

## **Service Animals**

Wilmington University is committed to providing reasonable accommodations to persons with disabilities and fulfilling obligations under State and Federal Law.

Persons with disabilities may be accompanied by working service animals consistent with the provisions of this policy.

## **Definitions**

***Disability under the Americans with Disabilities Act (ADA):*** A physical or mental impairment that substantially limits one or more major life activities, a record of such impairment, or being regarded as having such impairment. Wilmington University interprets this consistent with the Americans with Disabilities Act.

***Service Animal:*** Wilmington University recognizes “Service Animals” as defined by Title III of the Americans with Disabilities Act. Pursuant to that law, a service animal is defined as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

Examples of work or tasks may 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.

Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler’s disability. The crime deterrent effects of an animal’s presence or the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

## **Reasonable Modifications – Miniature Horse**

Wilmington University shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. Other requirements which apply to service animals shall also apply to miniature horses.

### ***Assessment factors***

In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, the university will consider:

- The type, size, and weight of the miniature horse and whether the facility can accommodate these features.
- Whether the handler has sufficient control of the miniature horse.
- Whether the miniature horse is housebroken; and
- Whether the miniature horse's presence in a specific facility compromises legitimate safety or other requirements that are necessary for safe or effective operation.

## **Service Animal Use on Campus**

**Visitors:** Visitors with service animals may access all public facilities, with the exception of areas where service animals are specifically prohibited due to safety or health restrictions or where the service animal may be in danger.

**Employees:** Employees with a disability who wish to utilize a service animal as a reasonable accommodation must register with the Human Resources Department, 302-356-6774, at least 30 days before the animal is needed.

**Students:** Students with a disability who have service animals may access the same facilities as visitors. Students with a disability who wish to utilize a service animal in a classroom or other non-public areas are required to register with the Office of Student Accessibility Services, 302-356-6937, and should do so at least 30 days before the animal is needed. Registration with the Office of Student Accessibility Services, 302-356-6937, will provide you access to resources, information and advocacy around a range of disability-related topics including service animals.

## **Service Dogs in Training**

Service dogs in training are permitted in all public facilities on the same basis as working service animals, provided that the dog is being led or accompanied by a trainer for the purpose of training the dog and the trainer has documentation confirming the trainer is affiliated with a recognized or certified service dog training organization.

Only adult dogs (twelve months of age or older) are considered service dogs in training under this policy. "Puppies in training" are not permitted in university buildings except with written permission from the Office of Student Accessibility Services.

Service dogs in training are not permitted in classrooms, offices, or other areas not open to the general public except with written permission from the Office of Student Accessibility Services.

A student with a disability who wishes to utilize a service dog in training in classrooms, offices or other areas not open to the general public must register with the Office of Student Accessibility Services, 302-356-6937, and seek approval through the reasonable accommodation process.

An employee with a disability who wishes to utilize a service dog in training in classrooms, offices or other areas not open to the general public must register with Human Resources Department, 302-356-6774, and seek approval through the reasonable accommodation process.

### **General Requirements**

Service animals at Wilmington University must comply with all state and local licensure and vaccination requirements.

The care, control and supervision of a service animal is the responsibility of its owner. A service animal shall have a harness, leash or other tether unless either the individual is unable because of a disability to use a harness, leash or other tether, or the use of a harness, leash or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the owner's control (e.g., voice, signals or other effective means). The individual must maintain control of the animal at all times. The individual using the animal's service is responsible for ensuring the cleanup of all animal waste and for any damage caused by the animal. The university may designate animal toileting areas.

### **Clarifying Animal Status**

Service animals are permitted in all public facilities on campus in accordance with the Policy. University employees should not question an individual about an accompanying service animal if the individual's disability is readily apparent and the function of the accompanying animal is clear.

In the unusual circumstance when an inquiry must be made to determine whether an animal is a service animal, a University employee may only ask two questions:

- Whether the animal is required because of a disability
- What work or task the animal is trained to perform

University employees shall not ask any questions about the individual's disability.

Although a service animal may sometimes be identified by an identification card, harness, cape, or backpack, such identifiers are not required and should not be requested or demanded for any service animal on campus.

## **Conflicting Disabilities**

Individuals with medical issues impacted by animals (e.g., respiratory conditions, allergies or psychological conditions) should contact the Office of Student Accessibility Services, 302-356-6937, for assistance.

## **Removal of Service Animals**

A service animal may be removed from University facilities or grounds if disruptive (e.g., barking, wandering, displaying aggressive behavior) and the behavior is outside the duties of the service animal. Unhygienic, ill, and/or unsanitary service animals are not permitted in public campus areas. The individual responsible for such an animal may be required to remove the animal.

When there is a legitimate reason to ask that a service animal be removed the person with the disability must be offered an opportunity to obtain the necessary goods and services without the animal's presence.

## **Restricted Areas**

The University may prohibit the use of service animals in certain locations due to health or safety restrictions, where service animals may be in danger, or where they may compromise the integrity of the academic experience or otherwise affect the operations in a facility. Restricted areas, for example, may include: construction or maintenance areas, athletic fields, certain labs, etc.

Exceptions to restricted areas may be granted on a case-by-case basis by contacting the Office of Student Accessibility Services, 302-356-6937. In making its decision the Office of Student Accessibility Services will consult with the appropriate department representative regarding the nature of the restricted area and any ongoing concerns.

## **Interacting with Service Animals**

Service animals work and perform tasks and are not pets. Accordingly, the Office of Student Accessibility Services recommends that employees, visitors and all members of the University community adhere to the following best practices when interacting with service animals:

- Do not touch or feed a service animal unless invited to do so by the individual using the animal's service.
- Do not deliberately distract or startle a service animal, and,
- Do not separate or attempt to separate a service animal from the individual using the animal's service.

## **Emergency Situations**

A handler/service animal team may become stressed during emergency situations involving smoke, fire, sirens, or injury, and exhibit protective behavior. Be aware that service animals may try to communicate the need for help. In emergency situations make every effort to avoid separating the handler from the service animal.

## **Policy Exceptions**

Individuals wishing to request a modification or exception to this policy as a reasonable accommodation should contact the Office of Student Accessibility Services, 302-356-6937.

## **Dispute Resolution Procedure**

Disputes or disagreements about a disability determination, appropriateness of an accommodation, service quality, or animal restriction should be first raised with the Office of Student Accessibility Services, 302-356-6937. If a student matter cannot be resolved then the [Student Grievance Procedure](#) is available. Should an employee have a concern they should contact the Human Resources Department at 302-356-6774.

## **Resources**

[Frequently Asked Questions about Service Animals and the ADA](#)