



Otis College of Art and Design
Animal Policy
Hoot Addendum #2

Policy

Pets and other animals are prohibited on Otis College of Art and Design (Otis College) campuses. The College recognizes the importance of "Service Animals" as defined by the Americans with Disabilities Act Amendments Act ("ADAAA") and the broader category of "Assistance Animals" under the Fair Housing Act that provide physical and/or emotional support to individuals with disabilities. Otis College is committed to allowing individuals with disabilities the use of a Service Animal on campus to facilitate their full-participation and equal access to the College's programs and activities. Otis College is also committed to allowing Support Animals necessary to provide individuals with disabilities an equal opportunity to use and enjoy College housing. The purpose of this policy is to ensure that qualified students with disabilities can participate in and benefit from College services, programs and activities.

Definitions and Descriptions

A *service animal* means 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. The work, or tasks, performed by a service animal must be directly related to the individual's disability. Tasks performed can include, among other things, pulling a wheelchair, retrieving dropped items, alerting a person to a sound, reminding a person to take medication, or pressing an elevator button. Service animal is defined in Title III of the ADA regulations (28 C.F.R. § 36.104). Service animals under Title II and III of the ADA are limited to dogs; however, entities must make reasonable modifications in policies to allow individuals with disabilities to use miniature horses if they have been individually trained to do work or perform tasks for individuals with disabilities.

Support animals are animals used by individuals with disabilities to alleviate one or more identified symptoms of an individual's disability. Emotional support animals, assistance animals, comfort animals, and therapy animals are not service animals under Title II and Title III of the ADA because they are not individually trained to perform work or tasks, support animals are not service animals. Unlike a service animal, assistance animals do not assist with daily living

tasks. Individuals with a disability may be allowed a Support Animal in College housing with the appropriate documentation; a Support Animal is not permitted in other areas of the College (e.g. dining facilities, libraries, academic buildings, classrooms, labs, individual centers, etc.).

An *individual with a disability* is a person who 1) has a physical or mental impairment that limits one or more of a person's major life activities or 2) has a record of having, or being perceived as having, a physical or mental impairment.

Service Animals on Campus

Individuals with disabilities, including regular visitors who utilize service animals on campus grounds, are encouraged but not required to complete an Animal Registration Form. Additionally, students are strongly encouraged to affiliate with Disability Services. Staff and faculty are encouraged to contact Human Resources. Disability Services collaborates with students, faculty, and staff to ensure that individuals with disabilities have equal access to all Otis College programs and activities.

Pets in the Residence Hall

Pets are not permitted in the residence hall. Residents with proper documentation through Disability Services may be permitted to have a service animal or support animal in their residence hall unit. Please contact Disability Services at 310-846-2554 or ds@otis.edu if you will need a Support Animal in the Residence Hall. Service/Support animals may not reside in the College's Residence Hall without prior written approval as described in this section.

Service/Support Animals in the Residence Hall

Procedures for Approval of Service/Support Animals in College Housing

The question in determining if a Support Animal will be allowed in College housing is whether or not the Support Animal is necessary because of the individual's disability to afford the individual an equal opportunity to use and enjoy College housing and its presence in College housing is reasonable. Otis College will not ask for or require an individual with a disability to pay a fee or surcharge for an approved Service/Support Animal.

Incoming residents must submit a request to have a Service/Support Animal in College Housing through Disability Services before coming to campus. Existing residents must submit requests at least four weeks prior to the date the animal is expected to be in residence. To make a request, submit appropriate documentation (see below) to Disability Services ds@otis.edu.

The documentation required must include:

- A letter with the prospective resident's explanation of the function or tasks the animal has been trained to perform as a disability-related accommodation, the type of animal, a description of the animal (e.g. weight, coloring, etc.) and the animal's name.
- Medical documentation, regarding the student that meets the Otis College documentation guidelines as maintained by Disability Services. Insufficient documentation may result in accommodation delays or denial. For Housing requests, Fair Employment and Housing Act (FEHA) definitions with respect to disabilities shall apply.
- Documentation that the Service/Support Animal is in compliance with all required Los Angeles County requirements associated with licensing, vaccinations, and other health regulations.

The documentation will be reviewed on a case by case basis by Disability Services in consultation with the Director of Residence Life and Housing to determine whether the presence of a Support Animal is reasonable. A request for a Support Animal may be denied as unreasonable if the presence of the animal: (1) imposes undue financial and/or administrative burden; (2) fundamentally alters College housing policies; and/or (3) poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including Otis College property.

Otis College may consider the following factors, among others, as evidence in determining whether the presence of the animal is reasonable, or in the making of housing assignments for individuals with Support Animals:

1. The size of the animal is too large for available assigned housing space;
2. The animal's presence would force another individual from individual housing (e.g. serious allergies);
3. The animal's presence otherwise violates individuals' rights to peace and quiet enjoyment;
4. The animal is not housebroken or is unable to live with others in a reasonable manner;
5. The animal's vaccinations are not up-to-date;
6. The animal poses or has posed in the past a direct threat to the individual or others such as aggressive behavior towards or injuring the individual or others; or

7. The animal causes or has caused excessive damage to housing beyond reasonable wear and tear.

The requesting individual will be notified in writing of the decision within five business days of the date the request was received by Disability Services. If the request is approved, the requesting individual must follow all sections of the Otis College of Art and Design Animal Policy. The resident is also urged to connect with Disability Services.

When a service/support animal is confirmed, the Office of Residence Life and Housing will notify other residents within the housing assignment (as well as maintenance and security staff, as needed) that the approved animal will be residing in a shared assigned living space.

Responsibilities of the Owner of a Service or Support Animal

The "Owner" is the individual who has requested the accommodation and has received approval to bring a Service/Support Animal into College Housing.

In accordance with Civil Code Section 54.2, owners are responsible for any damage caused by their animals and must take appropriate precautions to prevent property damage or bodily injury. The owner's responsibility covers but is not limited to replacement of furniture, carpet, window, wall covering, and the like. Arrangements and responsibilities pertaining to the cost and care of a service animal are the sole responsibility of the owner at all times. The College shall have the right to bill the owner's student account for unmet obligations.

If the College grants an individual's request to live with a Service/Support Animal, the individual is solely responsible for the custody and care of the animal and must meet the following requirements:

Maintain Overall Health and Well-being: The owner is responsible for the overall health and well-being of their animal at all times. This includes, but is not limited to all requirements for the presence of animals in public places (vaccinations, licensure, ID tags, etc.) mandated by State or local ordinances. Dogs must have current vaccination against rabies and wear a rabies vaccination tag. Cats should have the normal shots required for a healthy animal. Local licensing requirements are the responsibility of the owner. Animals to be housed in College housing must have an annual clean bill of health from a licensed veterinarian. Documentation can be a vaccination certificate for the animal or a veterinarian's statement regarding the animal's health. The College has authority to direct that the animal receive veterinary attention.

Any evidence of mistreatment, abuse, neglect, or leaving the support animal unattended for unreasonably long periods of time may result in immediate removal of the Support Animal and/or discipline for the responsible individual in accordance with the Student Code of Conduct and/or any housing-related sanctions.

Be Under Control of Owner: The animal must be properly housed and restrained or otherwise under the dominion and control of the Owner at all times, ensuring that the animal does not unduly interfere with the routine activity of the campus, the residence hall or cause difficulties for students who reside there. Reasonable behavior is expected from the animal at all times. In accordance with the ADA, the service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means). If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from College housing.

Clean Up after Your Animal: The owner is responsible for ensuring the safe and sanitary cleanup of the animal's waste and, when appropriate, must toilet the animal in relief area designated by the College consistent with the reasonable capacity of the owner. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and securely tied up before being disposed of in the trash room. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces. Failure to clean up after your animal may result in a fine.

Care of Animal: Animals in Housing must be contained within the privately assigned residential area at all times, except when transported outside the residential area in an animal carrier or controlled by leash or harness. Approved animals may not be left overnight in the residence hall to be cared for by another student. Animals must be taken with the student if they leave campus for a prolonged period of time.

Follow Campus and Housing Policies: The owner agrees to continue to abide by all other campus and/or residential policies. Reasonable accommodation which may constitute an exception to a policy that otherwise would prohibit having an animal does not constitute an exception to any other policy.

The Office of Residence Life and Housing has the ability to relocate owner and approved animal as necessary according to current contractual agreements. Any violation of the above rules or incidence of other violations may result in immediate removal of the animal from the College and may be subject to

disciplinary action. Should the approved animal be removed from the premises for any reason, the owner is expected to fulfill his/her housing obligations for the remainder of the housing contract.

The Owner must fully cooperate with College personnel with regard to meeting the terms of this Policy and developing procedures for care of the animals (e.g. cleaning the animal, feeding/watering the animal, designating an outdoor relief area, disposing of feces, etc.).

Damage to Property: An individual with a disability may be charged for any damages caused by their Support Animal beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear. The Owner's living accommodations may also be inspected for fleas, ticks or other pests if necessary as part of the Colleges standard or routine inspections. If fleas, ticks or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a college-approved pest control service. The Owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence hall. The college shall have the right to bill the individual's account for unmet obligations under this provision.

Term of Residence: The animal is allowed in College housing only as long as it is necessary because of the Owner's disability. The Owner must notify Disability Services in writing if the Support Animal is no longer needed or is no longer in residence. To replace a Support Animal, the new animal must be necessary because of the Owner's disability and the Owner must follow the procedures in this policy and those outlined by Disability Services when requesting a different animal.

Written Consent: The individual must provide written consent for Disability Services to disclose information regarding the request for and presence of the Support Animal to those individuals who may be impacted by the presence of the animal including, but not limited to, Residence Life and Housing personnel and potential and/or actual roommate(s)/suitemate(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.

Areas Off Limits to Service and Support Animals

Under the ADA, the College must allow a service animal to accompany the individual with a disability at all times and everywhere on campus except where service animals are specifically prohibited. Support Animals in Housing stay only in residence: they do not accompany the individual with a disability at all times (i.e. support animals do not attend class; enter the library or dining hall). *Before*

bringing a support animal onto campus grounds, the requesting individual must submit appropriate documentation.

The following areas are generally **off limits** to Service and Support Animals:

Mechanical Rooms/Custodial Closets: Mechanical rooms, such as boiler rooms, facility equipment rooms, electric closets, elevator control rooms and custodial closets, are off-limits to Service Animals. The machinery and/or chemicals in these rooms may be harmful to animals.

Areas Where Protective Clothing or Gear Is Necessary: Any room where protective gear or clothing is worn is off-limits to service and support animals. Examples impacting students include the Photo Lab, the wood shop and metal/machine shops.

Areas Where There is a Danger to the Service Animal: Any room, including a classroom, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface; where there is hot material on the floor (e.g. molten metal or glass); where there is a high level of dust; where there are harmful chemicals or materials; or where there is moving machinery is off-limits to service and support animals.

Exceptions: Exceptions to off-limits areas may be granted on a case-by-case basis in consultation with Disability Services, the Environmental Health and Safety Manager, lab director (per department procedure), and the individual with a disability. The final decision shall be made based on the nature of the 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; this is a valid reason for restricting access for a large dog. However, a small hearing dog may be shorter than any moving part and, therefore, considered for admission to the classroom.

Removal of Support Animal

The College may require the individual to remove the animal from College housing if:

- the animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others;
- the animal's presence results in a fundamental alteration of a College program;
- the Owner does not comply with the Owner's Responsibilities set forth above; or

- the animal or its presence creates an unmanageable disturbance or interference with the Otis community.

The College will base such determinations upon the consideration of the behavior of the particular animal at issue, and not on speculation or fear about the harm or damages an animal may cause. Any removal of the animal will be done in consultation with Disability Services. The Owner will be afforded all rights of due process and appeal as outlined in the Student Code of Conduct.

If you have any questions, please contact Disability Services at 310-846-2554 or ds@otis.edu. You can contact the Office of Residence Life and Housing at 310-846-2648 or studenthousing@otis.edu.

FAQ

What if the dog does not have a vest? How do I know it is a service animal?

Some, but not all, service animals wear special collars and harnesses. Some, but not all, are licensed or certified and have identification papers. There is no ADA requirement that the owner carry any certification papers showing that the animal is a service animal. When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff/Faculty may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

Can I play with the animal?

Service animals are not pets, they are working animals. When a service dog is working, you should not engage with it in any way. You may not always be aware when an animal is working. A good practice would be to ask the owner if petting or talking with the animal is permitted—even if it seems to be at rest. The owner may tell you that the dog is on duty or in harness. This means that the dog is still working and should not be petted. Similarly, you should also ask if you can pet a support animal as this animal provides comfort for its owner that you may inadvertently disturb.

Can I take a photograph of the animal?

You should not take a photograph of the animal without permission from its owner. Likewise, please do not do anything to bring unwanted attention to the service team (pointing, saying "Look, a dog!"). This is considered rude and can make the owner uncomfortable.

I have an allergy/am afraid of dogs. Can I deny the animal entrance to the classroom/campus?

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

Under what circumstances can an animal be removed from the class or campus?

A service animal's professional behavior and good grooming are necessary for it to be protected under the ADA. A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it, (2) the animal is a direct threat to the safety of others, (3) the dog is not housebroken or (4) wanders away from its owner. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the option to obtain goods or services without the animal's presence.

Does the animal go into the cafeteria?

Yes. Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises. Support animals are only allowed in the owner's residential unit.

Do faculty/staff have to care for the animal?

No, the animal is the sole responsibility of the owner. Faculty/Staff are not required to provide care or food for a service animal. Most service animals are on a strict schedule of food and water and do not eat "People Food."

Can we charge individuals with service/support animals a maintenance fee?

No. People with disabilities who use service/support animals cannot be isolated from other students, treated less favorably than other students, or charged fees that are not charged to other students without animals. However, if the animal causes damage, the owner of the animal is responsible for the damages.

Does the ADA cover service dogs "in training?"

Title II and III of the ADA does not cover "service animals in training" but California allows animals in training in public places for training purposes by licensed trainers and owner-trainers. Please note a service animal in training is versed in basic socialization, housetraining, basic obedience training and training roughly equivalent to the American Kennel Club's Good Canine Citizen test.

Where can I go for more information on Service Animals?

<https://www.ada.gov/>