

CHAPTER:	<b>Campus Living</b>	DATE ADOPTED	NUMBER
<b>STUDENTS</b>	<b>Regulations</b> (supplements the housing contract and the student handbook)	March 11, 2014 Revised February 20, 2018	416

**SYNOPSIS:**

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1	<b>Animals:</b> For the health and safety of all residents, animals (other than assistance animals - service animals and emotional support animals - defined below) are not permitted for any length of time in any area of a College housing facility, including student apartments and common areas. In addition, food intended for animals may not be placed on or around the exterior of a housing facility or structure.
2	<b>Assistance Animals: Service and Emotional Support Animals:</b> Iowa Central Community College recognizes that assistance animals (service and emotional support animals) can play an important role in facilitating the independence of some individuals with certain disabilities. Therefore, the College is committed to reasonably accommodating persons with disabilities who require the assistance of service and/or emotional support animals. Iowa Central is also mindful of the health and safety concerns of the campus community. Thus, Iowa Central must take into account both the needs of the individual with the disability and also the potential impact of such animals on other students.  The Academic Assistance & Accommodations Coordinator and the Director of Residence Life are responsible for implementing this regulation and for assisting students with disabilities in responding to their specific needs for an accommodation. The successful implementation of this regulation requires the cooperation of students, faculty, and staff.
3	<b>Definitions:</b>  <u>Disability</u> - A person with a disability under the federal Fair Housing Act (FHA) (42 U.S.C.A. 3601 et seq.) is a person who: <ul style="list-style-type: none"> <li>A. Has a physical or mental impairment that substantially limits one or more major life activities;</li> <li>B. Has a record of such an impairment; or</li> <li>C. Is regarded as having such an impairment. (24 CFR 8.3).</li> </ul> A similar definition of "disability" is applicable to Title II (state and local government services) and Title III (public accommodations) of the Americans with Disabilities Act (ADA).  <u>Service Animal</u> - "Service animals" are defined as dogs that 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. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose function is to provide comfort or emotional support do not qualify as service animal under the ADA.

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	<p><u>Emotional Support Animal</u> - An emotional support animal is a type of assistance animal that is recognized as a "reasonable accommodation" for a person with a disability under the FHA. An emotional support animal is not a pet. It is an animal that provides emotional support and comfort, in other words provides therapeutic benefit to an individual with a mental or psychiatric disability. The person seeking the emotional support animal must have a verifiable disability (the reason cannot just be a need for companionship). An emotional support animal is an integral part of a person's treatment process to assist in alleviating the symptoms of an individual's disability. Emotional support animals perform many disability-related functions, including but not limited to, providing emotional support to persons with disabilities who have a disability-related need for such support. There must be a relationship, or nexus, between the individual's disability and the assistance the animal provides. Unlike a service animal, an emotional support animal is not granted access to places of public accommodation. Under the FHA, an emotional support animal is viewed as a "reasonable accommodation" in a housing unit that has a "no pets" rule for its residents.</p> <p>Emotional support animals are not service animals and do not accompany an individual at all times. Therefore, an emotional support animal is only to be permitted in the individual's assigned campus residence facility, commonly referred to as apartment, and outdoor space. Emotional support animals are not allowed in any other campus buildings. Students living off campus do not have an assigned campus residence facility and are not allowed to have an emotional support animal in campus buildings.</p> <p><u>Pet</u> - A pet is an animal kept for ordinary use and companionship. Residents are not permitted to keep pets on Iowa Central property or in Iowa Central on-campus housing/apartments.</p>		
4	<p><b><u>Service or Emotional Support Animals in Iowa Central On-Campus Housing Facility:</u></b> Service and emotional support animals may not be kept in Iowa Central on-campus housing facilities without written approval of the Academic Assistance and Accommodations Coordinator and the Director of Residence Life. Requests for approval should be processed as follows:</p> <p>A. A student requesting that a service or emotional support animal reside in on-campus housing must identify to the Academic Assistance and Accommodations Office by visiting: <a href="http://www.iowacentral.edu/ARC/accommodation">http://www.iowacentral.edu/ARC/accommodation</a> and filling out the Public Accommodation Request form and uploading supporting documentation at least thirty (30) days before prospective on-campus housing will be needed by the student. Iowa Central requires a 30-day notice period in order to discuss and review information from the student and to determine if documentation is needed from the student. This documentation includes, but is not limited to: verification of a disability, the determination of any conflicting disabilities in the immediate vicinity where the animal will be housed, and verification of all vaccinations and the health of the animal including all the necessary licensing. If documentation is immediately available, the time for the approval process may be shortened.</p> <p>1. If the student's disability is not readily apparent or known to the Academic Assistance and Accommodations Coordinator, documentation from the student and/or student's healthcare professional provider or mental health professional provider will be requested to answer the following questions:</p> <p style="padding-left: 40px;">Is this an assistance animal that is required because of a disability or does the person making the request have a disability-related need for an assistance animal?; and</p>		

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	<p>What work or tasks has the assistance animal been trained to perform or does the assistance animal assist, perform tasks or services for the benefit of a person with a disability, or been prescribed for providing emotional support that is an integral part of the student's treatment process to assist in alleviating the symptoms of the student's disability?</p> <p>2. If the student's disability is readily apparent or known to the Academic Assistance &amp; Accommodations Coordinator, but the disability-related need for the service or emotional support animal is not readily apparent or known to the Academic Assistance &amp; Accommodations Coordinator, documentation from the student's healthcare professional provider or mental health professional provider will be requested to answer the following question:</p> <p>What work or tasks has the service animal been trained to perform or has the emotional support animal been prescribed for providing emotional support that is an integral part of the student's treatment process to assist in alleviating the symptoms of the student's disability?</p> <p>B. The Academic Assistance &amp; Accommodations Coordinator will review the student's request and any requested documentation and, if she/he determines a qualifying disability exists, shall arrange a meeting with the student requesting that a service or emotional support animal be housed in Iowa Central on-campus housing. This regulation will be carefully reviewed with the student at that time. If the student making the request has a disability and has a disability related need for the service animal to perform work or tasks for the benefit of the student or an emotional support animal for providing emotional support that is an integral part of the student's treatment process to assist in alleviating the symptoms of the student's disability, the College will provided an exception to its "no pet" in on-campus housing rule unless in doing so:</p> <ol style="list-style-type: none"> <li>1. Would impose an undue financial burden and administrative burden on the College;</li> <li>2. Would fundamentally alter the nature of the services provided by the College's on- campus housing;</li> <li>3. The specific service or therapy animal requested poses a direct threat to the health or safety of other students and/or staff that cannot be reduced or eliminated by another reasonable accommodation; or</li> <li>4. The specific service or therapy animal requested would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation.</li> </ol> <p>A welcome meeting will take place with the person making the request to determine whether or not the animal is a reasonable accommodation. Alternative accommodations and the impact of the animal on the Iowa Central on-campus housing program will be considered.</p>		
5	<p><b>Conflicting Disabilities:</b> The Director of Residence Life will make a reasonable effort to notify students in the residence building of the existence of a service or emotional support animal in the building.</p>		

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	<p>Students with medical condition(s) that are affected by animals (respiratory diseases, asthma, severe allergies) are asked to contact the Director of Residence Life if they have a health or safety related concern about exposure to a service or emotional support animal. The individual will be asked to provide medical documentation that identifies the condition(s) and will allow determination to be made as to whether the condition is disabling and whether there is a need for an accommodation. The Director of Residence Life will resolve any conflict in a timely manner and will consider the conflicting needs and/or accommodations of all persons involved. In the event that an agreement cannot be reached, the Director of Residence Life will make a decision and notify the affected students.</p>		
6	<p><b><u>Responsibility of Persons with Service or Emotional Support Animals:</u></b></p> <p><u>Care and Supervision:</u> Care and supervision of the animal are the responsibilities of the individual who benefits from the animal's use. This person is required to maintain control of the animal at all times, where consistent with the capacity of the animal user. The animal should be as unobtrusive as possible. This person is responsible for controlling the animal so as to eliminate any disruptive behavior and or aggressive behavior created by the animal. This person is also responsible for ensuring the clean-up of the animal's waste and, when appropriate, must toilet the animal in areas designated by Iowa Central consistent with the reasonable capacity of the owner. This person is responsible for providing the care, feeding, and supervision of the animal and any hygiene problems of the animal, as an example, strong order, dirty and or not groomed, fleas, ticks, etc.</p> <p><u>Health and Vaccination:</u> Individual who benefits from the animal's use is responsible for complying with all local and state ordinances, codes, and regulations concerning the type of animal including, but not limited to, licensing requirements, immunization, and care of the animal and for providing the Academic Assistance &amp; Accommodations Coordinator documentation from a licensed veterinarian regarding the animal's health and compliance with immunization requirements. Iowa Central has authority to direct that the animal receive veterinary attention at the cost of the individual who benefits from the animal's use.</p> <p><u>Leash:</u> If appropriate, the animal (dog) must be on a leash, unless the leash would inhibit the animal's ability to perform the required service.</p>		
7	<p><b><u>Requirements for Faculty, Staff, and Other Students:</u></b> Faculty, staff, and other students are required to abide by the following practices:</p> <ul style="list-style-type: none"> <li>A. They are not to touch or pet a service or emotional support animal unless invited to do so.</li> <li>B. They are not to feed a service or emotional support animal.</li> <li>C. They are not to deliberately startle a service or emotional support animal.</li> <li>D. They are not to separate or to attempt to separate an owner from his or her service or emotional support animal.</li> <li>E. They are not to inquire about the owner's disabilities. The nature of a person's disability is a private matter.</li> </ul>		
8	<p><b><u>Removal of Service or Emotional Support Animal from On-Campus Housing:</u></b> Iowa Central may exclude/remove a service or emotional support animal from on-campus housing when it:</p> <ul style="list-style-type: none"> <li>A. Poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation;</li> </ul>		

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	B. Results in a fundamental alteration of the College's housing program; C. Would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation; D. Is out of control and the student handler does not take effective action to control it; or E. Is not housebroken.		
9	<b>Damage:</b> Student owners of service or emotional support animals are solely responsible for any damage to persons or Iowa Central property caused by their animals.		
10	<b>Appeal Procedure:</b> An affected student may appeal a decision made under this regulation by the Academic Assistance & Accommodations Coordinator and/or the Director of Residence Life by presenting a written appeal to the Vice-President of Enrollment Management & Student Development within fourteen (14) calendar days of the student's notice of the disputed decision. Within seven (7) calendar days of receipt of the written appeal, the Vice-President of Enrollment Management & Student Development will form an ad hoc committee (composed of the Vice-President of Enrollment Management & Student Development and four (4) other administrators selected by the Vice-President of Enrollment Management & Student Development) to consider the appeal and issue a decision in response to the appeal within twenty-one (21) days after receipt of the written appeal. The decision of the ad hoc committee will be final and binding on all affected students.		