

POLICY STATEMENT

HERKIMER COUNTY COMMUNITY COLLEGE (the “College”), **HERKIMER COUNTY COLLEGE FOUNDATION, INC.** (the “Foundation”) and **HERKIMER COUNTY COMMUNITY COLLEGE HOUSING CORPORATION** (the “Housing Corporation”) are welcoming of individuals with disabilities who use service or assistance animals because of a disability. In that regard, the College, the Foundation and the Housing Corporation comply with New York State and Federal Laws regarding individuals with disabilities. The College, the Foundation and the Housing Corporation do not generally permit animals on campus buildings except in compliance with this guidance. For purposes of this policy, the College, the Foundation and the Housing Corporation are sometimes hereinafter collectively referred to as the College.

ARTICLE I DEFINITIONS

1. **Service Animal (or Assistance Animal)**. Service Animal is defined by the Americans with Disabilities Act (“ADA”) as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. 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. Service Animals are allowed by law in all areas, except food preparation areas.
2. **Emotional Support Animal**. An Emotional Support Animal (“ESA”) is not a pet. It is an animal that provides emotional support which alleviates one or more identified symptoms or effects of a person’s disability and/or provides emotional support to persons with disabilities who have a disability-related need for such support. There must be an identifiable and medically indicated relationship between the individual’s disability and the emotional support the animal provides. Unlike a Service Animal, an ESA may not accompany a person with a disability at all times. The law permitting ESA’s applies ONLY for access to Foundation owned housing, meaning an individual’s assigned room/living space. ESA’s are not permitted in other areas of the College.

ARTICLE II PROCESS

All individuals requesting ESA’s must submit appropriate documentation of their disability and recommended accommodations to the Coordinator for Accessibility Services Office in the Accessibility Services Office (“ASO”) Office located in the Academic Support Center on the second floor of the Library Building, (315) 866-0300 ext. 8331. It is requested that individuals with Service Animals also contact ASO but it is not required.

Service Animal Requirements

The College and Foundation do not require students with Service Animals to provide information concerning the student's disability and may ask only (i) is the dog that is service animal required because of a disability and (ii) what work or task has the dog been trained to do.

Additional requirements for Emotional Support Animals. A student seeking to bring an ESA into Foundation housing must provide the following information:

Letter and contact information of the Physician/Doctor or other qualified professional (Psychiatrist, Social Worker or Licensed Mental Health Professional) who is treating the student that states the need for the ESA. This documentation should be on professional letterhead, signed by the treating professional and dated within the last six (6) months. The letter should also note what type of animal is recommended.

ARTICLE III GUIDELINES FOR SERVICE AND ESA ANIMALS

1. **Service Animal (or Assistance Animal).** Service Animal must be harnessed, leashed or tethered, unless these devices interfere with the Service Animal's work or the individual's disability prevents use of these devices. In all cases, the individual must maintain control of the animal through voice, signal or other effective controls.
2. **Emotional Support Animals.** The ESA must be under the student's control at all times and remain in the student's residence hall room. If the student is not present in the residence hall room, the ESA must be controlled in an appropriate enclosure within the room.
3. **General Requirements.**
 - a. Students with disabilities who utilize a Support Animal at the College must request accommodations annually from ASO and keep any scheduled appointments. Students who live on campus must complete the appropriate housing request process in addition to the request for accommodation for a Service or Support Animal as described in these guidelines.
 - b. The student is responsible for assuring that the Service or Support Animal does not unduly interfere with the routine activities of the residence or cause difficulties for other students who reside there.
 - c. The student must furnish at the time the accommodation is requested an acceptable health statement for the Service or Support Animal, including vaccination record, from a licensed veterinarian dated within the past year. Proof of good health must be provided on an annual basis. The animal must be spayed or neutered.
 - d. The Service or Support Animal must meet all New York State legal requirements, including licensure requirements, at the time accommodations are requested and throughout its

presence at the College. Proof of such license must be provided to ASO. Note: New York law requires that every dog be licensed, but service dogs are exempt from the license fee.

e. The student is responsible for any damage caused by the Service or Support Animal and must take appropriate precautions to prevent property damage or injury. The cost of care for the well-being of the service animal or support animal is the sole responsibility of the student.

f. For students with roommates: All roommate or suitemates of the owner must sign an acknowledgement that the Service or Support Animal will be in residence with them. In the event that one or more roommates or suitemates lodge a valid complaint about the behavior of the Service or Support Animal, the owner and animal may be relocated, or the animal may be removed in the sole discretion of the College.

g. The animal must be well groomed and measures taken at all times for flea and odor control. The residence may be inspected for fleas, ticks and other pests once a semester at the discretion of Residence Life or more frequently in the event of a documented complaint. If necessary, College-approved pest control services will be utilized, and the student will be billed for the expense of any necessary pest treatment.

h. Service animals only may travel with their owner throughout the campus, except into food preparation areas located outside a student's assigned residential unit. Support animals must be contained within the owner's assigned room at all times, except when transported outside the private residential area en route off campus in an animal carrier or controlled by leash or harness. Campus Safety will be given information about approved service and support animals on campus in the event of an emergency.

i. Service or Support Animals are not to be left alone overnight in College housing or left to be cared for by another student/individual. If the owner leaves the campus for a prolonged period of time, the animal must be taken with the student.

j. The College and the Foundation reserve the right to place other reasonable conditions or restrictions on the animal depending upon the nature and characteristics of the animal. Questions or concerns should be directed to ASO.

k. The student is responsible for removal and proper disposal of the animal's waste. Waste removal must be immediate. The animal's waste must be removed into a proper receptacle located outside the residence hall. If an animal urinates or defecates inside a building or in another area that requires cleaning or maintenance by the College, the owner must notify staff and will be responsible for the cost of such cleaning. If the student cannot clean up after the animal, he or she will need to hire someone to assist as the College does not provide this service.

l. The Service or Support Animal must be under the control of the student at all times. Reasonable behavior is expected from Service or Support Animals while on campus. If a service dog, for example, exhibits unacceptable behavior, the owner is expected to employ appropriate training techniques to correct the situation. Service animals are prohibited from food preparation areas, unless this is a kitchen within the owner's assigned residence space.

m. If a Service or Support Animal is determined to be a nuisance, out of control, or a threat to the safety of students or staff, the infraction will be addressed on an individual basis. The owner is fully responsible for the actions of the Service or Support Animal, consistent with the Student Code of Conduct. Consequences for misconduct may include, but are not limited to, a plan for correction of disruption (e.g. muzzling a barking dog), refresher training for the animal and student, or exclusion from College facilities.

n. Should the Service or Support Animal be removed from College housing for any reason, the owner is expected to fulfill his or her housing obligations for the remainder of the housing contract.

o. If a Service or Support Animal damages a residence hall room or other College or Foundation property, the cost to repair the damage will be assessed to the Student Account.