

Policy:	Animal(s)	Procedure No.:	SS8004.1
Authority:	President	Associated Policy Reference No:	SS8004
Procedure Owner:	VP of Student Affairs	Responsible Party:	<i>Office of Public Safety</i>
Approved:	April 1, 2022		
Revised:	(DATE)		

Purpose

SUNY Broome Community College strives to provide a safe and healthy working and learning environment for all members of the College community. To this end, the College generally does not permit animals on College property, particularly in controlled buildings and offices.

Statement of the Procedure

This procedure provides for the health and safety of employees, students, visitors, and other members of the College community by clarifying what is allowable on College property and at College sponsored events as it relates to animals. The College reserves the right to enforce all applicable Local, State and Federal laws, including but not limited to, vaccination and licensing of animals.

To whom it applies

This procedure applies to all members of the College community including but not limited to affiliated organizations, administrators, faculty, staff, students, volunteers, vendors, guests, and visitors.

General Guidelines

The College enforces a no animal policy on the SUNY Broome Community College campus property, or in any campus facility, including but not limited to residence halls.

Verifiable and documented exceptions are made for:

- Service Animals
- Emotional Support Animals (ESA)
- Therapy animals
- Working Animals
- Animals used for social or educational programming (in approved designated areas only)
- Community members who walk their companion animal(s) on the outer perimeter of the campus, walking trails, and roadways

The procedures for these exceptions are as listed individually below:

Service Animals (Americans with Disabilities Act – Title II, 28 CFR, Section 35.136)

The Americans with Disabilities Act (ADA) defines a “service animal” as any dog individually trained to do work or perform tasks for the benefit of an individual with a disability. This includes, but is not limited to, guide dogs for the blind, hearing dogs for the deaf/hard of hearing, and service dogs for people with physical disabilities and seizures disorders. Additionally, as written in New York Consolidated Laws, Civil Rights Law - CVR § 47-b. Miscellaneous provisions, “A person engaged in training a dog to guide or otherwise aid persons with a disability, while engaged in such training activities, and a person with a disability for whom the dog is being trained, shall have the same rights and privileges set forth for persons with a disability in this article.”

Service animals are not considered “pets” and are explicitly permitted in “No Pets Allowed” areas under state and federal civil rights laws.

Students who require the aid of a service animal must obtain authorization through the Accessibility Resources Office prior to bringing the animal to the College and must register as a student with a disability. Employees who require the aid of a service animal must obtain authorization through the Office of Human Resources or employer of record.

SUNY Broome Community College has medical/biology/chemistry laboratories and technical laboratory spaces that are used for educational purposes. These laboratory spaces require the use of Personal Protection Equipment (PPE) and safety protocols that must be followed. Any service animal in laboratory spaces must also wear PPE for the safety of the animal. This may include a lab cape, boots, and/or eye protection.

Any person whose place of employment is located on the SUNY Broome Community College Campus or extended facility who wish to bring their service animal to campus must contact their supervisor, Human Resources and the Director of Public Safety and inform them their intent. The Director of Public Safety or designee will verify that all appropriate regulations (rabies/licensing) are in place and provide any assistance needed in clarifying the policy. The employee must also notify Human Resources and their department to ensure there is no negative impact of having an animal in the working environment.

NOTE: At any time, Campus Peace Officers can inquire if an animal has proper NYS License and Rabies Documentation and that the animal is under proper control of the handler per applicable local, state, federal laws.

Emotional Support Animals (Fair Housing Act - 42 U.S.C. Part 3604)

An emotional support animal (ESA) may be an animal of any species, the use of which is supported by a qualified physician, psychiatrist or other mental health professional based upon a disability-related need. An ESA does not have to be trained to perform any particular task. ESAs do not qualify as service animals under the Americans with Disabilities Act (ADA), but they may be permitted as reasonable accommodations for

persons with disabilities under the Fair Housing Act. ESAs are not permitted in any Campus Facility, with the exception of the Student Village after approval has been provided by the Director of Housing and the Coordinator of the Accessibility Resource Office. The use of ESA involves residential living and not employment work spaces such as offices. ESA's owned by any person not living in the campus residence hall are not permitted on campus.

Reasonable Accommodation Policy for Emotional Support Animals (ESA)

With advanced approval, a student with a disability may have an ESA in her/his Student Village bedroom and suite common area as a reasonable accommodation. The ESA will only be allowed in the individual owner's Student Village bedroom and suite common area. In order to have an ESA in the Student Village, the following is required:

1. For new students, the request for an ESA should be made in writing to the Housing and Accessibility Resource Offices at the time when the housing deposit is paid. For continuing students, the request should be made thirty days prior to housing sign-up for the following term.
2. The request must include documentation from a third party professional (i.e. physician, psychologist, psychiatrist, social worker) who has provided treatment to the student for the disability. The documentation should include:
 - a. *Evidence of the disability* and the DSM (Diagnostic and Statistical Manual of Mental Disorders) or medical diagnosis from a licensed professional related to the use of an ESA. This includes:
 - i. the dates of treatment and the date at which the diagnosis was first made;
 - ii. the symptoms for which treatment was needed;
 - iii. treatments other than use of an ESA that have been used for symptom reduction; and
 - iv. the date on which the use of an ESA was prescribed.
 - b. *Evidence of the connection* between the diagnosis/symptoms and the use of the assistance/companion animal to treat or manage those symptoms.
 - c. *Evidence that the student will not be able to use and enjoy Student Village* or to participate in the services or programs if the ESA is not allowed.
3. The request must include a physical description of the animal, including height and weight, and confirmation that the animal is housebroken or confined such that housebreaking is not necessary (e.g., fish in a fishbowl). The request must also include any equipment that will be needed for the care of the animal.
4. The request must include a statement from a qualified veterinarian that the animal has received all appropriate vaccinations, is in generally good health, and

can appropriately reside in a residence life environment without detriment to its health.

5. The presence of an emotional support animal cannot unduly interfere with the enjoyment of campus living facilities by roommates, suitemates and/or members of the College community. To the extent possible, the Housing Office will work with students in order to identify options that will allow for the presence of the ESA while maintaining suitable living facilities for others.

Once the request is submitted, in writing, it will be reviewed and individuals will be notified of the institutional determination (approval, request for more information, or denial) in advance of moving into the Student Village.

Requirements of Owners of Emotional Support Animals (ESA)

Individuals with disabilities using ESAs are responsible for their animals at all times and must comply with the following requirements:

- The owner must have completed the requirements outlined in this procedure and have received the written authorization to have an animal in their Student Village bedroom and suite common area.
- The owner must supply all materials necessary for the care of the animal.
- The animal must wear a leash, collar, cape, harness, backpack or other appropriate visible identification that identifies in writing that the animal is an ESA. In the case of contained animal (e.g., fish in a fishbowl), such designation should be labeled on the container.
- The owner of the animal must be in full control of the animal at all times.
- The owner must ensure that the animal, if appropriate, is on a leash at all times.
- The owner must take responsibility for the behavior of the animal in private and public places, and for due care and diligence in the use of the animal on campus.
- The owner is responsible for any property damage caused by the animal, inclusive of personal injury or harm to another community member.
- The owner must clean up after the animal, including the sanitary disposal of animal wastes.
- Use of animal shall not constitute a direct threat to the health and safety of others.
- The owner is responsible for the health of the animal.
- ESA's are only permitted in the Student Village, inclusive of offices and

- apartments. For the purposes of hygiene, ESAs are permitted around the campus perimeter and outdoor areas near the Village.

The College reserves the right to enforce all relevant rules for the use of such animals through the terms and conditions of the Student Village housing license and applicable Local, State and Federal laws. The College also reserves the right to revoke permission granted for the campus presence of any ESA whose owner fails to follow the requirements set forth in this procedure.

Therapy Animals

A therapy animal is a type of animal-assisted intervention in which there is a “goal directed intervention” in which an animal meeting specific criteria is an integral part of the treatment process. Animal-assisted therapy is provided in a variety of settings, and may be group or individual in nature. Therapy animals are only permitted on campus for programmatic purposes and are not permitted on campus without first obtaining documented approval for the program from the Director of Public Safety or designee.

Working Animals – Those animals engaged in authorized service to the College (e.g., guard dogs, pest control animals, police dogs) used for the purposes of, but not limited to; tracking, training, searching, etc., and approved to be used on College property under the direction of Public Safety.

Animals used for social or educational programming (i.e. mobile zoology exhibits or laboratory, animal trainings) with approval from the Director of Public Safety or designee.

Companion Animals

- A companion animal is a domestic animal kept for pleasure, companionship, and/or feelings of safety. A companion animal is a pet and although pets are known to provide benefits to owners both with and without disabilities, the benefit is general. The animal is not specifically required on the basis of disability. In general, companion animals are not allowed on College property. However, employees or community members who walk their companion animal(s) must stay on the outer perimeter of the campus, walking trails, and roadways and abide by all local, state, and federal laws concerning their animal(s). The college reserves the right to restrict animals from walking on campus at any time.

Action <i>(Created, Reviewed, Retired)</i>	Date	Initials	Position Title
<i>Created</i>	10/14/2020	MF	<i>Resource & Compliance Officer</i>