

**Massachusetts College of Art and Design**  
**Service Animal/Emotional Support Animal/Pets on Campus Policy**  
**For Faculty, Staff, Students, Visitors and Vendors**

Massachusetts College of Art and Design recognizes the importance of Service Animals and Emotional Support Animals to individuals with disabilities. The College has established the following Policy regarding Service Animals and Emotional Support Animals, to assist people with disabilities. This Policy ensures that people with disabilities, who require the use of Service or Emotional Support Animals as reasonable accommodations, receive the benefit of the work or tasks performed by such animals or the therapeutic support they provide. The process for determining one's eligibility for accommodations, modifications or adjustments is an interactive and collaborative process.

MassArt is committed to allowing people 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. MassArt has an obligation to be attentive to the health and safety of other individuals within the College community. The following procedures are focused on meeting these dual obligations of members of the community.

Set forth below are specific requirements and guidelines concerning the appropriate use of and protocols associated with Service Animals (and Service Animals in training) and Emotional Support Animals. Housing and Residence Life has additional requirements because of requirements associated with on-campus living. MassArt reserves the right to amend this Policy as circumstances require.

This Policy addresses the following:

Definitions

Service Animals on Campus

Emotional Support Animals in College Housing

Responsibilities of Approved Animals and their Owners in College Housing

Conflicting Health Conditions regarding Approved Animals in College Housing

Complaints and Appeals

Contact Information

Standards of Behavior by Approved Animal and Owner Agreement (Appendix A)

Service Animal Etiquette (Appendix B)

Note: this Policy does not apply to College-sanctioned programs involving animals, such as the use of therapy dogs during exams.

## **DEFINITIONS**

### **Service Animal**

A "Service Animal" is a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. A disability is a mental or physical impairment that substantially limits one or more major life activities, such as walking, seeing, hearing, breathing, working and learning. In some cases, a miniature horse may be permitted as a Service Animal. Other animals, whether wild or domestic, do not qualify as Service Animals.

Examples of such work or tasks include, but are not limited to:

- 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 tasks that ameliorate the effects of a psychiatric impairment.

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. Dogs whose sole function is to provide comfort or emotional support do **NOT** qualify as Service Animals.

### **Service Animals in Training**

Individuals qualified to train animals to aid and guide persons with disabilities are afforded the same rights to those individuals who require the assistance of a Service Animal. If you are training an animal to aid and guide persons with disabilities, you must contact Student Accessibility Services and the Housing office if the Service Animal in training is living in the dormitory and comply with the requirements set forth in this Policy.

### **Emotional Support Animal ("ESA")**

Emotion Support Animals, also known as Therapy Animals or Assistance Animals, are animals whose sole function is to provide emotional support, comfort, therapy, companionship, therapeutic, or promote emotional well-being. ESAs are **NOT** Service Animals.

Some, but not all, animals that assist persons with disabilities are professionally trained. Other ESAs are trained by the owners. In some cases, no special training is required. The question is whether or not the animal performs the assistance or provides the benefit needed as a reasonable accommodation by the person with the disability. Unlike a Service Animal, an ESA does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times. ESAs may be considered for access to College housing under the Fair Housing Law, however, they are not permitted in other areas of the College (e.g., libraries, academic buildings, classrooms, labs, student center, etc.) without the College's prior approval of the animal as a reasonable accommodation.

Bats, poisonous animals, wild animals and domestic stray animals (pets that are wandering or lost) are prohibited from MassArt for safety reasons. Residents may be asked to vaccinate their animals if the Department of Health determines that rabies is a threat to faculty, staff and students.

### **Approved Animal**

An "Approved Animal" is a Service Animal or ESA that has been granted as a reasonable accommodation under this Policy by the College.

### **Pets**

A "Pet" is an animal kept for ordinary use and companionship. A pet is **NOT** an Approved Animal. Pets are not covered by this Policy. Student residents are not permitted to keep pets on College property or in College housing.

### **Owner**

The “Owner” is the student, staff member, faculty member, visitor or other covered person who has requested the accommodation and has received approval to bring the Approved Animal on campus.

## **SERVICE ANIMALS ON CAMPUS**

### **Employee Requests for Service Animals as a Reasonable Accommodation**

Faculty, staff and employees with disabilities may make requests for Service Animals by making a request to the Executive Director of Human Resources.

### **Student Requests for Service Animals in College Housing**

Students planning to bring their Service Animals into College housing must follow the steps below:

1. The student must submit a formal request with a housing application to the **Associate Dean** of the **Academic Resource Center (“ARC”)** no later than **May 1**, so that the student can be assigned to the most appropriate housing location with their Service Animal, considering the student’s needs and preferences.  
While applications submitted after May 1 will be accepted and considered, MassArt cannot guarantee that it will be able to meet late applicants’ accommodation needs, including any needs that develop during the semester.
2. Requests for Service Animals in housing do NOT require documentation of disability. Rather, students should answer relevant question on the Request Form regarding requests for Service Animals.
3. The College’s ADA Committee will review the request and, once the Committee approves the request, it shall arrange a meeting with the person requesting that a Service Animal be housed in College housing. This Policy will be carefully reviewed with the student and the student will be asked to complete a “Standards of Behavior by Approved Animal and Owner” agreement, a copy of which is found at Appendix A.
4. Upon approval of a Service Animal, residential building staff will be notified as appropriate.
5. Upon approval of a Service Animal, the student’s roommate(s) or suitemate(s) will be notified (if applicable) to solicit their acknowledgement of the approval, and notify them that the approved animal will be residing in shared assigned living space.

### **Individuals Requiring a Service Animal Outside of the Residence Halls**

While state and federal laws require employees to engage in the reasonable accommodation process to bring a Service Animal to campus, visitors and students with Service Animals are not required to go through the accommodation process and welcome in all areas on the campus that are open to the public, except in those areas of restricted access (see below).

The College may make only two inquiries to determine whether an animal qualifies as a Service Animal:

1. Does the individual require the animal because of a disability?  
and
2. What work or task the animal has been trained to perform?

The College will only ask these questions if it is not readily apparent that an animal is trained to do work or perform tasks for an individual with a disability. The College will not ask about the nature or extent of an individual’s disability, or for proof of certification or training as a Service Animal.

## Campus Access for Service Animals

A Service Animal is permitted to accompany an owner anywhere the owner goes on campus with the exception of locations that may have chemicals or machinery that could potentially harm a Service Animal and locations in which Service Animals may cause disruptions to College services, such as:

- mechanical rooms/closets; facility equipment rooms; areas where protective clothing is necessary; wood and metal shops; motor pools; rooms with heavy machinery; and
- any room, studio, or classroom with: sharp metal cutting or glass shards on the floor; hot machinery or hot materials such as molten metal or glass; excessive dust; or moving machinery.

When the owners of Service Animals must be in one of these restricted areas for a course or a job requirement, alternative arrangements will be considered to provide access if it does not alter the fundamental requirements of the job or course requirement.

## Obligations of Service Animals and Owners While on Campus

1. **Training.** Service Animals must be properly trained.
2. **Control.** The Owner must be in full control of the Service Animal at all times. The Service Animal must have a harness, leash, or other tether, unless either the Owner 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 of the animal's safe, effective performance of work or tasks, in which case the Service Animal must be otherwise under the Owner's controls (*e.g.*, via voice control or signals).

Service animals that are out of control, are not house-broken, fundamentally alter or change the nature of a service, program or activity, or that pose a direct threat to health and safety of others are prohibited. The Service Animal may be excluded if it is disruptive and the handler is not effectively controlling it (see below).

The College is not responsible for the care or supervision of a Service Animal.

3. **Licensing and Health.** All Service Animals must be licensed, as required by the Commonwealth of Massachusetts and/or local authorities. As part of the licensing requirements, each dog must be up-to-date on rabies vaccines, and wear a current rabies vaccination tag.

The Service Animal must be in good health. The Owner must be prepared to annually produce a clean bill of health from a licensed veterinarian and all required vaccination certifications.

The College has authority to direct that the animal receive veterinary attention.

4. **Clean-up.** The person is also responsible for ensuring the cleanup of the animal's waste and, when appropriate, must toilet the animal in areas designated by the College consistent with the reasonable capacity of the owner.

## Emergencies

In the event of an emergency, emergency personnel should be told about the presence of the Service Animal so that the Owner and the Service Animal can be evacuated safely.

## Removal of a Service Animal

The College may exclude/remove a Service Animal if:

1. the Service Animal is not housebroken; or
2. the Service Animal poses a direct threat to the health or safety of others, or
3. the Service Animal's presence results in a fundamental alteration of the College's services, programs and/or activities; or
4. the Service Animal is out of control and the Owner does not take effective action to control it; or
5. the owner does not comply with Owner's Responsibilities in College Housing (see below), or
6. the animal or its presence creates an unmanageable disturbance or interference with the MassArt community.

If the College receives a report that a Service Animal meets one or more of the conditions specified above, the Chief of Public Safety, or the highest-ranking Public Safety officer on duty, in consultation with other offices as relevant or necessary depending on the Owner's relationship to the College, will attempt to resolve the matter with the Owner. If a resolution cannot be achieved, the College may elect to sanction the Owner, including removal of the Service Animal. If the College determines that a Service Animal must be removed, the Owner can appeal such decision in writing within five days of the issuance of the sanction to the Office of Equity, Diversity and Inclusion.

(If an Owner appeals, the Service Animal may remain on campus pending the appeal determination, unless the College has determined that the Service Animal is a threat to others.)

### **EMOTIONAL SUPPORT ANIMALS IN COLLEGE HOUSING**

Students who have been granted College housing may request that they be permitted to bring an ESA to their residence hall. Such requests must go through the Academic Resource Center, and are considered requests for reasonable accommodations. Unlike the use of a Service Animal, the College must approve the use of an ESA as a reasonable accommodation.

#### **The Process to Request an ESA in College Housing**

1. A student requesting permission to keep an ESA in College housing must submit a formal request for accommodation with his or her housing application to the **Associate Dean of the Academic Resource Center ("ARC")**. The student must submit:
  - a. a **Housing Application**;
  - b. a **Request for Accommodations** form (which is available online on the ARC page at <https://massart.edu/sites/default/files/AccommodationRequestIntake.pdf>); and
  - c. **current documentation of the student's disability**.
2. The student must submit the formal request by the following deadlines:

MassArt incoming students: No later than May 1 for the fall semester and no later than December 15 for the spring semester.

All other MassArt students: No later than May 1 for the fall semester.

While applications submitted after these dates will be accepted and considered, MassArt cannot guarantee that it will be able to meet late applicants' accommodation needs, including any needs that develop during the semester.

3. A student's documentation of his or her need for an ESA should follow the Student Accessibility Services guidelines for documentation of disability, and should generally include the following information:

- a. Verification of the individual's disability from a physician, psychiatrist, social worker, or other licensed health professional;
- b. A statement on how the animal serves as an accommodation for the disability;
- c. A statement on how the need for the animal relates to the ability of the student to use and enjoy the living arrangements provided by the College; and
- d. Documentation of a consultation with his or her prospective roommates (if known) regarding their approval of the presence of the animal.

Any necessary documentation must be dated within the last six months.

4. The College Committee will review documentation and, if the Committee approves the request, it shall arrange a meeting with the person requesting that a, ESA be housed in College housing. This Policy will be carefully reviewed with the student and the student will be asked to complete a "Standards of Behavior by Approved Animal and Owner" agreement (see Appendix A).
5. If the College denies a student's request for an ESA through this process, the student has the opportunity to appeal the decision. All appeals are reviewed by Office of Equity, Diversity and Inclusion.

### **Emergencies**

In the event of an emergency, emergency personnel should be told about the presence of the ESA so that the Owner and the ESA can be evacuated safely.

### **Removal of ESAs from College Housing**

Under the following conditions, MassArt can request that an ESA be removed:

1. the ESA is out of control and its Owner does not take effective action to control it; or
2. the ESA is not housebroken; or
3. the ESA is a direct threat to the health and safety of others; or
4. the ESA causes substantial physical damage to the property of others; or
5. the ESA poses an undue financial or administrative burden; or
6. the presence of the ESA fundamentally alters the College's services, programs, or activities; or
7. the Owner fails to submit required documentation annually, by the dates specified above.

If a report is made that one or more of the above conditions exists, Residence Life may discuss the potential removal of the ESA with the Owner. If the College determines that the ESA must be removed, the Owner can appeal such decision in writing within five days of the issuance of the sanction to the Office of Equity, Diversity and Inclusion.

(If an Owner appeals, the Service Animal may remain on campus pending the appeal determination, unless the College has determined that the Service Animal is a threat to others.)

### **RESPONSIBILITIES OF APPROVED ANIMALS AND THEIR OWNERS IN COLLEGE HOUSING**

1. The Owner is responsible for ensuring that the Approved Animal does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside therein.
2. The Owner is responsible for the condition of his/her room, as outlined in the Residence Hall Policies and Procedures and the Residence Life License Agreement.

3. The Owner is responsible for the cleanliness of his/her room, as outlined in the Residence Hall Policies and Procedures and the Residence Life License Agreement. The person is also responsible for ensuring the cleanup of the animal's waste and, when appropriate, must toilet the animal in areas 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 outside trash dumpsters. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces.
4. The Owner's residence may be inspected for health, safety, or any other reason on a periodic basis. See the Residence Hall Policies and Procedures and the Residence Life License Agreement.
5. The Owner must notify Student Accessibility Services in writing if the Approved Animal is no longer needed or is no longer in residence. If the Owner wishes to bring a new animal to campus, he/she must follow the procedures set forth above, as appropriate.
6. The College may use pesticides, cleaning supplies, and other materials for the operation and maintenance of College housing. The College is not responsible for any resulting harm to Approved Animals.
7. In the event that one or more roommates or suitemates do not agree to live with an Approved Animal, such non-approving roommates or suitemates may be moved to a different location.
8. Service Animals may travel freely with their Owner throughout College housing and other areas of the College.
9. Emotional Support Animals are only allowed outside of the Residence Halls, such as in academic buildings, with the College's prior approval of the animal as a reasonable accommodation.
10. Approved Animals may not be left overnight in College housing to be cared for by another individual. Approved Animals must be taken with the Owner if s/he leaves campus overnight or for a prolonged period.
11. The College has the ability to relocate the Owner and the Approved Animal as necessary according to current housing and other relevant agreements.
12. The Owner agrees to continue to abide by the Residence Hall Policies and Procedures and the Residence Life License Agreement. An allowance of an Approved Animal that might constitute an exception to a policy that otherwise would prohibit having an animal does not constitute an exception to any other policy.
13. 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 Residence Hall License Agreement. Note that under certain circumstances, the Owner may petition for release from the Residence Hall License Agreement.
14. The Owner will comply with the applicable animal health and well-being requirements as set forth in this Policy.
15. Any failure to comply with the above responsibilities may result in the immediate removal of the animal from the College. Such decision will be reviewed by disability services, and the Owner will be afforded the rights of appeal outlined in this policy.

#### **CONFLICTING HEALTH CONDITIONS REGARDING APPROVED ANIMALS IN COLLEGE HOUSING**

Housing personnel will make a reasonable effort to notify resident students in the residence building where the Approved Animal will be located.

Students with medical condition(s) that are affected by animals (*e.g.*, respiratory diseases, asthma, severe allergies) are asked to contact Student Accessibility Services if they have a health or safety related concern about exposure to an Approved Animal. The College is prepared to also reasonably accommodate individuals with such medical conditions that require accommodation when living in proximity to Approved Animals.

Student Accessibility Services will resolve any conflict in a timely manner. Staff members will consider the conflicting needs and/or accommodations of all persons involved. In the event that an agreement cannot be reached, Student Accessibility Services' decision is final and not subject to appeal.

### **COMPLAINTS AND APPEALS**

Any person dissatisfied with a decision concerning a Service Animal or ESA can use the complaint procedure found in the College's Equal Opportunity, Diversity and Affirmative Action Plan. Information on the complaint process can be obtained on Office of Equity, Diversity and Inclusion's web page at <https://massart.edu/policies-and-plans>.

### **CONTACT INFORMATION**

**Academic Resource Center/Student Accessibility Services**

<https://massart.edu/academic-resource-center>

[arc@massart.edu](mailto:arc@massart.edu)

(617) 879-7280

**Associate Dean of the Academic Resource Center**

Liz Smith-Freedman

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**Housing**

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(617) 879-7708



## APPENDIX A

### Service Animal/Emotional Support Animal/Pets on Campus Policy

#### STANDARDS OF BEHAVIOR BY APPROVED ANIMAL AND OWNER AGREEMENT

The following Standards of Behavior apply to all Approved Animals and their Owners, unless the nature of the Owner's documented disability precludes adherence to these Standards, and Student Accessibility Services has permitted a variance from the Standards. Indicate your agreement by initialing each statement:

- \_\_\_\_\_ I am responsible for the care and supervision of my Approved Animal.
- \_\_\_\_\_ I will maintain control of my Approved Animal at all times.
- \_\_\_\_\_ If appropriate, I will keep my Approval Animal leashed or tethered, unless the leash or tether would inhibit my Animal's ability to be of service.
- \_\_\_\_\_ I am responsible for ensuring that my Approved Animal does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside therein.
- \_\_\_\_\_ I am responsible for the condition of my room, as outlined in the Residence Hall Policies and Procedures and the Residence Life License Agreement.
- \_\_\_\_\_ I am responsible for ensuring the cleanup of my Animal's waste. I will toilet my Animal in areas designated by the College. I will place any indoor animal waste in a study plastic bag (securely tied) and disposing of it in outside trash dumpsters. I will place litter boxes on mats so that waste is not tracked onto carpets.
- \_\_\_\_\_ I am solely responsible for any damage to persons, College property or another individual's property caused by my Animal.
- \_\_\_\_\_ If applicable, except when entering and exiting my Residence Hall, I will keep my ESA in my privately assigned living space unless I receive prior authorization from Student Accessibility Services.
- \_\_\_\_\_ I will keep my Approved Animal out of any area of campus restricted by the College as referenced in the Service Animal/Emotional Support Animal/Pets on Campus Policy.
- \_\_\_\_\_ I will ensure that my Animal is properly licensed.
- \_\_\_\_\_ I will ensure that my Animal is properly vaccinated.
- \_\_\_\_\_ I will ensure that my Animal maintains good health and I will obtain veterinary attention for my Animal if the College directs me to do so.
- \_\_\_\_\_ I will not leave my Animal unattended or to be cared for by another individual overnight. I will take my Animals with me if I leave campus overnight or for a prolonged period.
- \_\_\_\_\_ I will comply with any other reasonable conditions or restrictions placed on my Animal by Student Accessibility Services.
- \_\_\_\_\_ I acknowledge that the College may remove my Animal for the reasons specified in the Policy For Service Animal/Emotional Support Animal/Pets on Campus.
- \_\_\_\_\_ I acknowledge that I may pursue an appeal of the removal of my Approved Animal by submitting a written appeal within five (5) days to the Office of Equity, Diversity and Inclusion.
- \_\_\_\_\_ I acknowledge that I may pursue a complaint regarding any other action by the College regarding my Approved Animal under the College's Equal Opportunity, Diversity and Affirmative Action Plan.

By my signature below, I verify that I have read, understand and will abide by the Service Animal/Emotional Support Animal/Pets on Campus Policy and the Standards of Behavior outlined in this Appendix A.

Owner Name \_\_\_\_\_

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Housing Representative \_\_\_\_\_ Date \_\_\_\_\_

## APPENDIX B

## **SERVICE ANIMAL ETIQUETTE**

### **Etiquette Towards Service Animals by the College Community**

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

- Allow a Service Animal to accompany its owner at all times and in all places on campus, except where Service Animals are specifically prohibited.
- Do not treat a Service Animal as a pet; give it the respect of a working animal.
- Do not give a Service Animal dog commands; allow the Owner to do so.
- Do not touch or pet a Service Animal unless invited to do so.
- Do not distract them by speaking to them or making noises; Service Animals are trained to perform tasks and they are working.
- Always speak to the Owner of the Service Animal.
- Do not offer a Service Animal food or treats.
- Do not deliberately startle, tease or taunt a Service Animal.
- Allow a Service Animal to rest undisturbed.
- Do not separate or to attempt to separate an owner from his or her Service Animal.
- Do not inquire for details about the owner's disabilities; the nature of a person's disability is private.
- Do not hesitate to ask a person if they would like assistance if the team seems confused about a direction to turn, an accessible entrance, entrance to an elevator, etc. Respect the Owner's right to decline your offer.
- Do not attempt to grab or steer the Service Animal by his or her harness.
- Do not try to take control in situations unfamiliar to the Service Animal or Owner; do assist the Owner upon his or her request.
- In case of an emergency, do not separate the Service Animal from its Owner. It is critical that the Service Animal stay with its Owner in a time of crisis or emergency.
- Be observant and understanding. If questions arise as to whether a person should have a Service Animal on campus contact the Office of Equity, Diversity and Inclusion.

### **Etiquette Towards the College Community By Service Animals and Their Owners**

The Owner is expected to handle the Service Animal as follows:

- The Service Animal must not be allowed to sniff people or the personal belongings of others.
- The Service Animal must not initiate contact with someone without the Owner's direct permission.
- The Service Animal must not display any behaviors or noises that are aggressive or disruptive to others such as barking, whining, growling or rubbing against people while waiting in lines.
- The Service Animal must not block an aisle or passageway.
- The Service Animal must never be more than 12 inches from the Owner's leg or side of the chair.