

# Service and Assistance Animals Policy

## I. Purpose

Albert Einstein College of Medicine (the “College of Medicine”) recognizes that Service Animals and Assistance Animals (as defined below) provide individuals with disabilities enhanced autonomy and independence. This Service and Assistance Animals Policy (the “Policy”) establishes the requirements, guidelines and conditions under which Service Animals or Assistance Animals may or must be permitted access to College of Medicine grounds and facilities, including Student/Post-Doctoral Fellow (“Post-Doc”) Housing (as defined below). Pets and non-research animals are otherwise prohibited on College of Medicine property, including Student/Post-Doc Housing. The College of Medicine reserves the right to amend these guidelines as it deems necessary.

## II. Scope

This Policy applies to all students, faculty, staff, guests, and visitors at College of Medicine, including Student/Post-Doc Housing.

## III. Definitions

- A. Service Animals: any dog or miniature horse that is 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. The work or tasks performed by a Service Animal must be directly related to the individual's disability. Examples of work or tasks include but are not limited to: (i) assisting individuals who are blind or have low vision, (ii) alerting individuals who are deaf or hard of hearing, (iii) pushing or pulling a wheelchair, (iv) assisting an individual during a seizure, (v) retrieving items such as medicine or the telephone, and (vi) helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. Dogs whose sole function is to provide comfort or emotional support are not Service Animals but may qualify as Assistance Animals.
- B. Assistance Animals: animals that provide emotional support which alleviates one or more identified symptoms or effects of a person's disability. Assistance Animals include animals that are commonly referred to as “emotional support animals.” Because they are not individually trained to perform work or tasks, Assistance Animals are not Service Animals.
- C. Individual with Disability: is a person who 1) has a physical or mental impairment that limits one or more of a person’s major life activities or 2) has a record of having, or being perceived as having, a physical or mental impairment.

- D. Owner: individual with a disability who has requested the accommodation and has received approval to bring the “Approved Animal” on College of Medicine property.
- E. Pet: an animal kept for ordinary use and companionship. A pet is not considered a Service Animal or an Assistance Animal. Pets are not permitted at the College of Medicine, including Student/Post-Doc Housing.
- F. Approved Animal: Service Animal or Assistance Animal that has been approved as a reasonable accommodation under these guidelines.
- G. Student/Post-Doc Housing: Any facility operated by Albert Einstein College of Medicine and/or Albert Einstein College of Medicine Student Housing for the purpose of housing residential students and post-doctoral fellows.

#### IV. Policy

In accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 ("ADA"), and state and local law, the College of Medicine will accommodate persons with disabilities who require the assistance of a qualified Service Animal or an Assistance Animal.

Approved Service Animals are generally permitted throughout the campus, including Student/Post-Doc Housing. Unlike a Service Animal, an Assistance Animal 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. Therefore, approved Assistance Animals are permitted in Student/Post-Doc Housing, but Assistance Animals are prohibited from all other College of Medicine property (e.g. libraries, academic buildings, classrooms, labs, student center, offices, etc.) without prior authorization from the Senior Counsel or his/her designee (except for the outdoor area on Einstein campus specifically designated for dog runs).

Furthermore, the College of Medicine may prohibit the use of Service Animals or Assistance Animals in certain locations because of health and safety restrictions (e.g., where the animals may be in danger, or where their use may compromise the integrity of research). Restricted areas may include, but are not limited to, the following areas: custodial closets, boiler rooms, facility equipment rooms, research laboratories, classrooms with research/demonstration animals, areas where protective clothing is necessary, wood and metal shops, motor pools, rooms with heavy machinery, and areas outlined in state law as being inaccessible to animals.

##### IV.A. Requesting a Service Animal or Assistance Animal

1. Required documentation for requesting a Service Animal:
  - a. Completed and signed *Request for Service or Assistance Animal Form*. There is a [form for students and post-doctoral fellows](#) and a separate [form for faculty and staff](#);
  - b. Affirmation that the Service Animal is required due to disability;
  - c. A description of the specific tasks or work the Service Animal has been trained to perform;
  - d. Signed copy of [Rules and Responsibilities Agreement](#);
  - e. Current “Clean Bill of Health” documentation of the Approved Animal’s clean bill of health from a licensed veterinarian. Acceptable documentation is a veterinarian's statement certifying that the animal is in good health and that all required vaccinations are up to date; and
  - f. Vaccination: In accordance with local ordinances and regulations the animal must be immunized against diseases common to that type of animal. Dogs must have current

vaccination against rabies and wear a rabies vaccination tag. Cats must have a current vaccination against rabies.

2. Required documentation for requesting an Assistance Animal:
  - a. Completed and signed *Request for Service or Assistance Animal Form*;
  - b. Current (dated within the last 6 months) documentation of the individual's disability from his/her licensed physician, psychiatrist, social worker, or other licensed mental health professional that states how the animal serves as an accommodation for the verified disability and how the need for the animal relates to the ability of individual to participate in Student/Post-Doc Housing (see Section IV.A.4 below on what documentation would be acceptable);
  - c. Signed copy of [Rules and Responsibilities Agreement](#);
  - d. Current "Clean Bill of Health" documentation of the Approved Animal's clean bill of health from a licensed veterinarian. Acceptable documentation is a veterinarian's statement certifying that the animal is in good health and that all required vaccinations are up to date; and
  - e. Vaccination: In accordance with local ordinances and regulations the animal must be immunized against diseases common to that type of animal. Dogs must have current vaccination against rabies and wear a rabies vaccination tag. Cats must have a current vaccination against rabies.
  
3. Where and When to Submit Requests for Service Animals or Assistance Animals
  - a. For Students and Post-Doctoral Fellows:
    - i. Students and post-doctoral fellows must complete the [Request for Service or Assistance Animal Form for Students and Post-Doctoral Fellows](#), and submit a signed copy of the form together with all required disability documentation to the Housing Office located at 1935 Eastchester Road, 1A, or by email to [natalie.griffiths@einsteinmed.org](mailto:natalie.griffiths@einsteinmed.org) **at least 30 days prior to arrival on campus**.
    - ii. Students and post-doctoral fellows who develop a need for a Service Animal or an Assistance Animal after arriving on campus must complete the [Request for Service or Assistance Animal Form for Students and Post-Doctoral Fellows](#), and submit a signed copy of the form together with all required disability documentation to the Housing Office located at 1935 Eastchester Road, 1A, or by email to [natalie.griffiths@einsteinmed.org](mailto:natalie.griffiths@einsteinmed.org) **at least 15 days prior to bringing his/her Service Animal or Assistance Animal on campus**.
  - b. For Faculty and Staff
    - i. Newly hired faculty and staff must complete the [Request for Service Animal Form for Faculty and Staff](#), and submit a signed copy of the form together with all required documentation to the Director of Employee Relations in the Belfer Building 12th Floor or by email at [employeerelations@einsteinmed.org](mailto:employeerelations@einsteinmed.org) **at least 15 days prior to arrival on campus**.
    - ii. Faculty and staff who develop a need for a Service Animal or an Assistance Animal after arriving on campus must complete the [Request for Service Animal Form for Faculty and Staff](#), and submit a signed copy of the form together with all required documentation to the

Director of Employee Relations in the Belfer Building 12th Floor or by email at [employeerelations@einsteinmed.org](mailto:employeerelations@einsteinmed.org) *prior to bringing his/her Service Animal on campus.*

4. The College of Medicine will not accept documentation generated from fee-for-service entities whose business purpose is to supply assistance animal certification via online questionnaires and/or video or phone interviews. The mental health professional or physician providing the documentation must have a bona fide treatment relationship with the Owner requesting accommodation and must attest to such treatment relationship in writing. The College of Medicine has sole discretion to determine whether a treatment relationship meets this criterion.
5. When to Submit Requests for Service Animals or Assistance Animals
  - a. Students and post-doctoral fellows planning to bring their Service Animals or Assistance Animals to reside in Student/Post-Doc Housing must submit the required documentation at least **30 days prior to arrival on campus.**
  - b. Any individual who develops a need for a Service Animal or an Assistance Animal after arriving on campus must submit the required documentation at least **15 days prior to bringing his/her Service Animal or Assistance Animal on campus.**

6. Guests and Visitors

Guests of residents of Student/Post-Doc Housing who wish to bring an Assistance Animal into Student/Post-Doc Housing overnight must contact the Student/Post-Doc Housing Office at least **fifteen (15) days** in advance to provide the dates of their visit, the type and breed of the Assistance Animal, to attest to the Assistance Animal being up to date on vaccinations and comply with the requirements set forth in these guidelines.

7. Decisions on Requests

Once the required documentation is submitted to the appropriate office, the individual requesting the accommodation will be notified as to whether the request has been approved or denied, or that additional information is needed.

The College of Medicine is not required to provide accommodations that would pose a direct threat to the health or safety of others. Therefore, if a particular animal requested by an individual with a disability has a history of dangerous behavior or an unsafe disposition, the College of Medicine will deny the request. The College of Medicine will also deny requests that would: (1) result in substantial physical damage to the property of others unless the threat can be eliminated or significantly reduced by a reasonable accommodation; (2) pose an undue financial and administrative burden on the College; or (3) fundamentally alter the nature of the College of Medicine's operations.

8. Annual Renewal of Request

Owners must submit annual documentation of the Approved Animal's "Clean Bill of Health" documentation for renewal of the accommodation.

9. Appeals

Individuals whose request for a Service Animal or an Assistance Animal through this process is not granted or whose formerly Approved Animal is removed because of a violation of this Policy will

have the opportunity to appeal such decisions. All appeals should be submitted to the Office of General Counsel at [ogc@einsteinmed.org](mailto:ogc@einsteinmed.org). Students and post-doctoral fellows will receive information about the appeals process upon notification of decision of request for disability accommodations.

10. Conflicting Health Conditions and Aversions

Students and post-doctoral fellows with a medical condition or aversion who are affected by animals (e.g. allergies, asthma, respiratory conditions, zoophobia, etc.) because of living in close proximity to Service Animals or Assistance Animals should contact the Office of Student Affairs, the Graduate Division or the Belfer Institute, as applicable. The Office of Student Affairs and the Belfer Institute will work with Student/Post-Doc Housing to reasonably accommodate residents with disabilities and residents who need accommodation when living in close proximity to Service Animals or Assistance Animals as may be required by applicable law. Conflicting health conditions and aversions will be dealt with on a case-by-case basis.

11. Record Retention

Submitted applications and accompanying documentation shall be retained only by the Office of General Counsel.

12. Grandfathered Animals

All animals that were residing in Student/Post-Doc Housing prior to August 1, 2018 will be grandfathered only with respect to the medical documentation requirement under section IV.A.2(b), provided that the Owners register such animal(s) by completing the request form, signing the Rules and Responsibilities Agreement, and submit the “Clean Bill of Health” and vaccinations documentation for such animal(s). All students who currently have animals on campus must register their animal(s) by September 1, 2018.

13. Unauthorized Animals

After September 1, 2018, any animal on campus that is not registered and authorized must be removed from the campus within 48 hours.

IV.B. Responsibilities of the Owner of Service or Assistance Animal

Owners of Approved Animals must abide by the following rules and responsibilities. Failure to abide by these rules and responsibilities may lead to sanctions including removal of the Approved Animal from the College of Medicine campus, including Student/Post-Doc Housing. These rules and responsibilities are also set forth in the [Rules and Responsibilities Agreement](#), which must be signed by the Owner and submitted as part of the required documentation.

**Rules and responsibilities for all Owners:**

1. The Owner must submit all required documentation as outlined in this Policy to the appropriate office.

2. The Owner agrees to abide by all other College of Medicine and Student/Post-Doc Housing policies. An accommodation approved in accordance with this Policy does not constitute an exception to any other College of Medicine or Student/Post-Doc Housing policy.
3. All Approved Animals must wear at all times a College of Medicine identification tag after receiving approval for the Service Animal or Assistance Animal. In addition, the Owner must display on their door a marker that will allow identification of apartments with animals in case of emergency. The identification tag and the door marker will be provided by the Student/Post-Doc Housing Office.
4. Approved Animals brought on campus must be under the control of the Owner at all times. The Owner must be in full control of the Approved Animal at all times (for example, leash, harness, crate, etc.). The Owner is solely responsible for the Approved Animal's well-being, care and cleaning, including but not limited to regular feeding, bathing, grooming, daily care and veterinary services.
5. The Owner must comply with all applicable laws regarding the keeping of an Approved Animal and is responsible for making sure the Approved Animal does not disrupt the College of Medicine or Student/Post-Doc Housing community.
6. Dogs as Approved Animals must be "house broken," and cats as Approved Animals must be litter box trained. Other smaller animals (i.e., gerbils, rabbits, guinea pigs etc.) as Approved Animals must be caged and may not be left loose while on campus, including in Student/Post-Doc Housing.
7. Approved Animals must be taken out of the building by way of the shortest and most direct path and must be maintained under standard restraints such as a carrier and/or collar when outdoors, in public areas, or in transit and must be confined to the residence when not in transit.
8. Fecal matter deposited on College of Medicine or Student/Post-Doc Housing grounds or within the facilities must be removed immediately and disposed of properly by the Owner. The Owner must arrange for immediate removal of fecal matter if the Owner is unable to perform the task personally.
9. The Owner will be financially responsible for expenses incurred above a standard cleaning or for repairs to the College of Medicine property, including residential premises. Such expenses include but are not limited to losses, liability, claims, and harm to others caused by the Approved Animal. Examples of possible damages and their estimated costs are available at the Student/Post-Doc Housing Office.
10. The Owner will hold the College of Medicine and Student/Post-Doc Housing harmless in the event the Approved Animal goes missing. The College of Medicine and Student/Post-Doc Housing staff is not responsible for the retrieval of the missing Approved Animal in the event the animal escapes or becomes lost. Furthermore, the Owner will hold the College of Medicine and Student/Post-Doc Housing harmless for any claims, costs, expenses, suits, obligations, demands, damages, liabilities, judgments, and losses arising in connection with any physical or mental injury or disability to, or death of, any person or damage to or destruction of any property caused by, resulting from, incidental to, or growing out of any activity, act or conduct of the Owner's Approved Animal.

11. The Owner, at his/her sole cost and expense, must have appropriate liability insurance for the Approved Animal at all times while the Approved Animal is on College of Medicine property or Student/Post-Doc Housing.
12. The Owner must submit annual documentation of the Approved Animal's "Clean Bill of Health" documentation for annual renewal of the accommodation.
13. The Owner must notify in writing the office that granted approval if the Approved Animal is no longer needed as a Service Animal or Assistance Animal or is no longer in the residential facilities. To replace an Approved Animal, the Owner must complete a new set of required documentation for the new Service Animal or Assistance Animal.

**Additional rules and responsibilities for students and post-doctoral fellows:**

14. Approved Assistance Animals will remain in the Owner's assigned room and are not permitted in other students' rooms or the common areas of the residential facilities, and other areas of the College of Medicine such as classrooms, academic buildings, administrative buildings, libraries, dining services areas, fitness center, pool, etc.
15. When an Approved Animal is left unattended by its Owner in Student/Post-Doc Housing, the Owner must secure the Approved Animal in the Owner's licensed space (e.g., Owner's bedroom with door closed) so that the Approved Animal cannot roam freely in any shared space in the apartment. This will allow College of Medicine or Student/Post-Doc Housing staff who routinely access the residential facilities for maintenance and other routine tasks to do so without posing risk to the animal or staff.
16. The Approved Animal may not be left unattended overnight anywhere on campus, including Student/Post-Doc Housing.
17. In accordance with Student/Post-Doc Housing policies on pest control for all residents, the Owner's residence may be inspected for fleas, ticks, pests, and/or damage to the residential facilities once a semester or as needed. The Student/Post-Doc Housing Office will schedule the inspection and notify the resident in advance of the scheduled inspection. If fleas, ticks, or other pests are detected through inspection, the floor will be treated using approved fumigation methods by an approved pest control vendor. The Owner will be billed for the expense of any necessary pest control treatment.
18. Student/Post-Doc Housing Office may remove or require the removal of the Approved Animal that poses a threat to the health or safety to others on campus, disrupts the educational environment of the College of Medicine and/or residential community, or if the Owner does not comply with the rules and responsibilities as set forth in this Policy. It is the responsibility of the Owner to ensure the Approved Animal does not interfere with the quality of life of other residents on campus. This includes controlling noise violations by the Approved Animal (e.g., barking or other disruptive noise).

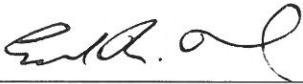
**V. Effective Date**

Effective as of: 1 August 2018

**VI. Policy Management and Responsibilities**

Einstein’s Office of General Counsel is the Responsible Office under this Policy. Einstein’s Executive Dean is the Responsible Executive, and Einstein’s Senior Counsel is the Responsible Officer for the management of this Policy.

**VII. Approved (or Revised)**



\_\_\_\_\_  
Responsible Executive

August 10, 2018

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Date