
Policy: Accommodations for Service and Support Animal Policy
Policy No: 3.03.1
Approved: September 2022

Policy Statement

SUNY Sullivan (“the College”) recognizes the importance of Service and Emotional Support Animals to individuals with disabilities. Some members of the community and guests with disabilities may require the use of service or emotional support animals while on campus. This policy and procedure ensures that people with disabilities, who require the use of Service or Emotional Support Animals as a reasonable accommodation, receive the benefit of the work or tasks performed by such animals or the therapeutic support they provide. SUNY Sullivan is committed to allowing people with disabilities the use of a Service or Emotional Support Animal on campus to facilitate their full-participation and equal access to the College’s facilities, housing, programs and activities.

Definitions

Service Animal

Any dog, or in certain circumstances a miniature horse, that is individually trained to do work or perform tasks for the benefit of an individual with a disability (such as a physical, sensory, psychiatric, intellectual, or other mental disability). The work or tasks performed by a service animal must be directly related to 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, retrieving items such as the handler’s medicine or the telephone, or assisting an individual during a seizure.

Service Animals are working animals, not pets. The work or task a Service Animal has been trained to provide must be directly related to the person’s disability. Animals whose sole function is to provide comfort or emotional support do not qualify as Service Animals.

Emotional Support Animal

An animal specifically designated by a qualified medical provider to be required by a person with a disability for use in one of SUNY Sullivan’s residence halls. The animal provides emotional support that alleviates one or more identified symptoms or effects of a person’s disability. There must be an identifiable and medically indicated relationship between the individual’s disability and the support the animal provides. Because these animals are not individually trained to perform work or tasks, emotional support animals are not service animals. Unlike a service animal, emotional support animals do not assist with daily living tasks and they are generally restricted to the residence halls.

Approved Animal

An “Approved Animal” is a Service Animal or Emotional Support Animal that has been approved as a reasonable accommodation.

Controlled Areas

These are areas where no animal is permitted because of health and safety reasons. These areas may include, but are not limited to, the following:

- Certain laboratories
- Mechanical rooms and custodial closets
- Areas where protective clothing is necessary
- Areas where there is a danger to the service animal

Exceptions to controlled areas may be granted on a case-by-case basis.

Handler

The person with a disability who uses a service or emotional support animal.

Under Control of Handler

The service or emotional support animal must be under the handler's direct physical control with a harness, leash, or other tether, unless either the handler is unable to do so because of a disability, or the use of one of these would interfere with the service or emotional support animal's safe, effective performance of work or tasks. If so, the service or emotional support animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

Pet

A pet is an animal kept for ordinary use and companionship. A pet is not considered a service or emotional support animal.

Principles**Campus Access**

Service Animals: SUNY Sullivan welcomes trained service animals assisting people with disabilities on its campus in areas open to the community. A service animal is generally permitted to be on campus in any place where the animal's handler is permitted to be, except for Controlled Areas where all animals are prohibited for safety and health reasons. Members of the campus community may not interfere with a service animal or its duties and may make only two inquiries to determine whether an animal qualifies as a service animal:

1. Is the animal required because of the individual's disability?
2. What work or task has the animal been trained to perform?

Service animals are subject to the rules and regulations, consistent with law, provided in the Procedures section of this policy.

Emotional Support Animals: Emotional support animals are subject to the rules and regulations, consistent with law, provided in the SCCCDC's Emotional Support Animal Policy.

Reasonable Accommodations

Students seeking reasonable accommodation should contact the ADA Coordinator at 845-434-5750 ext 4328. Employees seeking reasonable accommodation should meet with either their supervisor or Human Resources.

Procedures

Service Animals: There is no requirement to request permission for, or to register, a service animal. SUNY Sullivan does, however, request and encourage those using a service animal to notify the College prior to coming to campus with the service animal to ensure we can notify the appropriate departments of the accommodation. Students may contact The Department of Learning and Student Development; employees may contact Human Resources; and visitors may contact the department relevant to their visit. Handlers may be asked whether the animal is required because of the individual's disability and what work or task the animal has been trained to perform.

Emotional Support Animals: Qualified students and employees residing on campus who wish to request the accommodation of use of an emotional support animal should contact The Department of Learning and Student Development or Human Resources, respectively. Emotional support animals are subject to the rules and regulations, consistent with law, provided in the SCCCDC's Emotional Support Animal Policy.

Responsibilities

Care and Supervision: Care and supervision of the animal is the sole responsibility of its handler. Handler is required to maintain control of the animal at all times. The handler is also responsible for ensuring the clean-up of the animal's waste and, when appropriate, must toilet the animal in areas designated by the college.

Proximity to Handler: While on campus, the animal must be in close physical proximity to the handler.

Identification: the animal may wear some type of commonly recognized service animal identification symbol when in public, but a symbol is not required.

Licensing: Handler must follow all applicable local licensing laws, which may require the service animal to be licensed and have a tag license attached to its collar.

Health: The animal must be in good health. Documentation can be a vaccination certificate for the animal or a veterinarian's statement regarding the animal's health. SUNY Sullivan has authority to direct that the animal receive veterinary attention.

Clean Up and Grooming Requirements: The care of the animal is solely the responsibility of its handler. The animal must be housebroken. For health, safety, and sanitary reasons, the handler shall:

1. Be responsible for carrying equipment sufficient to clean up the animal's waste, immediately, and to remove and properly dispose of the animal's waste. Handlers who are not physically able to pick up and dispose of waste are responsible for making all necessary arrangements for support. It is the sole responsibility of the individual for this task and not the college's.
2. Be responsible for keeping the animal clean, well-groomed, and free of pests. If college restroom facilities are used to bathe the animal, the handler will clean the area when done.
3. Not bring live animals on college property for the purpose of feeding service animals. This requirement is for the health and safety of all residents in the residence hall where the animal resides.

Service Animals: The supervision of the service animal is solely the responsibility of its handler. Failure to appropriately supervise a service animal may result in the exclusion of the animal from campus, as provided in this policy. The handler must be in full control of the service animal at all times. Service animals in the residence halls may not be left for extended periods of time either unattended or to be cared for by someone other than the handler. The handler is expected to ensure the health, safety and humane treatment of the service animal at all times and, when living in the residence halls, the College encourages the handler to submit annual proof of immunizations and scheduled licensing to the The Department of Learning and Student Development or Human Resources. College personnel shall intervene if the service animal is found unattended, in need of care, or is causing a disturbance. The service animal's behavior must not be disruptive to its surroundings or other members of the campus community. Disruptive behavior includes, but is not limited to, harming, injuring, or jumping on people; barking, growling, taking food from dining area tables, or taking personal belongings of individuals other than the handler. The handler is liable to pay for any and all damages that the animal may cause to person(s) or property.

Emotional Support Animals: Please refer to [SCCCDC's Emotional Support Animal Policy](#) for owner responsibilities.

Property Damage Or Lack Of Cleanliness Caused By An Approved Animal The handler shall be solely responsible for any damage, harm, or extra cleaning (beyond routine and reasonable wear and tear) required on any college property or to any personal property of a community member that is caused by an approved animal. Costs and methods to remedy the issue will be assessed by SUNY Sullivan in its sole discretion.

Injury Caused By An Approved Animal

Injury to any person caused by an approved animal is a serious incident that must be reported to SUNY Sullivan's Office of Public Safety. Depending on the nature of the incident, the College may contact local police or animal control authorities. Public Safety will investigate the incident and an incident report will be filed. After review, a decision about the animal's campus presence will be made by the appropriate office.

Managing Disabling Condition And Concerns Of All Members Of The Community

A service animal is allowed to accompany the handler at all times on campus. In the event that the presence of a service animal presents an immediate safety concern for the animal or for others, contact Public Safety or appropriate offices. Due to the nature of service animals' tasks, members of the campus community and the general public must not touch, pet, or feed the service animal, unless given permission by the service animal's handler. Additionally, members of the community and the general public must not deliberately distract or startle the service animal or separate or attempt to separate a service animal from the handler. Members of the community must also refrain from asking about the nature of service the animal supports and may only ask if the service animal is required for a disability and what work or task the animal has been trained to perform.

Within all facilities, members of the SUNY Sullivan community and guests with medical condition(s) that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) are asked to contact The Department of Learning and Student Development or Human Resources to address a health or safety concern about exposure to an animal. The College will consider the needs of all

parties and make all efforts to reasonably accommodate all disabilities and to resolve the issue as efficiently and fairly as possible.

Violations

Reasons for Consideration of Exclusion of an Approved Animal

The College may pursue the process for determining if an approved animal should be excluded from campus if the handler fails to comply with any of the responsibilities under this policy and any other college policies, including but not limited to the following:

- The animal is not under the direct physical control of the handler.
- The animal's behavior is disruptive to its surroundings or other members of the community.
- The animal poses a direct threat to the health and/or safety of others.
- The animal's presence fundamentally alters the nature of a program or activity.
- The animal poses an undue financial and administrative hardship to the college.

Process for Consideration of Exclusion of an Approved Animal

Upon observation of a policy violation or following receipt of complaint, the College will investigate the incident(s) involving the animal. Any member of the community may submit a complaint about an approved animal, identifying one or more concerns in the areas listed above. Persons with concerns are to contact a member of Public Safety or, if the complaint concerns an animal in the residence halls, Residential Life. Alleged violations by students will be handled consistent with the provisions of the Residence Hall policies and procedures and the Code of Student Conduct. Alleged violations by employees will be referred to Human Resources for further investigation and potential disciplinary sanctions.

In addition to existing warnings and sanctions, a finding of a violation of this policy may also lead to the exclusion of the service or emotional support animal from the campus and its activities.

Disputes And Complaints

In the event that SUNY Sullivan denies or proposes a modification of a request for an accommodation involving an animal under this policy, the College will provide the party with written notice of its decision and the reasons for its decision. Students or employees who disagree with the decision may request reconsideration of the decision. If a student, employee, or guest believes that any person, office, or program has refused to provide an accommodation in accordance with law or the decision of The Department of Learning and Student Development or Human Resources, the party should first request assistance from the relevant department in resolving the complaint. For procedures for filing such a complaint, see SUNY Sullivan's Nondiscrimination and Anti-Harassment policy.

Community Etiquette with Service and Emotional Support Animals

Members of the SUNY Sullivan community are required to abide by the following practices:

1. They are to allow a Service Animal to accompany its handler at all times and in all places on campus, except where animals are specifically prohibited.
2. They are not to touch or pet the Animal unless invited to do so.
3. They are not to feed the Animal.
4. They are not to deliberately startle the Animal.
5. They are not to separate or to attempt to separate the handler from their Animal.
6. They are not to inquire for details about the handler's disabilities.

Acceptable Inquiries of a Person Using a Service Animal

Federal law does not require The Handler to provide documentation that the animal has been certified, trained or licensed as a Service Animal. In making a decision whether to permit accompaniment of a Service Animal, the College shall not ask about the nature or extent of a person's disability. The College may, however, ask the following two questions when the status of the dog or miniature horse as a Service Animal is not readily apparent:

1. Is the animal a Service Animal required because of a disability?
 - a. i. This is a "yes" or "no" question.
 - b. ii. If the answer to Question 1 is "yes", proceed by asking Question 2.
 - c. iii. If the answer to Question 1 is "no" the animal would not be considered a Service Animal.
2. What work or task has the animal been trained to perform?

Specific questions related to the use of Service Animals at the College can be directed to the College's ADA Coordinator.

Related Policies:

- [3.03 Animals on Campus Policy](#)
- [SCCADC Emotional Support Animal Policy](#)