

MIDDLE TENNESSEE STATE UNIVERSITY
POLICIES AND PROCEDURES MANUAL

POLICY NO: I:01:13

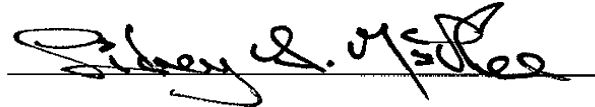
DATE: April 2, 2012

SUPERSEDES POLICY NO: I:01:13

DATED: January 28, 2008

SUBJECT: Animal on University Property

APPROVED: Sidney A. McPhee, President



- I. Purpose. Animals are only allowed in University facilities and on University property subject to the limitations and conditions set forth below. It is the policy of MTSU to allow the presence of service animals assisting individuals with disabilities in all facilities and programs except as described in this policy. It is also the policy of MTSU to allow other animals in University facilities and on University property only as specified herein.
- II. Pets. A “pet” is any animal, wild or domesticated, that is not trained or used as a service animal.
 - A. No pets are permitted in University facilities except that fish contained in aquariums no larger than 10 gallons are allowed in residential facilities.
 - B. Dogs.
 1. Dogs on leashes are allowed outside on campus grounds but must be attended to at all times. Dogs may not be left tied or tethered to any University property, including but not limited to: buildings, railings, bike racks, fire hydrants, fences, sign posts, benches or trees. Unattended dogs or dogs not on leashes will be subject to removal. Reports of unattended animals should be directed to the MTSU Department of Public Safety which will contact the appropriate county agency.
 2. The owner or handler must retain full control of the dog at all times.
 3. Dogs will not be allowed to disrupt or interfere with University activities, including but not limited to teaching, research, service or administrative activities. If the dog is unruly or disruptive, or if the owner or handler fails to maintain control of the animal, the owner or handler must regain control immediately or remove the dog from University property. If the improper behavior continues or occurs more than once, the owner or handler may be prohibited from bringing the dog onto University property.

4. The owner or handler is responsible for cleaning up any waste created by the dog, and for all costs related to any damages created by the dog to include repair or replacement of University property or property belonging to other individuals.

III. Service Animals

- A. This policy allows service animals accompanying persons with disabilities to be on the University campus. A service animal must be permitted to accompany a person with a disability everywhere on campus, with the exception of those places listed below.
- B. "Service animal" is defined by the Americans with Disabilities Act, as amended, 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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.
- C. The work or tasks performed by a service animal must be directly related to the functional limitation of the handler's disability. Examples of work or tasks 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, 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, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purpose of this definition.
- D. Nondiscrimination. No employee, agent, representative, student, or other person affiliated with the University shall discriminate against an individual because of the use of a service animal in conformance with the requirements of this policy. No disabled person shall be prevented from entering, remaining, or using facilities of this University because of the use of a service animal, unless such use is not in conformance with this policy. Grievances of discrimination may be filed with the Office of Institutional Equity and Compliance.
- E. Requesting Permission for Use of Service Animals
 1. Decisions concerning a request to use a service animal will be made on a case-by- case basis in accordance with applicable laws and regulations, to determine whether such animal is a reasonable accommodation.

2. Faculty, staff, individuals performing work for the University or students who wish to bring service animals on to University property as an accommodation for a disability must request permission to do so in advance. Permission will be granted only as an accommodation for a documented disability. Students should submit their requests to the Disabled Student Services Office; all other requests should be submitted to the Assistant Vice President for Human Resource Services. Prior to bringing the service animal to campus, the immediate supervisor for the faculty/staff/individual performing work for the University will be notified of the accommodation. The Disabled Student Services Office will notify the various offices within the University (housing, academic units, etc.) of the accommodation, and provide assistance to these offices, as appropriate.
3. Visitors and guests on campus are not required to receive permission from the University prior to bringing a service animal onto University property. Any questions concerning this should be directed to the ADA/504 Campus Coordinator.

F. Handler's Responsibilities.

1. The handler (the person with a disability who is the owner and user of a service animal) is responsible for obtaining advanced approval to allow the service animal on campus and registering the service animal with Human Resource Services/Disabled Student Services.
2. The handler must retain full control of the service animal at all times. The dog may not be left unattended at any time.
3. The service animal will not be allowed to disrupt or interfere with University activities, including, but not limited to, teaching, research, service or administrative activities. If the dog is unruly or disruptive, or if the handler fails to maintain control of the animal, the handler must regain control immediately or remove the dog from University property. If the improper behavior continues or occurs more than once, the handler may be prohibited from bringing the dog onto University property.
4. The handler is responsible for cleaning up any waste created by the dog, and for all costs related to any damages created by the dog to include repair or replacement of University property or property belonging to other individuals.
5. The University and its employees assume no responsibility for controlling, keeping, feeding or otherwise caring for any service animal. The University and its employees assume no legal responsibilities for any injury or damage caused by a service animal.

G. Areas Accessible for Service Animals. A service animal is permitted in all areas and facilities of the University unless otherwise specified, including but not limited to: classrooms, offices, hallways, residential facilities, dining facilities, museums, theaters, sports areas, auditoriums, and other sites on campus, provided that:

1. The service animal and its handler adhere to all state procedures and requirements.
2. The service animal is in a harness or kept on a leash. However, service animals kept in good control by its handler need not be in a harness or on a leash when in its handler's residential room or work station.
3. The service animal is adequately controlled so as to present no undue noise or disruption to others.
4. The service animal creates no danger of infection, transmission of disease, or other health problems to people.
5. The service animal must relieve itself in appropriate areas outside, in non-traffic areas.

H. Areas Off-Limits to Service Animals:

1. Research Laboratories;
2. Mechanical Rooms/Custodial Closets;
3. Areas Where Protective Clothing is Necessary;
4. Areas Where There is a Danger to the Service Animal;
5. Exception to Prohibition. The laboratory director of a research laboratory or an instructor in a classroom or teaching laboratory with moving equipment may grant permission to an individual animal/partner team to enter the research laboratory, classroom or teaching laboratory with moving machinery. Admission for each team will be granted or denied on a case-by-case basis in consultation with the ADA Campus Coordinator. The final decision shall be made based on the nature of research or machinery and the best interest of the animal. Example: The machinery in a classroom may have moving parts at a height such that the tail of a large dog could easily be caught in it; this is a valid reason for keeping large dogs out. However, a very small hearing dog may be shorter than any moving part and, therefore, considered for admission to the classroom. Access to other designated off-limits areas may be granted on a case-by-case basis. An individual who wants his/her service animal to be granted admission to an off-limits area should request access through the ADA Campus Coordinator.

- I. Miscellaneous. Animals are permitted on University property and/or in University facilities in the following instances:
1. Animals used for research which has been approved through Policy II:01:11 *Animal Care and Use in Research and Testing*.
 2. Animals maintained or used in connection with an academic program at the University.
 3. Programs or events held at the Miller Coliseum, the Murphy Center, the Livestock Pavilion, or any like facility, provided the program or event has been approved through Policy I:01:06 *Use of Campus Property and Facilities Scheduling* or other appropriate process.

Revisions: July 1, 1979; January 28, 2008; April 2, 2012