



University
of Windsor

Policy Title: Service Animals on Campus Policy

Date Established: August 2009

Office with Administrative Responsibility: –Office of Human Rights, Equity and Accessibility

Approver: Executive Director – Human Rights, Equity and Accessibility

Revision Date: November, 2018; November, 2020

Policy Statement:

The University of Windsor is committed to the full inclusion and participation of persons with disabilities in all aspects of university life. This extends to the presence of service animals.

Purpose:

This policy provides information to ensure people with disabilities who rely on service animals are accommodated, subject to considerations of others who share the work, study, or entertainment environment.

Scope of Policy

The policy applies to students, employees, volunteers, or visitors, who because of their disability, rely on service animals

Exceptions to Policy: None.

Cross-References:

- a) Accessibility for Ontarians with Disabilities Act, 2005 (AODA)
- b) Integrated Accessibility Standards, Ontario Regulation 191/11
- c) Blind Persons' Rights Act, R.S.O. 1990, Chapter B .7
- d) Ontarians with Disabilities Act, 2001 (ODA)
- e) Ontario Human Rights Code
- f) Ontario Human Rights Code: Policy on competing human rights
- g) University of Windsor – Accessibility Policy
- h) University of Windsor – Accessible Customer Service Policy

- i) University of Windsor – Human Rights Policy
- j) University of Windsor Senate Bylaw 32: Procedural Irregularities and Discrimination Regarding Academic Instruction, Academic Evaluation and Academic Grade Appeals
- k) University of Windsor Senate By-Law 33 – Student Rights and Freedoms
- l) University of Windsor Senate Policy on Academic Accommodation for Students with Disabilities
- m) Collective Agreements:
 - [Windsor University Faculty Association](#)
 - [CUPE 4580](#)
 - [CUPE local 1001](#)
 - [CUPE local 1393](#)
 - [UNIFOR local 195](#)
 - [UNIFOR local 2458 FT](#)
 - [UNIFOR local 2458 PT](#)
 - [UNIFOR local 2458](#)

Definitions:

i. Disability:

A disability which can be permanent, episodic, chronic, or temporary, requiring a long-term or short-term accommodation (See [University of Windsor Accessibility Policy](#) for full definition of disability);

ii. Service Animal:

As defined in the Integrated Accessibility Standards, Regulation 191/11 of the Accessibility for Ontarians with Disabilities Act, 2005, (AODA), an animal shall be considered a Service Animal for a person with a disability:

- a) if it is readily apparent that the animal is used by the person for reasons relating to their disability as a result of visual indicators such as a vest or harness worn by the animal; or
- b) if the person provides a letter from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:
 - A member of the College of Audiologists and Speech-Language Pathologists of Ontario;
 - A member of the College of Chiropractors of Ontario;
 - A member of the College of Nurses of Ontario;
 - A member of the College of Occupational Therapists of Ontario;

- A member of the College of Optometrists of Ontario;
- A member of the College of Physicians and Surgeons of Ontario;
- A member of the College of Physiotherapists of Ontario;
- A member of the College of Psychologists of Ontario;
- A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario.

iii. Types of Service Animals

Service animals perform various tasks and provide services for people with disabilities. Some examples include, but not limited to:

- **Guide** – serves as a travel aide for a person who is legally blind or has low vision
- **Hearing or Signal** – alerts a person with hearing loss or deafness to certain sounds, such as an alarm or a knock at the door
- **Mobility Assistance** – helps a person who needs mobility or navigational support. They may carry, retrieve items, open doors, ring doorbells, activate elevator buttons, steady a person while walking, help someone get up after a fall, etc.
- **Seizure Response** – warns a person of an impending seizure, or provides aid during a seizure, such as going for help or standing guard over the person
- **Emotional Support** - for a variety of reasons including: mental health disabilities, Autism, and sensory conditions.

Procedures:

The University of Windsor permits service animals that assist students, employees, or visitors with disabilities at University-related functions both on and off campus, including food service areas.

i. Visitors

An individual with a disability, who utilizes a service animal and is a visitor to the University of Windsor, is welcome to request any specific accommodations related to the needs of the visitor or the service animal. If additional information is needed, a visitor may contact the Office of Human Rights, Equity and Accessibility (OHREA).

ii. Students and Employees

Students with a disability who are supported by a service animal are required to register their service animal with the Student Accessibility Services Office and to provide alternate contact information for the service animal in case of an emergency with the handler. Employees with a disability who are supported by a service animal should notify the Human Resources Department and OHREA. If necessary, a service animal handler may need to establish that an

animal meets the service animal definition above by providing the appropriate documentation within a reasonable period of time.

iii. Students Living in Residence

Students who use the support of a service animal and are living in residence buildings on campus are required to inform Residence Services prior to moving in. Students must also contact Student Accessibility Services (SAS) to complete the registration process. SAS will confirm approval of the request and provide direction to Residence Services on accommodations where necessary. Residence Services staff will then meet with students on procedures specific to their service animal in residence.

iv. Requirements of Service Animals on Campus

All handlers (students, employees, and visitors) must comply with the following requirements:

- The animal cannot pose a direct threat to the health and safety of persons on campus. While allergies or a fear of animals are generally not valid reasons to exclude a service animal, in rare cases another person's allergic reaction or phobia may be so severe that animal contact prevents participation. The Ontario Human Rights Commission's Policy on Competing Human Rights should be consulted in these instances.
- In those situations, the affected person may also request an accommodation, such as keeping the animal and the affected person separate, as much as is possible. Any person with a serious allergy should confer with Student Accessibility Services or OHREA.
- Service animals are expected to be fully vaccinated and treated for fleas and ticks as appropriate to the species. As per the handler's own municipality, service animals such as service dogs, cats, and ferrets are required to wear current license and rabies vaccination tags. Local municipal ordinances regarding animals apply to service animals, including requirements for noise, at-large animals, dangerous animals, and keeping of exotic animals.
- Persons bringing service animals on campus must be in full control of the animal at all times. There are no public areas of the campus where a service animal is permitted to roam freely. At all times, service animals must be restrained by a leash or other appropriate means.
- Persons bringing service animals on campus are solely responsible for the care and supervision of the service animal.
- Care of the animal includes cleaning up the animal's waste and ensuring sufficient equipment and bags necessary to clean and properly dispose of the animal's waste.

Persons who are not physically able to pick up and dispose of waste are responsible for making all necessary arrangements to assist them to do so.

- Persons bringing service animals on campus are responsible for damage caused by the animal; however, the University can only charge for damages if a person without an animal would be charged for the same type of damage.
- It is in the best interests of the person with a disability to ensure that their service animal has been trained by a reputable organization. The campus environment has many opportunities for service animals to encounter novel situations that can give rise to problematic behavior which can be very distressing for their handlers. Reputable training programs also usually include a component that focuses on training the handler of the service animal. This helps with skills to respond to unexpected situations the service animal and handler might encounter. It is also designed to ensure consistency of expectations of the service animal, which helps to protect its well-being over the long term.

v. Requirements for Ensuring an Inclusive Environment When Working with Persons Requiring the Support of Service Animals

- When a person is accompanied by a service animal, allow access, at all times, in all areas on campus, where members of the public (visitors and students) customarily have access, or in the case of an employee, where employees customarily have access. (See 7.6 – Exclusions)
- Speak to the individual before giving attention to the animal.
- Maintain a respectful distance from the service animal. It is not appropriate to pet, feed, or startle a service animal while it is working. Ask permission before touching the animal as this might distract it from its work.
- Ensure that the individual and their service animal can remain together. ***In case of an emergency***, every effort should be made to keep the animal and person together. However, priority should be towards the person. This may necessitate leaving an animal behind in certain emergency situations.
- Do not add extra charges for a service animal.
- Ensure that a person using a service animal is included and not isolated from others.

vi. Guidelines Regarding Verification of Service Animals

The least intrusive approach must be considered when making decisions about the need for verification:

- If the person's disability is obvious or otherwise known to you, and if the need for the service animal is also apparent, do not request any additional information about the disability or the need for accommodation. For example, a person who is blind with a guide dog does not need to verify the disability or need for the guide dog.
- Students are required to register service animals with Student Accessibility Services, (SAS), who will require medical verification as necessary (see 6a and 6b). Documentation to support the student accompanied by a service animal should establish how the animal will help the student address the learning environment-related functional limitation(s) arising from their disability. SAS will provide the student with documentation to support the accommodation needs which the student will share with University services on campus, as needed. Questions regarding accommodating students with a service animal should be directed to SAS or OHREA, as appropriate.
- If a person is a regular user of a University's services/facilities, the responsible unit/department/facility may offer registration to simplify access to services and ensure appropriate accommodations for the handler and service animal on subsequent visits. Verification may be required where the disability or the need for the support animal is not apparent (see 6a and 6b).

vii. Exclusions

A service animal may be excluded¹ only when any one of the four following conditions exists:

1. The service animal is disruptive and the person responsible for the animal's care is not effectively controlling it;
2. The presence of the service animal would fundamentally change the nature of the job, program, service, or activity;
3. The service animal's presence, behaviour, or actions pose an unreasonable or direct threat to property or the health or safety of others. The risk may not be remote or speculative, such as thinking an animal might bite someone or will annoy others.

¹ The University may prohibit the use of service animals in certain locations due to health or safety restrictions or where their use may compromise the integrity of research (e.g., work in the life sciences). Such restricted locations may include, but are not limited to, the following: food preparation areas, research laboratories, classrooms with demonstration/research animals, wood shops and metal/machine rooms, and nuclear research areas.

Allergies or a fear of animals are generally not valid reasons to exclude a service animal. As discussed above, there may be reasons to exclude an animal, in accordance with the Ontario Human Rights Commission's Policy on Competing Human Rights, such as for serious allergic reactions.

4. When another law specifically states that animals must be excluded, or the animal is excluded by operation of another law.

One example of a law that specifically excludes animals is Ontario Regulation 562 under the *Health Protection & Promotion Act*, which states that animals are not allowed in places where food is manufactured, prepared, processed, handled, served, displayed, stored, sold, or offered for sale. It makes an exception for service **dogs** to allow them to go where food is normally served, sold, or offered for sale. Other types of service **animals** are not included in this exception.

The exclusions above are determined on an individual basis. In making this determination, consideration must be given to whether another reasonable accommodation can be provided.

If the service animal is to be excluded for any of the above reasons, the option of participating in an activity or receiving services without the service animal on the premises must be provided.

If the individual decides to participate without the service animal, efforts must be made for reasonable accommodation.

If the animal has been excluded because of disruptive behavior, the individual must be allowed to participate in the activity with the service animal once the animal's behavior is under control.

viii. Dispute Resolution Process

In the event of a disagreement about the appropriateness of an approved accommodation, service quality, or an animal exclusion, students should confer with their Advisor at Student Accessibility Services.

Employees with a disagreement should confer with the Department of Human Resources or the Office of Human Rights, Equity and Accessibility.

Visitors with a disagreement regarding the use of a service animal should contact the unit responsible for the related event/service. If the concern is not resolved, they may contact the University's Office of Human Rights, Equity and Accessibility.

Review Process for the Policy:

The policy will be reviewed every 5 years. Under the following circumstances the policy may be reviewed before the 5-year term: changes in legislation that affect the policy; a specific incident triggers a review of the policy; there is a request made by a governing body, such as the Board of Governors, to review the policy.

Process for Communicating the Policy:

The policy will be posted on the University of Windsor's Central Policy website, within two weeks of the approval of the policy, and Public Affairs and Communications will be asked to disseminate the information to the campus through the DailyNews if appropriate (some policies will not be advertised through DailyNews). A memo will also be sent to the departments directly affected by the policy.

Contact Information: Inquiries regarding the policy should be directed to:

[The Office of Human Rights, Equity and Accessibility](#)

(519) 253-3000; ext: 3400

ohrea@uwindsor.ca

www.uwindsor.ca/ohrea/

The Presence of Service Animals on Campus Policy was first adapted with permission from Barbara Roberts, Disability Services Advisor and Irene Bujara, Director, Human Rights & Equity, Queen's University, Toronto.