SOUTH DAKOTA SCHOOL OF MINES AND TECHNOLOGY

Policy Manual

SUBJECT: Animal Policy

NUMBER: Policy IV-05 (Formerly Policy IV-A-06)

Policy

Generally pets are not allowed on South Dakota School of Mines & Technology (SDSM&T) campus grounds or in facilities. However, SDSM&T seeks to accommodate persons with disabilities who demonstrate the necessity of a service animal. The School of Mines is simultaneously mindful of the health and safety interest of its general community. The Service Animal Guidelines are aimed at accomplishing these objectives.

Background

Service animals are animals trained to assist people with disabilities in the activities of daily living. The Americans with Disabilities Act (ADA) definition of service animal is ". . . any . . . animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items."

The ADA allows service animals that accompany persons with disabilities to be on the campus. A service animal will be permitted to accompany a person with a disability on campus. However, there are some places on campus that are not safe for service animals; these areas are discussed below.

This policy differentiates "service animals" from "pets," describes types of service dogs, denotes campus locations that are off limits to service animals, and sets behavioral guidelines for service animals.

Definitions

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.

Pet: A domestic animal kept for pleasure or companionship. Pets are not permitted in SDSM&T facilities, except in housing facilities and exterior grounds when approved for

full-time professional residential life staff through procedures established by the Residence Life Office.

Service Animal: Any animal individually trained to do work or perform tasks for the benefit of a person with a disability.

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

Types of Service Dogs

It is important to note that a service animal does not necessarily have to be a dog. However, dogs are the type of animal most commonly trained to serve individuals with disabilities. Below are some definitions of the different types of service dogs.

Guide Dog: A carefully trained dog that serves as a travel tool by persons with severe visual impairments or who are blind.

Hearing Dog: A dog that has been trained to alert a person with significant hearing loss or who is deaf when a sound occurs, such as a knock on the door, a firm alarm, phone ringing, etc.

Service Dog: A dog that has been trained to assist a person who has a mobility or health impairment. Types of duties the dog may perform include carrying, fetching, opening doors, ringing doorbells, activating elevator buttons, steadying a person while walking, helping a person to get up after a fall, etc.

Sensory Signal (Ssig) Dog: A dog trained to assist a person with autism. The dog alerts the partner to distracting repetitive movements common among those with autism, allowing the person to stop the movement, such as hand flapping. A person with autism may have problems with sensory input and may need the same support services from a dog that a dog might give to a person who is blind and/or deaf.

Seizure Response Dog: A dog trained to assist a person with a seizure disorder; how the dog serves the person depends on the individual's needs. The dog may stand guard over the person during a seizure, or the dog may go for help. A few dogs have learned to predict a seizure and warn the person in advance.

Faculty, Staff and Student Responsibilities for Service Animals

- 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.

Documentation Requirements for Use of Service Animals on Campus

Students should provide the requests and verification to:

DOS Suite, ADA Student Services Office, Surbeck Center

Employees should provide necessary verification to:
Human Resources Office, O'Harra Building

Persons using service animals on campus must provide documentary verification that he/she has a disabling condition or impairment, and that a service animal is needed so that the person may use the School of Mines' facilities and/or services. The person's health care provider must submit a signed letter, on professional letterhead, stating:

- The nature of the disabling condition or impairment, with whatever information the School of Mines may reasonably need to ensure compliance with the law; and

- The provider's professional opinion that the person requires the requested animal in order to use the School of Mines' facilities and services, the function of the animal, and whatever rationale or further statement the School of Mines may reasonably need to understand the basis for the professional opinion.

The partner/handler of the service animal must also show proof that the animal has met the following regulations:

Licensing: The animal must meet the licensing and animal control requirements of the City of Rapid City.

Health Records: The animal must have a health statement, including vaccinations from a licensed veterinarian dated within the past year against diseases common to that type of animal. Dogs must have a current rabies vaccine and wear the rabies vaccination tag. Dogs must also have current distemper and bordetella shots. The animal must be well groomed, measures should be taken at all times to control external parasites and be regularly bathed to control odor. Consideration of others must be taken into account when providing maintenance and hygiene of animals. A veterinarian's statement as to good health must be provided on an annual basis. Service animals that are ill should not be taken into public areas. A partner/handler with an ill animal may be asked to leave the School of Mines' facilities.

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 any City of Rapid City licenses.

Responsibilities 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. Individuals with disabilities, who physically cannot clean up after their own service animal, need to make the necessary arrangements for assistance.

Control Requirements

- The animal must be on a leash at all times. It should never be permitted to wander off leash.
- The partner/handler must be in control of the animal at all times.
- The animal must be as unobtrusive as possible.
- The partner/handler is responsible for protecting School of Mines' property from damage from the service animal. Any damage to the School of Mines' facilities will be the financial responsibility of the partner.

Service Animals in Campus Housing

Students with disabilities and requesting service animals must get approval prior to moving into a School of Mines' housing facility. The appropriate documentation needs

to be submitted to ADA Student Services, located within the Dean of Students Office suite. The partner/handler is responsible for property damage caused by his or her service animal. The partner/handler must keep the service animal on a leash at all times in the residence area except in the room. The partner/handler and the service animal must be in compliance with the School of Mines' policy regarding service animals.

The documentation to maintain an animal in the School of Mines' housing must include:

a. A letter with the prospective resident's explanation of the tasks or function the animal has been trained to perform as a disability-related accommodation, the type of animal, a description of the animal (e.g. weight, breed, etc.) and the animal's name.

b. Medical documentation that meets the guidelines as maintained by the School of Mines. (See Documentation Requirements for Use of Service Animals on Campus, page 3.)

c. The request will be reviewed by the School of Mines.

If the request is approved, the requesting individual must:

a. Follow all sections of the Service Animal Policy.

b. Register the animal with the School of Mines Housing before move-in is allowed.

Public Etiquette by the Animal

Any service or therapy animal:

- Should not be allowed to sniff people, sniff 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 School of Mines' 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 two 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: An animal may be excluded from the campus or the School of Mines' housing 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 School of Mines will give the individual who uses the service animal the option of continuing to attend the School of Mines 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 Protective Clothing Is Necessary: Any room where protective clothing is worn is off-limits to service animals. Examples impacting students include the foundry, glass laboratory, wood shops and metal/machine shops.

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.

Food Preparation Areas: All areas of food preparation areas are off limits to service animals.

Field Trips or Excursions: All overnight field trips or excursions are considered off limits to service animals.

Exceptions: Access to 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 Director of Facilities Services.

Therapy Animals

Therapy animals may be permitted in the School of Mines' apartment housing on a case-by-case basis. Before bringing a therapy animal onto campus grounds, the requesting individual must submit appropriate documentation.

Procedures for requesting permission for a therapy animal:

1. To make a request, contact the appropriate office. ADA Student Services, Director

2. A letter with the explanation of the need for the animal, the type of animal, a description of the animal and the animal's name, the date when medical diagnosis prescribed such an animal, and the date when the animal was acquired.

3. Medical documentation which will be maintained by the School of Mines. Documentation must include a clinicians' professional opinion regarding the need for a therapy animal, along with all other documentation required for a service animal.

Classrooms, Offices, Laboratories and Other Campus Areas: Therapy animals are generally not allowed in non-residence campus facilities.

Housing: Requests for therapy animals in the School of Mines' apartment housing will be processed by the ADA Student Services in conjunction with Residence Life. Permission to have a therapy animal in the School of Mines' housing does not constitute permission to have the therapy animal in other campus facilities or on campus grounds at large.

Grievance Procedures

If you feel as though you have been discriminated against because of disability, the appropriate contact is the Title IX/EEO designee or the Dean of Students Office. Complaints will be promptly investigated per the South Dakota Board of Regents' 1:18 Human Rights Complaint Procedure.

SOURCE: Revised: May 5, 2011; Human Resources May 1, 2014;
BOR Reference: Policy 2:15