



## **Policy on Assistance Animals for Students on Campus**

**Effective: August 2017**

**Note:** If you are interested in bringing an assistance animal to live in MMC housing, please contact the Office of Disability Services at 212.774.0719 or lgreen@mmm.edu to learn more.

It is the intent of MMC to provide an environment that fosters respect and dignity towards all students. An essential aspect of this is ensuring that all qualifying students have full access to all of MMC's programs and activities,

Various disability and civil rights laws prohibit discrimination against individuals with disabilities in all aspects on campus. Such conduct is expressly prohibited and will not be tolerated.

MMC uses the definitions below to define specific items in our Assistance Animal Policies and Agreement.

**Accommodation-** A modification or adjustment in policies, procedures, or work/housing/school environment to enable a student to partake in equal opportunities and access to College benefits and services.

**Assistance Animal-** Assistance Animals aren't pets. They are animals that provide assistance, perform tasks for the benefit of a person with a disability, or provide emotional support that alleviates one or more identified symptom or effects of a person's disability. This is the umbrella term that encompasses Emotional Support Animals and Service Animals.

**Emotional Support Animal-** Animals that provide emotional support which alleviate one or more identified symptoms or effects of a person's disability. Some, but not all, animals that assist persons with disabilities are professionally trained.

**Individual with a disability-** An individual with a disability is defined by the ADA and similar laws as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.

**Service Animal-** An animal that is individually trained (or in the process of being trained) to do work or perform specific tasks for the benefit of a person with a disability. The work or tasks performed by the service animal must be directly related to the person's disability.

It is the policy of MMC to make reasonable accommodations for students with disabilities when these students have a disability-related need for such an accommodation. Additionally, MMC charges each member of the management team with the responsibility for ensuring the success of this policy through initiative and personal leadership. MMC understands that in some cases the presence of an assistance animal on campus may be necessary in order to accommodate a student with a disability. Please note however, that the provisions of applicable laws that allow for assistance animals accompanying members of the public with disabilities visiting our campus, or assistance animals residing in student housing, are not the same as what the laws providing for assistance animals for students with disabilities provide. Please note that the Office of Residence Life has a separate policy and agreement for assistance animals in student housing.

## Assistance Animal Requirements:

The process for requesting the presence of an assistance animal is as follows:

A student must contact the Office of Disability Services with a written request by July 1 for the Fall or January 5 for Spring. The request must specify that the student is requesting the use of an assistance animal. Students must take responsibility for meeting legal requirements regarding vaccinations and licensing. Students must also ensure that animals are under control at all times. If an animal exhibits unacceptable behavior, the student must take action to remedy the situation immediately. MMC will generally ask the following questions:

A. If the assistance animal is a service animal:

- 1) Does the student seeking to use the assistance animal have a disability?
- 2) Is the animal required because of a disability?
- 3) What work or task does the animal perform to assist in regard to the disability?

If the answer to questions 1 and/or 2 is no, then MMC may deny permission to have the animal. If the work or task(s) performed by the "service animal" does not provide assistance in regard to the student's disability, MMC may deny permission to have the animal.

B. If the animal is an emotional support animal (but not a service animal):

- 1) Does the student seeking to use and live with the emotional support animal have a disability?
- 2) Does the student making the request have a disability-related need for an assistance animal?

3) If the disability or the disability-related need are not readily apparent (i.e., visible), MMC may ask for reliable documentation confirming that the student has a disability, the student has a disability-related need for an emotional support animal, and the animal in question provides benefit to the student in regard to the disability. Documentation may include a letter from a physician, psychiatrist, social worker, or other mental health professional. The documentation provided must establish that the student has a disability and that the animal will provide assistance directly related to the disability.

The assistance animal must have all the appropriate vaccinations (i.e. rabies shots) and within 30 days of making the request for an assistance animal, the student must provide documentation of the vaccinations (and then provide confirmation of annual updates to the vaccinations when requested by MMC).

The Office of Disability Services will approve or deny the request for an assistance animal and notify the appropriate parties of the decision. Student will be notified after a decision has been made and all of the appropriate paperwork has been completed and submitted to the Office of Disability Services. Reasons that a request for an assistance animal may be denied included, but are not necessarily limited to: (1) the presence of the animal poses an undue hardship on the College; (2) the specific animal poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation; (3) the specific assistance animal in question would cause substantial physical damage to the property of others, or is disruptive or a nuisance to the College environment (e.g., excessive or uncontrolled barking) that cannot be reduced or eliminated by another reasonable accommodation; or (4) appropriate verification that the assistance animal provides assistance directly related to the student's disability has not been provided.

### **Student Responsibilities:**

While not required, the assistance animal may wear an identifying vest to alleviate any unwanted attention directed towards the assistance animal.

A student granted permission to have an assistance animal will be solely responsible for the care of the animal. The assistance animal must be under the control of the student at all times. The assistance animal must be harnessed, leashed, or tethered at all times unless such devices interfere with the animals' work or tasks. In such case, the animal must be harnessed, leashed, or tethered at all times that it is not working. If the animal is a caged animal, they are expected to remain in the cage at all times when they are not providing support to the student.

It is expected that animals will be walked outside to relieve themselves. In instances where the animal isn't walked outside, the expectation is that their cage/litter box/pad/bedding will be thoroughly cleaned on a daily basis.

Student will take appropriate measures to ensure that the assistance animal will not defecate or urinate in the interior of any buildings on campus or outside on campus except in designated agreed upon areas. Student will "pick-up" after the assistance animal should it defecate or urinate indoors, and will pick up after the animal should it defecate outdoors.

Student will further be solely responsible for any and all damage done to college property by the animal. Conflicts between animals and others' severe allergies, phobias, etc., will be addressed on a case-by-case basis

To the extent possible, the animal should be unobtrusive and not disruptive. If the assistance becomes disruptive, the student must take effective action to control it.

### **Removal/Relocation of Assistance Animals**

The College reserves the right to withdraw or alter the approval of the assistance animal for the following reasons:

1. Out-of-control Behavior: A student may be directed to remove an animal that is unruly or disruptive (e.g. barking excessively, running around, bringing attention to itself, jumping up on people, exhibiting aggressive behavior, damaging property) if the student is unable or unwilling to take effective action to control the animal. Repeated instances of such behavior may result in exclusion from College facilities until the student can demonstrate that they can effectively control the animal.
2. Not Housebroken: Animals must be housebroken and the presence of the animal may not pose a direct threat to the health and safety of others, and students must also ensure that their animals are kept clean and well-groomed. Animals that are excessively unclean (e.g., repeated soiling of facilities, flea-infested, foul-smelling and/or shedding excessively) may be excluded from College facilities. Although animals will sometimes become ill unexpectedly, the College recommends that sick animals should not be brought into College facilities.
3. It is determined that documentation provided by the student to qualify to have an Assistance Animal contains material misrepresentations regarding facts that supported the College's decision to approve the Assistance Animal.
4. Violating Agreement: If any provision of this policy or the related Assistance Animal Agreement is violated, the student may be required to immediately remove the assistance animal from Campus.