



POLICY ON PRESENCE OF SERVICE ANIMALS ON CAMPUS



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University
of Windsor

Policy Title: Policy on Presence of Service Animals on Campus

Policy Number:

Established:

Approved by:

Approval Date: August, 2009

Revision Date: March 2017

Positions Responsible for Maintaining and Administering the Policy: Director of the Office of Human Rights, Equity and Accessibility

Contact: Accessibility and Human Rights Manager, (519) 253-3000 ext. 3400 or ohrea@uwindsor.ca

1. Policy Statement:

The University of Windsor is committed to the full inclusion and participation of persons with disabilities in all aspects of university life. This extends to the presence of service animals.

2. Purpose:

This policy supplements Section 7.8 of the Accessible Customer Service Policy. It provides additional information to ensure people with disabilities who rely on service animals are accommodated, subject to considerations of others who share the work, study or entertainment environment.

3. Scope:

The policy applies to students, employees, volunteers, or visitors, who because of their disability, rely on service animals.

4. Exceptions to Policy: None.

5. Cross-References:

- a) *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*
- b) *Integrated Accessibility Standards, Ontario Regulation 191/11*
- c) *Blind Persons' Rights Act, R.S.O. 1990, Chapter B .7*
- d) *Ontarians with Disabilities Act, 2001 (ODA)*
- e) *Ontario Human Rights Code*
- f) University of Windsor – Accessible Customer Service Policy
- g) University of Windsor – Human Rights Policy
- h) University of Windsor Senate By - Law 31 – Student Affairs
- i) University of Windsor Senate By - Law 33 – Student Rights and Freedoms
- j) University of Windsor Senate Policy F1 – Faculty Duties & Responsibilities
- k) University of Windsor Senate Policy S2 – Special Needs Policy

6. Definitions:

- As defined in the Integrated Accessibility Standards, Regulation 191/11 of the Accessibility for Ontarians with Disabilities Act, 2005, (AODA), an animal shall be considered a Service Animal for a person with a disability:

(a) if it is readily apparent that the animal is used by the person for reasons relating to their disability as a result of visual indicators such as a vest or harness worn by the animal; or

(b) if the person provides a letter from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:

- A member of the College of Audiologists and Speech-Language Pathologists of Ontario;
- A member of the College of Chiropractors of Ontario;

- A member of the College of Nurses of Ontario;
- A member of the College of Occupational Therapists of Ontario;
- A member of the College of Optometrists of Ontario;
- A member of the College of Physicians and Surgeons of Ontario;
- A member of the College of Physiotherapists of Ontario;
- A member of the College of Psychologists of Ontario;
- A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario.

6.1 Types of Service Animals

Service animals perform various tasks and provide services for people with disabilities.

- **Guide** – serves as a travel aide for a person who is legally blind
- **Hearing or Signal** – alerts a person with hearing loss or deafness when a sound occurs, such as an alarm or a knock at the door
- **Mobility Assistance** – helps a person who has a mobility or health disability. They may carry, fetch, open doors, ring doorbells, activate elevator buttons, pull a wheelchair, steady a person while walking, help someone get up after a fall, etc.
- **Seizure Response** – warns a person of an impending seizure, or provides aid during a seizure, such as going for help or standing guard over the person
- **Psychiatric** is an animal that is individually trained for people with an emotional or psychiatric disability so severe that it substantially limits his/her ability to perform at least one major life task.

7. **Procedures:**

The University of Windsor's Accessible Customer Service Policy permits service animals that assist students, employees or visitors with physical, psychiatric and/or sensory disabilities at University-related functions both on and off campus, including food service areas.

7.1. Visitors

An individual with a disability, who utilizes a service animal and is a visitor to University of Windsor, is welcome to request any specific accommodations related to the needs of the visitor or the service animal. If additional information is needed, a visitor may contact the Office of Human Rights, Equity and Accessibility (OHREA). No registration with the university is required.

7.2. Students and Employees

Students with a disability who regularly use a service animal are requested to register with the Student Disability Services Office. Employees with a disability who regularly use a service animal are requested to notify the Human Resources Department and OHREA. If necessary, the person may need to establish that an animal meets the service animal definition above by providing the appropriate documentation within a reasonable period of time.

7.3 Requirements of Service Animals on Campus

- The animal cannot pose a direct threat to the health and safety of persons on campus. While allergies or a fear of animals are generally not valid reasons to exclude a service animal, in rare cases a person's allergic reaction or phobia may be so severe that animal contact prevents participation.
- In those situations, the affected person may also request an accommodation, such as keeping the animal and the affected person separate, as much as is possible. Any person experiencing a serious allergic reaction should confer with Student Disability Services or OHREA.
- Local municipal ordinances regarding animals apply to service animals, including requirements for immunization, licensing, noise,

at-large animals and dangerous animals. Dogs must wear a license tag and a current rabies vaccination tag.

- Persons bringing service animals on campus must be in full control of the animal at all times, including use of a leash as appropriate for the disability.
- Persons bringing service animals on campus are solely responsible for the care and supervision of the service animal.

This includes cleaning up the animal's waste and ensuring sufficient equipment and bags necessary to clean and properly dispose the animal's waste. Persons who are not physically able to pick up and dispose of waste are responsible for making all necessary arrangements to assist them to do so.

- Persons bringing service animals on campus are responsible for damage caused by the animal; however, the University can only charge for damages if a person without an animal would be charged for the same type of damage.

7.4 Requirements for Ensuring an Inclusive Environment When Working with Persons Requiring the Support of Service Animals

- When a person is accompanied by a service animal, allow access, at all times, in all areas on campus, where members of the public (visitors and students) customarily have access, or in the case of an employee, where employees customarily have access.
- Speak to the individual before giving attention to the animal.
- Maintain a respectful distance from the service animal. It is not appropriate to pet, feed or startle a service animal while it is working. Ask permission before touching the animal as this might distract it from its work.

- Ensure that the individual and their service animal can remain together. ***In case of an emergency***, every effort should be made to keep the animal and person together. However, the first effort should be toward the person. This may necessitate leaving an animal behind in certain emergency situations.
- Do not add extra charges for a service animal.
- Ensure that a person using a service animal is included and not isolated from others.

7.5 Guidelines for Advisors Regarding Verification of Service Animals

The least intrusive approach must be considered when making decisions about the need for verification:

- If the person's disability is obvious or otherwise known to you, and if the need for the service animal is also apparent, do not request any additional information about the disability or the need for accommodation. For example, a blind person with a guide dog does not need to verify the disability or need for the dog.
- If the disability is known, but the accommodation need is not apparent, request only information necessary to evaluate the disability-related need for the accommodation. For example, if you know the person has mobility impairment and requires a service animal, request documentation.
- If a student's disability need are not readily apparent, student requests for long-term accommodation (e.g. a semester) will require written verification from a regulated health professional as defined at 6b) above, who, in their professional capacity, has knowledge about the student's disability and the need for the presence of the service animal as a reasonable accommodation.

- When requested, documentation for students or employees with a disability who use a service animal should include the following:
 - Name and credentials of the regulated health professional
 - Description of the current functional limitations
 - Specific tasks the service animal will perform to meet the accommodation needs of the individual or assist with the functional limitations.

7.6 Exclusions

A service animal may be excluded¹ only when any one of the four following conditions exists:

1. The service animal is disruptive and the person responsible for the animal's care is not effectively controlling it;
2. The presence of the service animal would fundamentally change the nature of the job, program, service or activity;
3. The service animal's presence, behaviour or actions pose an unreasonable or direct threat to property or the health or safety of others. Risk may not be remote or speculative, such as thinking an animal might bite someone or will annoy others. Allergies or a fear of animals are generally not valid reasons to exclude a service animal. As discussed above, serious allergic reactions may be a reason to exclude a service animal.

The exclusions above are determined on an individual basis. In making this determination, consideration must be given to whether another reasonable accommodation can be provided.

¹ The University may prohibit the use of service animals in certain locations due to health or safety restrictions or where their use may compromise the integrity of research (e.g., work in the life sciences). Such restricted locations may include, but are not limited to, the following: food preparation areas, research laboratories, classrooms with demonstration/research animals, wood shops and metal/machine rooms, and nuclear research areas.

If the service animal is to be excluded for any of the above reasons, the option of participating in an activity or receiving services without the service animal on the premises must be provided.

If the individual decides to participate without the service animal, efforts must be made for reasonable accommodation.

If the animal has been excluded because of disruptive behaviour, the individual must be allowed to participate in the activity with the service animal once the animal's behaviour is under control.

4. When another law specifically states that animals must be excluded or the animal is excluded by operation of another law.

One example of a law that specifically excludes animals is Ontario Regulation 562 under the *Health Protection & Promotion Act*, which states that animals are not allowed in places where food is manufactured, prepared, processed, handled, served, displayed, stored, sold or offered for sale. It makes an exception for service **dogs** to allow them to go where food is normally served, sold or offered for sale. Other types of service **animals** are not included in this exception.

7.7 Dispute Resolution Process

In the event of a disagreement about the appropriateness of an approved accommodation, service quality, or an animal exclusion, a student should confer with their Advisor at Student Disability Services.

An employee with a disagreement should confer with the department of Human Resources or the Office of Human Rights, Equity and Accessibility.

A visitor with a disagreement regarding the use of a service animal should contact the unit responsible for the related event and, if the concern is not resolved, may contact the University's Office of Human Rights, Equity and Accessibility.

8. Review Process for the Policy:

The policy will be reviewed every 5 years. Under the following circumstances the policy may be reviewed before the 5 year term: changes in legislation that affect the policy; a specific incident triggers a review of the policy; there is a request made by a governing body, such as the Board of Governors, to review the policy.

9. Process for Communicating the Policy

The policy will be posted on the University of Windsor's policy webpage, within two weeks of the approval of the policy, and Public Affairs and Communications will be asked to disseminate the information to the campus through the Daily News if appropriate (some policies will not be advertised through Daily News). A memo will also be sent to the departments directly affected by the policy.

Contact Information: Inquiries regarding the policy should be directed to:

The Office of Human Rights, Equity and Accessibility
(519) 253-3000; ext: 3400
ohrea@uwindsor.ca
www.uwindsor.ca/ohrea

The Presence of Service Animals on Campus Policy was first adapted with permission from Barbara Roberts, Disability Services Advisor and Irene Bujara, Director, Human Rights & Equity, Queen's University, Toronto.