

Hendrix College Assistance Animal Policy

General Considerations

Hendrix College recognizes the importance of service, emotional support and therapy animals for individuals with disabilities and has established the following policy regarding assistance animals (and Service Animals in Training) and emotional support, and therapy animals, to assist students with life issues. The policy ensures that students with disabilities, who require the use of assistance animals as a reasonable accommodation, receive the benefit of the work or task performed by such animals or the therapeutic support they provide. Hendrix is committed to allowing students with disabilities the use of an assistance animal on campus to facilitate their full-participation and equal access to the College's programs and activities. The College also recognizes, however, that the presence of such animals may present health, safety, security and programmatic issues for other members of the community.

The College reserves the right to enforce all relevant rules for the use of assistance animals through the student conduct code and applicable laws. The College also reserves the right to revoke permission granted for the campus presence of any assistance animal whose owner fails to follow the requirements set forth in this procedure. Additionally, the College reserves the right to change this policy as necessary.

Requests for emotional support animals will only be reviewed under this policy for college housing. These animals will not be allowed in other campus facilities. Requests that do not carry evidence of the necessity of the animal will be denied.

Definitions

(Fair Housing Act)

The [Fair Housing Act](#) prohibits discrimination on the basis of disability in all types of housing transactions. The Act defines persons with a disability to mean those individuals with mental or physical impairments that **substantially limit one or more major life activities**. The term mental or physical impairment may include conditions such as blindness, hearing impairment, mobility impairment, HIV infection, mental retardation, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, and mental illness. The term major life activity may include seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, speaking, or working. The Fair Housing Act also protects persons who have a record of such an impairment, or are regarded as having such an impairment.

What is a Disability?

In order to qualify for a reasonable accommodation under the FHA, 504, or the ADA, the student must meet the statutory definition of having a "disability,"

“Disability” is defined as a physical or mental condition or impairment that is medically recognizable, and diagnosable, and that substantially limits one or more of a person’s major life activities. These limitations may include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning. A person is substantially limited in major life activities if the individual is unable to perform the activity, or is significantly restricted as to the manner in which he or she can perform that activity when compared to the average person. Acceptable documentation of disability can be from either a medical or mental health provider. It should verify the disability as well as the need for an assistance animal.

What is a Service Animal?

A “Service animal” performs functions and tasks that the individual with a disability cannot perform for him or herself. Service animals are individually trained to do work or perform tasks for the benefit of an individual with a disability. These tasks include, but are not limited to guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sound, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

What is a Therapy animal?

A Therapy animal may soothe anxiety in some individuals, but does not assist an individual with a disability in activities of daily living. Therapy animals are not service animals and will not necessarily qualify as a reasonable accommodation under ADA. If they meet the qualifications as a reasonable accommodation, then such animals can only be permitted in housing and not in public indoor areas on campus.

What is an Emotional Support Animal?

An “emotional support animal” (ESA), often referred to as a “companion animal”, is an animal whose sole responsibility is to provide calming influence, affection, stability or security. An emotional support animal should demonstrate a good temperament and reliable, predictable behavior. Unlike a service animal, an emotional support animal does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times. An emotional support animal, however, may be incorporated in a treatment process to assist in alleviating the symptoms of that individual’s disability. This treatment occurs within the person’s residence. Emotional support animals are not service animals and will not necessarily qualify as a reasonable accommodation under ADA. If they meet the qualifications as a reasonable accommodation, then such animals can only be permitted in housing and not in public indoor areas on campus. Generally, the presence of only one ESA will be approved for a student, in order to fulfill the intent of the FHA requirements in providing support to the student with a mental health disability.

For ease in interpreting this document, all prospective animals will be labeled as **‘assistance animals’**.

Approved Animal

An “approved animal” is an assistance animal that has been granted as a reasonable accommodation under this policy.

Owner

The “owner” is the student or other covered person who has requested the accommodation and has received approval to bring the “approved animal” on campus.

Procedures

How Can I Apply for Approval for an assistance animal?

Students may apply for an assistance animal through the Office of Academic Success (OAS). The committee recommends a minimum of 8 weeks’ ownership of the animal prior to bringing it to campus, to insure adequate compatibility and socialization.

Assistance animals may not reside in College housing without expressed approval from College officials. Such requests should be processed as follows:

1. Submit the following forms:
 - Assistance Animal Request Form
 - Signature block from Animal Policy
 - Medical Verification form (this form must be completed by an off-campus healthcare provider, and also requires a letter from the same healthcare provider)

It is important to note that the College may approve your request to have an ESA, but not approve the specific animal you hoped to bring to campus. For example, most reptiles, rodents and monkeys may be rejected because of health and safety concerns, as they can carry zoonotic diseases, which pose a threat to the general welfare of residents in the communal living environment.

Assistance animals (dogs and cats specifically) must be at least one year of age, to insure reasonable independence and maturity.

2. Register with the OAS
3. Provide verification of disability to OAS
4. Provide letter from medical provider stating purpose for assistance animal
5. If student receives conditional approval from first round of forms, the student must then submit the following forms:
 - A. Animal Registration form;
 - B. Roommate/Suitemate acknowledgement form;
 - C. veterinary (immunization) records, particularly rabies;
 - D. photograph of animal
 - E. and proof of licensing in Faulkner County if the animal is a dog or a cat.

6. Provide documents verifying the animal provides assistance to assist with or alleviate a symptom of the identified disability

***Applicants should make arrangements with their external healthcare provider for the exchange of information with Hendrix College, since the student's healthcare provider may be contacted for clarification. Healthcare providers must be certified/accredited in one of the following categories:**

- A. M.D.
- B. Ph. D
- C. Nurse Practitioner
- D. licensed counselor or therapist

Verification of Disability and Need for an Assistance Animal

NOTE: Only Service Animals have access to non-residential College owned facilities (except restricted areas). Emotional support and therapy animals are restricted to housing only.

A student seeking the assistance of an assistance animal to use College facilities and services must provide verification to the Academic Success Office that he or she has a qualifying disability and that the assistance animal is needed for the use and enjoyment of the College facilities and services. The student's health care provider, who is qualified to make the requested assessment, must submit a signed letter on professional letterhead expressing the following:

1. The provider's diagnosis of the person's condition.
2. The provider's opinion that the condition affects a major life activity.
3. The provider's professional opinion that the service animal is used to help with the person's daily living activities, and is necessary to effectively utilize college facilities and services. **(Appropriate context must also be provided for assistance animals).**
4. **The provider's description of what service(s) the assistance animal will specifically provide.**
5. Any additional rationale or statement the college may reasonably need to understand the basis for the professional opinion.

*Documentation of the disability may not be required if the specific disability is already known to the College. Documentation of the need for the service animal may not be required if the need for the disability-related service animal is already known to the College.

The Assistance Animal Committee will meet three times per year (April, July and November) to review requests for housing accommodations. The following deadlines for requesting housing accommodations apply:

Hendrix College incoming first-year students:

July 1 for the fall semester
November 1 for the spring semester

Hendrix College returning students:

March 1 for the fall semester
November 1 for the spring semester

Applications will **not** be accepted during the month of August, unless the student has experienced an exceptionally significant change in circumstances.

Hendrix staff will review documentation and, if the Assistance Animal Committee approves the request, then a representative of the Office of Academic Success (OAS) will arrange a meeting with the person requesting an assistance animal. This policy will be carefully reviewed with the person at that time.

If a student's request to house an assistance animal is denied, then he or she will have the opportunity to appeal such decisions. All appeals are reviewed by the Vice President of Human Resources. The student will receive information about the appeals process via e-mail, and this information will be sent to the student within one week of the denial decision.

Upon approval of an assistance animal, the student's roommate(s) or suitemate(s) will have the choice of rooming with the student with the assistance animal OR being moved to another location. In addition, residential building staff will be notified.

Conflicting Health Conditions

Residence Life personnel will make a reasonable effort to notify students in the residence building where the approved animal will be located.

Students with medical condition(s) that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) are asked to contact the Residence Life Office if they have a health or safety related concern about exposure to an assistance animal in residential facilities. Students with medical condition(s) that are affected by animals are asked to contact the OAS if they have a health or safety related concern about exposure to an assistance animal in non-residential facilities on campus. The College is prepared to also reasonably accommodate individuals with such medical conditions that require accommodation when living, working, or studying in proximity to assistance animals.

The Assistance Animal committee in collaboration with Residence Life will resolve any conflict arising from the presence of assistance animals in a timely manner. Staff members will consider the conflicting needs and/or accommodations of all persons involved. The Office of Academic Success staff may use Hendrix Health Services as a resource for information on health issues. The Office may consult with the Assistance

Animal Committee at its discretion. In the event that an agreement between conflicting parties cannot be reached, the OAS' decision is final and not subject to appeal.

Owner's Responsibilities for having an approved animal on campus

1. The owner is responsible for assuring that the Approved Animal does not unduly interfere with the routine activities of the College or cause difficulties for other members of the College community. The owner and approved animal are both responsible for abiding by the conduct policies outlined in the Student Handbook. The owner may be charged with a violation of student conduct for inappropriate behavior of an approved animal.

2. **Service** Animals may travel freely with their owner throughout College facilities. Therapy or emotional support animals must be contained within the approved student's privately assigned residential area (room, suite, and apartment) at all times, except when transported outside the private residential area in an animal carrier or controlled by leash or harness. When outside the residence, the owner of an assistance animal shall carry proof that the animal is an approved animal.

3. Maintenance checks may occur in student residences per the request of the student or as part of routine maintenance. Standard procedure for gaining access to student residences is as follows:

- Facilities will knock on door and/or ring doorbell
- If no response after 1 minute, Facilities will open the door slightly and announce themselves
- If an animal is loose in the residence, Facilities will notify Julie Brown. Brown will attempt to contact the student by phone. **Facilities will not work in a residence with an uncrated animal.**
- **Fines and/or sanctions may apply to the owner of the animal.**

4. The owner is responsible for posting official animal signage on all external doors of their campus residence. This signage is obtained through the Office of Academic Success and must be posted continuously as long as the animal is in residence on campus.

5. The owner is financially responsible for the actions of the Approved Animal including bodily injury or property damage. The owner's responsibility covers, but is not limited to replacement of furniture, carpet, window, wall covering, and the like. **Carpet replacement expenses alone can be several thousand dollars; final restitution costs will vary depending upon the original condition of the residence and other factors.** The owner is expected to cover these costs at the time of repair and/or move-out. **In sum, the owner is personally and financially responsible for the actions of an assistance animal.**

6. In the event two or more roommates have an assistance animal, there is an expectation that the animals will co-exist harmoniously. Any conflicts between the animals should be worked out between the residents. **If there is animal-related damage to your residential unit, then the College's policy on room damage charges will apply. If one resident takes responsibility for damages in a common area, then that resident will be charged. If no individual resident claims responsibility for the damage, any fines and/or repair fees will be split evenly between the residents with animals.**

7. The owner is responsible for any expenses incurred for cleaning above and beyond a standard cleaning or for repairs to College premises that are assessed after the student and animal vacate the residence. The College shall have the right to bill the student account of the owner for unmet obligations.

8. The owner must notify the Academic Success Office in writing if the Approved Animal is no longer needed as an approved animal or is no longer in residence. **To replace an approved animal, the owner must file a new Request for Reasonable Accommodation.**

9. The owner's residence may be inspected for fleas, ticks or other pests twice a semester or as needed. Residence Life or Facilities will schedule the inspection. If fleas, ticks or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a College approved pest control service. The owner will be billed for the expense of any pest treatment beyond standard pest management in the residential facilities.

10. (For students in the Residence Halls and/or Apartment shares) All roommates or suitemates of the owner must sign an agreement allowing the approved animal to be in residence with them. In the event that one or more roommates or suitemates do not approve, either the owner and animal or the non-approving roommates or suitemates, as determined by Residence Life, may be moved to a different location.

11. Approved Animals may not be left overnight in College Housing to be cared for by another student. Animals must leave campus if the owner leaves campus for a prolonged period, including overnight. **For a partial list of animal boarding businesses, check the last page of this document.**

12. Housing has the ability to relocate the owner and approved animal as necessary according to current contractual agreements.

13. The owner undertakes to comply with the "Guidelines for Maintaining an Approved Animal at Hendrix College" as set forth in this policy.

14. The owner agrees to continue to abide by all other College policies. Any violation of the above rules may result in immediate removal of the animal from the College and may be reviewed through the Student Conduct Process and the owner will be afforded all rights of due process and appeal as outlined in that process. Should the approved animal be removed from the College premises for any reason, the owner is expected to fulfill his/her housing obligations for the remainder of the housing contract.

Guidelines for Maintaining an Approved Animal at Hendrix College

Introduction

The following guidelines apply to all approved animals and their owners, unless the nature of the documented disability of the owner precludes adherence to these guidelines, and permission for a variance from the guidelines has been granted.

Care and Supervision:

The student who received approval for the animal is responsible for the animal's care and supervision at all times. The person is required to maintain control of the animal at all times. This includes the cleanup of the animal's waste in accordance with College policy. Outdoor solid animal waste must be picked up immediately and disposed of in outside trash dumpsters. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and securely tied up before being disposed of in outside trash dumpsters. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces. Hendrix Housekeeping is not responsible for disposing of animal waste.

Animal Health and Well-being

1. **Identification:** All approved animals are required to obtain and wear Hendrix identification at all times. If wearing the identification is not feasible for the animal, then the identification will be affixed to the animal's carrier and or containment apparatus.
2. **Vaccination:** In accordance with local ordinances and regulations, the animal must be immunized against diseases common to that type of animal. Dogs and cats must have current vaccination against rabies and wear a vaccination tag. Local licensing requirements must be followed.
3. **Health:** Animals housed in college housing must have an annual clean bill of health from a licensed veterinarian. Documentation can be a vaccination certificate for the animal or a veterinarian's statement regarding the animal's

health. The College has authority to direct that the animal receive veterinary attention. (Local licensing law is followed.)

4. **Licensing:** The College reserves the right to request documentation showing that the animal has been licensed if applicable. **All applicants should contact Faulkner County animal control office at 501.450.6160, to insure compliance with local ordinances.**
5. **Assistance Animals and Conduct Policy violations:** Students in violation of the controlled substance, alcohol, or any other Hendrix conduct policy that may put the animal at risk, may have their Assistance Animal approval revoked. Students can apply for reinstatement of the Assistance Animal. An interim period of one semester or longer may be required between the violation and the reinstatement of the Assistance Animal.
6. **Leash:** The animal must be on a leash or crated anytime it is outside the owner's private residential facility, including residential common areas. The only exception to this rule would be if the leash would inhibit the animal's ability to be of service. If the owner is not able to put the animal on a leash, then it should be in a carrier when leaving the private residential facility of the owner. The owner is required to maintain control of the animal at all times. The city of Conway has a leash law.
7. **Spaying, neutering, pregnant Assistance Animals:** The Assistance Animal committee strongly endorses spaying or neutering for all assistance animals. No offspring of assistance animals will be permitted to reside in campus housing.
8. **Containment of assistance animal during owner temporary absence:** Any assistance animal left in a residential facility while the owner is away temporarily from that facility for any length of time must be housed in a crate or other appropriate containment apparatus. Roommates or suitemates cannot be left in charge of assistance animals to avoid this requirement, nor can animals be moved to another room on campus, if the owner is not present. The owner of the animal retains responsibility for the animal at all times. If the student needs assistance locating a local kennel, they can contact Julie Brown at brownj@hendrix.edu.
9. **Containment of assistance animal when College Officials are present:** If the owner is present in the residential facility and a College official comes to that facility on College-related business, then the assistance animal must be placed in the containment apparatus for the duration of the time the College official is present. If the owner needs a small amount of time to contain the animal before College officials enter the facility, then the owner should open the door enough to prohibit the animal from escaping out of the door to request a small amount of time to contain the animal. If the owner's disability prohibits the student from

placing the animal in a containment apparatus, then that animal should be leashed and sitting beside the owner while College Officials are present.

10. **Cleaning of assistance animals:** Animals may not be washed in College residence halls. **See last page of document for partial list of grooming businesses.**

11. **Other Conditions:** The Office of Academic Success may place other reasonable conditions or restrictions on the animals depending on the nature and characteristics of the animal.

Requirements for Faculty, Staff, Students, and Other Members of the College Community

Members of the College community are required to abide by the following practices:

1. They are to allow a Service Animal to accompany its owner at all times and in all places on campus, except where animals are specifically prohibited.
2. They are not to touch or pet an assistance animal unless invited to do so by its owner.
3. They are not to feed an assistance animal without permission from the owner.
4. They are not to startle an assistance animal deliberately.
5. They are not to separate or to attempt to separate an owner from his or her assistance animal.
6. They may not inquire about the owner/student's health status or specific services provided by the animal.

Service animals will be given access to ADA-appropriate buildings/rooms unless: (1) the animal is out of control and its handler does not take effective action to control it; (2) the animal is not housebroken (i.e., trained so that, absent illness or accident, the animal controls its waste elimination); or (3) the animal poses a direct threat to the health or safety of others that cannot be eliminated or reduced to an acceptable level by a reasonable modification to other policies, practices and procedures.

Removal of Approved Animal

The College may exclude/remove an approved animal when 1) the animal poses a direct threat to the health or safety of others, or 2) the animal's presence results in a fundamental alteration of the College's program, or 3) the owner does not comply with Owner's Responsibilities as outlined in this policy, or 4) the animal or its presence creates a significant disturbance or interference within the Hendrix community.

Damage

Owners of Approved Animals are solely responsible for any damage to persons or college property caused by their animals.

Areas off limits to service animals

The college may prohibit the use of Service Animals in certain locations because of health and safety restrictions (e.g. where the animals may be in danger, or where their use may compromise the integrity of research). Restricted areas may include, but are not limited to, the following areas: custodial closets, boiler rooms, facility equipment rooms, research laboratories, classrooms with research/demonstration animals, areas where protective clothing is necessary, wood and metal shops, swimming pools, rooms with heavy machinery, and areas outlined in state law as being inaccessible to animals.

Exceptions to restricted areas may be granted on a case-by-case basis by contacting OAS and the appropriate department representative; the person directing the restricted area has the final decision.

Areas off limits to therapy and emotional support animals

Assistance animals are approved for specific private residential spaces only. All indoor areas (**including common residential spaces**) are off limits to approved emotional support and or therapy animals without prior authorization from the OAS.

****Partial list of local veterinarians; animal boarding; and/or grooming businesses:**

- **Chestnut Animal Clinic; 612 Chestnut; 501.327.4413**
- **Hounds Hideaway (boarding, grooming); 1238 McNutt Rd.; 501.358.6598**
- **PetSmart (grooming, supplies); Conway Commons – 650 Elsinger; 501.548.6083**
- **St. Francis Veterinary Clinic; 3180 Dave Ward Dr.; 501.327.9200**

Members of the Assistance Animal Committee include:

Dean of Students: Jim Wiltgen

Chief Diversity Officer: Kesha Baoua

Northside Area Coordinator: Mary Beth Sanders

Assistant Dean of Students – Michael LeBlanc

Assistant Director – Office of Academic Success: Terri Thomas

Director – Office of Academic Success: Julie Brown (brownj@hendrix.edu; 501.505.2954)

Director of Operations (Facilities): Nate Cowden

By my signature below, I verify that I have read, understand and will abide by the guidelines outlined here and I agree to provide the additional information required to complete my Request for a Reasonable Accommodation under the College's Assistance Animal Policy. (For further information, please contact AssistanceAnimals@hendrix.edu.)

Resident Owner Printed Name

Resident Owner Signature

Date _____

Incoming 1st-Year Students: Due July 1 for fall semester; November 1 for spring semester

Returning Students: Due March 1 for fall semester; November 1 for spring semester