



Ohio Administrative Code

Rule 3342-5-12.14 Administrative policy regarding animals on university property.

Effective: August 1, 2020

(A) Policy statement. Kent state university is committed to providing reasonable accommodations to persons with disabilities and to fulfilling its responsibilities under federal and state laws and regulations. In addition, the university aims to foster a healthy, safe, and supportive environment that respects the rights of all individuals while enhancing their educational experience. Finally, the university strives to maintain the integrity and cleanliness of its property and campus environment. The purpose of this policy is to provide rules regarding individuals bringing animals onto university property. This policy does not apply to animals used in research or in association with veterinary technician programs, as covered by other policies. This policy also does not apply to animals specifically brought on campus through university agreements with third party vendors, or to animals performing law enforcement activities.

(B) Definitions. The following definitions apply to this policy:

(1) Assistance animals. Assistance animals include any animal that works, provides assistance, performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a persons disability. Sometimes referred to as an emotional support animal, assistance animals are not service animals as defined herein.

(2) Handler. For the purposes of this policy, a handler is an individual who brings an animal onto university property.

(3) Office of compliance, equal opportunity and affirmative action (EOAA). EOAA is the university office responsible for reviewing, approving, and enforcing employee and visitor disability accommodations. The Title II/504 coordinator resides within this office.

(4) Pets. For the purposes of this policy, a pet is a companion animal that does not meet the definition of service animal, service animal in training, or assistance animal as provided for in this policy.



(5) Service animals. Service animals are dogs that are 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; however, in some circumstances, a miniature horse may be considered a service animal. The work or tasks performed by a service animal must be directly related to the individual's disability.

(6) Service animals in training. A service animal in training is a dog training to become a service animal as provided for in section 955.43 of the Revised Code.

(7) Student accessibility services (SAS). SAS is the university office responsible for reviewing, approving, and enforcing student disability accommodations for students registered with the office.

(8) Unauthorized animals. Animals that are not defined or included in the definitions within this policy; any animal whose handler exhibits behavior prohibited by this policy. The university retains the right to remove these animals from university property to ensure the safety of the community.

(9) University property. For the purposes of this policy, this term shall encompass all property controlled, owned, operated, or leased by the university.

(C) Implementation.

(1) Handler responsibilities for all animals. In general, any handler bringing an animal on campus is responsible for the animal and for ensuring compliance with the provisions of this rule.

(a) The handler is responsible for the behavior of the animal at all times while on university property.

(b) The handler is responsible for maintaining control of the animal at all times.

(c) If an animal displays aggression, the handler shall immediately remove the animal from the area.

(d) If an animal's behavior creates a significant disturbance to university operations (for example,



through excessive barking or other behavior), the handler shall immediately remove the animal from the area.

(e) The handler is responsible for immediately cleaning up after the animal in both indoor and outdoor spaces.

(f) The handler is financially responsible for any costs associated with the care, maintenance, and removal of the animal. This includes any costs of damage to university property caused by the animal, including but not limited to cleaning, repairs, and pest control deemed necessary by the university.

(g) The animal must remain free of communicable diseases and transmittable parasites.

(h) The handler is responsible for ensuring the handlers and animals compliance with federal, state, and local laws and requirements, including but not limited to, control, registration, and vaccination requirements.

(i) The university may take reasonable efforts, pursuant to Ohio law, to remove an animal confined in a vehicle on university property when there appears to be imminent danger to the animal due to inadequate ventilation or temperature conditions. The university is not liable for any associated repair/damage costs to the vehicle for this action.

(j) Repeated, excessive, or severe violations of any of the provisions of this rule may result in one or more of the following: removal of the animal from campus; banning of the animal from all or part of campus; and disciplinary action against the handler in accordance with other applicable university policies.

(2) Pets.

(a) Pets are not permitted in university buildings or outdoor areas with restricted access (such as athletic facilities), except as permitted by residence hall and the department of residence services policies.



(b) Pets shall not be left unattended at any time.

(c) Pets shall be securely confined in a vehicle, cage, or similar restrictive conveyance, or be secured to a leash, cord, chain, or similar direct physical control of a maximum length of six feet, the other end of which is restrained by the handler.

(3) Service animals.

(a) Service dogs are not required to wear a vest or other item identifying themselves as such.

(b) Service dogs are permitted to accompany a person with a disability in any area the handler is allowed to be, unless the dog's presence would compromise a sterile environment.

(c) The handler is not required to have an accommodation on file with SAS or EOAA for the service dog.

(d) Unless the need for the service animal is readily apparent, university employees with responsibility for maintaining or controlling that specific area of campus may ask individuals the following questions in order to determine whether an animal is a service animal:

(i) Is this dog required because of a disability? and if the answer is yes,

(ii) What work or task is the dog trained to do?

(iii) If the handler answers no to the first question or is unable to answer either question, the animal may not be a service animal. The animal may fall within one of the other definitions found within this policy.

(iv) The handler is not required to provide documentation or proof of the handler's disability or the service animal's training.

(v) University employees should make every effort not to repeatedly ask an individual the questions listed in paragraph (C)(3)(d) of this rule.



(e) Use of the service animal must not fundamentally alter the nature of the university service, program, or activity.

(f) Handlers with questions, concerns, or complaints regarding their utilization of a service animal on campus should contact SAS (student) or EOAA (employee or visitor), and follow that departments policies and grievance procedures as applicable.

(g) Handlers found to be falsely characterizing their animal as a service animal may be subject to discipline in accordance with other applicable university policies.

(4) Service animals in training.

(a) A service animal in training and its handler shall be affiliated with a nonprofit special agency engaged in the work of training service animals.

(b) The animal shall be covered by a liability insurance policy provided by the nonprofit special agency engaged in such work protecting members of the public against personal injury or property damage caused by the animal.

(c) The handler, whether student or employee, shall register the service animal in training with the office of the vice president of student affairs, or designee, prior to bringing the animal on campus. The registration includes proof of affiliation with a relevant nonprofit and proof of a current applicable insurance policy.

(d) University employees with responsibility for maintaining or controlling that specific area of campus may ask individuals if the dog is a service animal in training, and, if so, if the handler is registered with the office of the vice president of student affairs, or designee, in order to determine whether an animal is a service animal in training allowed on campus.

(i) If the handler answers no, the handler should be instructed that they must register with office of the vice president of student affairs, or designee, before they may bring the animal on campus.



(ii) University employees should make every effort not to repeatedly ask an individual about the status of the animal, once it has been established that the dog is a service animal in training.

(e) Service animals in training are permitted to accompany a handler in any area the handler is allowed to be, unless the dog's presence would compromise a sterile environment.

(f) A university employee wishing to bring a service animal in training on campus while performing their duties must maintain compliance with university policies and the terms and conditions of the individual's employment. The presence of the animal must not fundamentally alter the nature of the employee's position.

(g) Service animals in training are not required to wear a vest or other item identifying themselves as such.

(h) Service animal in training handlers may, but are not required to be, affiliated with on-campus student organizations that train service animals.

(i) The presence of the service animal in training must not fundamentally alter the nature of the university service, program, or activity.

(j) Handlers with questions, concerns, or complaints regarding their utilization of a service animal in training on campus should contact the office of the vice president of student affairs, or designee.

(k) Handlers found to be falsely characterizing their animal as a service animal in training may be subject to discipline in accordance with other applicable university policies.

(5) Assistance animals.

(a) An approved accommodation specifically for the assistance animal, through either SAS (student) or EOAA (employee), is required before a handler is permitted to bring the animal into non-public areas of campus. Campus visitors must contact EOAA within a reasonable amount of time prior to their arrival on campus to allow the University to determine whether their requested accommodation is reasonable.



- (b) The EOAA and SAS offices, as applicable, will request information from the handler and other parties as necessary during the interactive process to determine the reasonableness of the accommodation. The SAS handbook includes additional guidelines for students requesting and keeping assistance animals, specifically within the residence halls.
- (c) The handlers approved accommodation through SAS or EOAA, as applicable, shall specify the parameters of the handlers use of the animal, including which non-public areas of campus the assistance animal is permitted. SAS or EOAA, as applicable, will attempt to notify those university employees with control over those approved areas of campus of the handlers approved accommodation.
- (d) Assistance animals are not required to wear a vest or other item identifying themselves as such.
- (e) Handlers with questions, concerns, or complaints regarding their utilization of an assistance animal on campus should contact SAS or EOAA depending upon their status as a student, employee, or visitor, and follow that departments policies and grievance procedures as applicable.
- (f) Handlers found to be falsely characterizing their animal as an assistance animal may be subject to discipline in accordance with other applicable university policies.
- (D) Procedures related to this rule.
- (1) University employees with responsibility for maintaining or controlling a specific area of campus may ask a handler whether the animal is a pet, service animal, service animal in training, or assistance animal. Based upon the handlers answer, the employee should follow the guidance above. University employees should make every effort not to repeatedly ask an individual about the status of the animal, once it has been established.
- (2) Members of the university community concerned about a disruptive animal should contact one of the following:
- (a) If there is an imminent health or safety risk, contact the Kent state police services or local law



enforcement.

(b) If the handler is an employee, contact the employees supervisor.

(c) If the handler is a student, contact student conduct. If the issue involves an animal in a residence hall, contact residence hall staff.

(d) If unable to determine the status of the handler, contact the curator or administrative staff of the building in which the issue occurred.

(3) If an allergy or other condition renders a member of the university community unable to share space with an animal, the individual should contact SAS or EOAA, as applicable, to discuss whether a disability accommodation for them is appropriate for that setting.