal: An owner may be directed to remove an animal that is not housebroken.
- 3) Non-compliance: An owner may be directed to remove an animal if they have violated the rules and responsibilities of a Service Animal owner.
- 4) Out-of-control animal: An owner may be directed to immediately remove an out-of-control animal if the owner does not take immediate effective action to control it. If it happens repeatedly, the owner may be prohibited from bringing the animal onto Indiana Tech property or into any university facility until the owner can demonstrate they have taken significant steps to mitigate the behavior.
- 5) Direct threat: An owner may be directed to immediately remove an animal Indiana Tech determines to be a substantial and direct threat to the health and safety of individuals. If the animal poses an immediate threat and the owner is not able to remove the animal, Animal Control may be summoned to remove the animal.

When a Service Animal is properly removed pursuant to this policy, Accessibility Services will work with the owner to determine reasonable alternative opportunities to participate in the service, program, or activity without having the service animal on the premises. The owner will be afforded all due process rights, including the ability to appeal as outlined within the [Appeal Policy](#) for Accessibility Services.

## **Non-retaliation Provision**

Indiana Tech will not retaliate against any person because the individual has requested or received a reasonable accommodation for academics or university housing, including a request for an Emotional Support Animal or Service Animal.

## Definitions

### Emergency Contact

An emergency contact is an individual who will take responsibility for an approved service animal if the owner cannot be reached during an emergency. The owner will include the identity and contact information of the emergency contact to the Accessibility Services Office.

### Housebroken

Housebroken means the service animal is adequately trained to go outside to urinate and defecate. Indiana Tech has a zero-tolerance policy for non-housebroken animals.

### Service Animal

Service Animals are dogs or, in rare cases, miniature horses individually trained to do work or perform tasks for the benefit of an individual with a documented disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Service animals are working animals, not pets.

### University Facilities

University Facilities are any facility owned or operated by the university.

### University Housing

Any facility owned or operated by the university for the purpose of housing residential students, whether leased or owned by the university and regardless of location.