

Policy for Assistance Animals in University *Housing*

Section I. Purpose and Background

Faulkner University is committed to providing equal access to University Housing for qualified students with disabilities in accordance with applicable federal and state laws, including the Fair Housing Act (FHA) and Section 504 of the Rehabilitation Act. As part of this commitment, the University may approve Assistance Animals as a reasonable accommodation when necessary to afford a student with a disability an equal opportunity to use and enjoy University Housing.

For purposes of this policy, an Assistance Animal is an animal that provides disability-related assistance, emotional support, comfort, or other therapeutic benefits that alleviate one or more identified effects of a person's disability. Assistance Animals are not pets and are distinct from service animals.

The University reserves the right to revise this policy as necessary to ensure compliance with applicable laws and institutional needs.

Section II. Procedure for Requesting Reasonable Accommodation for Assistance Animals

The Center for Accessibility is responsible for evaluating whether to grant or deny requests for reasonable accommodation in University Housing. In evaluating the request, Accessibility will consult with University Housing, as necessary, to determine whether the requested accommodation is necessary and reasonable. Individuals with a disability who reside or intend to reside in University Housing who believe they need reasonable accommodation must contact Center for Accessibility.

1. Submission of Requests

An individual with a disability must request reasonable accommodation. Copies of the request form are available via the Accessibility website and in the Accessibility office. If the individual requires assistance in completing the request form because of his/her disability, Accessibility will provide assistance in completing the form.

Faulkner will accept and consider requests for reasonable accommodation in University housing at any time; however, the request must be made **prior** to moving into University housing. If the request for accommodation is made fewer than 60 days before the individual intends to move into University housing, Faulkner cannot guarantee that it will

be able to meet the individual's accommodation needs during the first semester or term of occupancy.

If the need for the accommodation arises when an individual already resides in University housing, he/she should contact the Center for Accessibility office and complete the request form as soon as practicably possible during the semester in which the request is received.

Faulkner will attempt to provide a written response to a reasonable accommodation request within fourteen (14) business days of receiving the information described in paragraph 2 below.

2. Documentation and Verification

The Center for Accessibility shall limit its requests for information to only the information necessary to verify whether the individual making the request has a disability and/or to evaluate if the requested accommodation is necessary to use and enjoy University housing.

a. Obvious Disability and/or Need: If the individual's disability and the necessity for the accommodation are obvious (e.g. an individual with a physical disability using a wheelchair needs an accessible room), the individual need only explain what type of accommodation he/she is requesting. No verification of disability and/or necessity is required under these circumstances.

b. Non-Obvious Disability and/or Need:

- i. If the disability is obvious but the need for the accommodation is not obvious, Accessibility will require the individual to complete the Reasonable Accommodation Verification Form for University Housing ("Verification Form") to submit reliable documentation of the individual's disability related need for the emotional support/therapy/comfort animal but may not seek information about the individual's disability.
- ii. If the disability and necessity for the accommodation are not obvious, Accessibility will require the individual to complete the Verification Form to submit reliable documentation of a disability and the individual's disability related need for the emotional support/therapy/comfort animal. "Reliable documentation" of a disability and/or of an individual's disability-related need for an emotional support/therapy/comfort animal is appropriate documentation provided from a physician, psychiatrist, clinical psychologist or other appropriate licensed professional.
- iii. Barring unforeseen circumstances, within seven (7) business days of receiving the completed Verification Form, the Director of Accessibility,

will determine if the accommodation is necessary because of a disability to provide the individual an equal opportunity to use and enjoy University Housing.

- iv. If the third party returns the Verification Form **without** sufficient information for Accessibility to determine whether an accommodation is necessary within seven (7) business days of receiving the verification, the Director of Accessibility will inform the individual in writing of the verification's insufficiency and may request additional information, including speaking directly with the individual supplying the verification.
- v. The individual requesting the accommodation must cooperate with Accessibility in a timely manner in providing all information needed to determine whether the requested accommodation is necessary.

Section III. Determination of Requests

- a. The Center for Accessibility, after consulting with Housing, may deny the requested accommodation if implementing the accommodation is not reasonable.
- b. Accommodation is unreasonable if it: (1) imposes an undue financial and/or administrative burden; (2) fundamentally alters University Housing policies; (3) poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including University property; and/or (4) is unduly disruptive to the operation of the affected University housing

1. Approval

If Accessibility office determines a requested accommodation is necessary and is not unreasonable, it will contact the individual, in writing which includes e-mail, within seven (7) business days of its determination, to arrange a meeting to discuss the implementation of the accommodation.

2. Denial/Appeal

If Accessibility determines an accommodation of some sort is needed but that the requested accommodation is unreasonable, Accessibility will contact the individual, in writing which includes e-mail, within seven (7) business days of its determination and engage in an interactive process with the individual to determine if there are alternative accommodations that might effectively meet the individual's disability-related needs.

If the individual is unwilling to accept any alternative accommodation offered by Accessibility or there are no alternative accommodations available, Accessibility will provide a verbal explanation and written notification to the individual of the denial, the

reasons for the denial, the right to appeal the decision, and the procedures for that appeals process. The notification shall be in writing and made within seven (7) business days of the notification from the individual of his/her unwillingness to accept any of the alternative accommodation offered or the determination that there is no alternative accommodation available.