



UNIVERSITY OF
SOUTH DAKOTA

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Animals on Campus

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I. REASON FOR THIS POLICY

Establish standards and guidelines for service animals, emotional support animals, and pets on the University of South Dakota campus.

II. STATEMENT OF POLICY

The University of South Dakota (USD) complies with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act Amendments Act (ADAAA) of 2009 regulations, and other disability laws related to animals on campus. USD also adheres to BOR Policy 4:41 which addresses service animals. USD also complies with the Fair Housing Act regulations relating to assistance/emotional support animals in University Housing.

Disability Services serves as the campus authority for the approval of students/visitors to have service and emotional support animals on campus. Students/visitors planning to bring a service or emotional support animal to any USD housing facility should notify the Director of Disability Services thirty (30) days in advance to moving in, and comply with any local, state, or federal requirements for service and emotional support animals. Employees planning to

bring a service animal to campus should notify Human Resources well in advance and comply with any local, state, or federal requirements for service animals.

University Police, Facilities Management and Housing staff will be notified of all approved animals.

The University of South Dakota allows pets outdoors on University-owned grounds; however, a no-pet policy is enforced in all University-owned buildings, with the exception of professional staff living in Residential buildings.

All approved research and teaching animals which are officially part of the University's teaching, research, or clinical programs, as well as any University police department and public safety working canines, are exempt from this policy.

III. DEFINITIONS

SERVICE ANIMALS: Animals that have been trained to perform tasks that assist people with disabilities are referred to as service animals. As of 2011, only dogs, and in some circumstances miniature horses, are legally considered service animals in the United States.

EMOTIONAL SUPPORT ANIMAL: An emotional support animal (ESA) is an animal that is used to support a person disabled by an emotional or mental disorder, but not trained to do work or perform tasks for a person with a disability. For an animal to qualify as an ESA for a disability-related housing accommodation, a mental health or medical professional must write a letter that states the animal is necessary for the mental health of the person with the disability.

PET (OR COMPANION ANIMAL): Any privately-owned animal that does not serve as a service or assistance/emotional support animal is referred to as a pet.

IV. PROCEDURES

SERVICE ANIMALS

Individuals planning to bring a service animal to campus are requested to notify Disability Services and University Housing thirty (30) days in advance of moving in, and comply with any local, state, or federal requirements.

EMOTIONAL SUPPORT ANIMAL

Emotional Support Animals may be allowed in University Housing as a reasonable accommodation for individuals with a disability. Individuals planning to bring an emotional support animal to any University housing facility must notify Disability Services thirty (30) days in advance of moving in, and comply with any local, state, or federal requirements. Upon approval by the Disability Services office of the ESA as a housing accommodation, the individual is responsible for submitting the approved Emotional Support Animal Procedure Acknowledgement and Information form to University Housing along with any other required documentation.

PETS

Pets are allowed on University-owned grounds only, not in University Housing or academic/administrative buildings. Any person who walks a pet on University grounds shall be responsible for the behavior and actions of the pet, the health and safety of individuals within proximity of the animal, and the health and cleanliness of the campus environment. Prompt collection and disposal of animal waste is required, and all pets must be attended to and leashed at all times.

Pets are allowed in University Housing for Professional USD housing staff with the approval of the Vice President of Student Services/Dean of Students or their designee. Upon approval, the individual is responsible for submitting the required information and security deposit to University Housing along with all required documentation.

Animals permitted in University Housing must:

- not alter the environment for others. This means that they must be kept on a leash and under the control of the handler at all times in public, must not show signs of aggression, and must be kept quiet and clean.
- have all required immunizations up-to-date and a copy of the immunizations must be on file with the University Housing office.
- have a Certificate of Health signed by a veterinarian certifying the animal is healthy and free from any signs of infections or contagious diseases, parasites, etc. must be on file with the University Housing office.
- be licensed in accordance with Vermillion city ordinances (cats are not required to be licensed) and a copy of the license must be on file with the University Housing office.
- have collars and vaccination tags, and license tags must be worn at all times.
- be under the control of the owner, either on a leash or in a carrier, when being transported to and from the resident's room.

Standards of Behavior for all Animals and Owners

Health, sanitary, safety, and disruptive standards must be maintained as follows:

- All service animals must be housebroken.

- Service animals in training under the supervision of a service animal trainer of a nationally recognized service animal training organization are allowed in compliance with South Dakota Codified Law Chapter 20-13.
- All liability for the actions of the animal (bites, scratches, etc.) is the responsibility of the owner. Should someone be attacked or injured by your animal, the University will not be held liable for any damage or medical bills, and the animal will be removed from your living space.
- The animal owner will take reasonable precautions to protect University staff and residents, as well as the property of the University and of the residents.
- An animal must not be involved in an incident where a person experiences either the threat of or an actual injury as a result of the animal's behaviors.
- Animals must not be allowed to disrupt others (e.g., barking constantly, growling, yowling, howling, etc.). Animals which constitute a threat or nuisance to staff residence or property as determined by the Vice President of Student Services/Dean of Students or designee must be removed immediately upon notification. If UPD determines that the animal poses an immediate threat, animal control may be summoned to remove the animal.
- If the behavior of an animal can be addressed by the owner and the owner can change the behavior of an animal so that the animal does not have to be removed, then a written action plan must be submitted by the owner. The action plan must outline the action that will take place to alleviate the problems and also must give a deadline as to the length of time the plan will take. Any action plan must meet the approval of the Vice President of Student Services or designee.
- Animals require daily food and attention, as well as a daily assessment of their general health, behavior, and overall welfare.
- Animals cannot be left unattended overnight at any time. If the owner must be away, they must either take the animal with them, or make alternative arrangements for their care.
- Animals cannot be securely confined in a vehicle in which the animal's health or life is endangered by temperature or inadequate ventilation. A law enforcement/animal control officer can use reasonable means to remove the animal if the animal is in danger. The owner is responsible for charges incurred, and the officer is not liable for resulting property damage.
- Animal accidents within the residence hall room or apartment must be promptly

cleaned up using appropriate cleaning products.

- Animal feces, defined as cat litter box contents and any solid animal waste, must be disposed of properly. It is the owner's responsibility to remove feces immediately from University grounds, put it in a bag, and then place that bag

in the garbage dumpsters outside. Animal feces may not be disposed of directly into any trash receptacle or through the sewer system inside any building at the University of South Dakota. Animal feces must only be disposed of in dumpsters.

- Residents with cats must properly maintain litter boxes. In consideration of the health of the cat and occupants of the apartment or the residence hall room, cat litter box contents must be disposed of properly and regularly. The litter box must be changed with new cat litter regularly as outlined by the manufacturer.
- Regular and routine cleaning of floors, kennels, cages, and litter boxes must occur. The odor of an animal emanating from the residence hall room or apartment is not acceptable (see Cleaning and Damages section below).
- Any flea infestation must be attended to promptly by a professional extermination company at the owner's expense. Owners are expected to promptly notify the hall director and arrange for extermination when a flea problem is noted. The owner is responsible for providing clearance from their veterinarian that the fleas have been taken care of. Animal owners may take some precautionary measures such as: flea medications prescribed by veterinarians, flea and tick collars, and taking their animal to the veterinarian for flea and tickbaths; however, University staff may not use chemical agents and insecticides to exterminate fleas and ticks. Because not all the precautions listed here can prevent flea and tick infestations, the owner is responsible for extermination costs after vacating the apartment or residence hall room.
- The day after the deadline for removal from the apartment, University staff will inspect for damages and infestation, and will immediately schedule any cleaning or extermination needed. Any animal owner found not adhering to the removal directive will be subject to disciplinary action, which could include contract cancellation.
- The owner will notify University Housing if the animal has escaped its confines and is unable to locate within four (4) hours.
- Further definitions regarding animals can be found via the South Dakota Codified Law 40-1-2.5 and the Vermillion Code of Ordinances Chapter 93: Animals and Fowl.

Violations concerning any of the aforementioned may result in the resident having to find alternative housing off-campus for the animal, and as warranted, may also result in a resident being in breach of their housing contract.

Cleaning and Damages

- When the resident moves out of their apartment or residence hall room, or no longer owns the animal, the apartment or residence hall room will be assessed to determine if damage to department property can be attributed to the animal. University Housing maintains the right to conduct apartment or residence hall room inspections with a 24-hour notice for the purpose of assessing damage caused by the animal or otherwise determining the resident's compliance with this procedure.
- The animal owner has an obligation to make sure that the apartment or residence hall room is as clean as when they moved in. If the apartment or room has carpeting, the owner shall regularly vacuum and spot clean when necessary. Damages and/or extraordinary cleaning caused by the animal are the responsibility of the resident. Replacement or repair of damaged items will be the financial responsibility of the owner.

V. RELATED DOCUMENTS, FORMS AND TOOLS

- USD Disability Services-
<https://www.usd.edu/About/Departments-Offices-and-Resources/Disability-Services>
- US Dept of Justice FAQ's About Service Animals and the ADA-
<https://www.ada.gov/resources/service-animals-faqs/>
- Service and Emotional Support Animal Acknowledgement Form -
<https://www.usd.edu/Student-Life/Housing-and-Dining/Housing/Housing-Policies-and-Forms>
- Apartment/Roommate Agreement Form -
<http://www.usd.edu/campus-life/student-services/university-housing/policies-and-contracts.cfm>
- University Housing Community Living Policies - <https://www.usd.edu/-/media/Project/USD/DotEdu/Student-Life/Housing-and-Dining/Housing-and-Residence-Life/Housing-Policies-and-Forms/communitylivingpolicies.pdf>
- –South Dakota Codified Law Chapter 20-13 Human Rights -
https://sdlegislature.gov/Statutes/Codified_Laws/2045767
- Vermillion Code of Ordinances Chapter 93: Animals and Fowl – Title IX, Chapter 93 - https://codelibrary.amlegal.com/codes/vermillion/latest/vermillion_sd/0-0-0-14371