

Campus Collaborations: Drafting and Implementing a “Service Animal in Research Labs” Policy

Jamie Bojarski, PhD
Vanderbilt University

We ask you to join us in creating a culture that reflects...

Access and Inclusion

and

Civility and Respect

...this week and in all aspects of our organization.

Introduction

Today's Agenda

- Definition of what a service animal is and is not
- Case experience
- Questions
- Participant engagement and next steps
- Wrap-up

Service Animals are not

- Emotional Support Animals
 - While Emotional Support Animals (ESAs) may be used as part of a medical treatment, they are not considered service animals under Title II or Title III of the ADA.
 - ESAs can provide companionship, relieve loneliness, and sometimes help with depression, anxiety, and certain phobias, but are not trained to perform tasks that assist people with disabilities.
- Pets

Service Animals

- The Americans with Disabilities Act (ADA) requires that the university (and other covered entities) make “reasonable modifications” in their policies, practices, and procedures when necessary to accommodate people with disabilities. Service animals fall under this principle and **generally** should be allowed into all campus facilities (even those with “no pets” policies). The U.S. Department of Justice (DOJ) provides guidance on the ADA’s service animal provisions as follows:
- **What is a service animal?**
 - Under the ADA, a service animal is defined as a dog (or in rare cases- a miniature horse) that has been trained to do work or perform tasks for an individual with a disability.
 - If the animal is not a dog (or miniature horse) it cannot be a service animal.
- **What tasks or work are service animals trained to do?**
 - Service animals can be trained to perform many important tasks, such as providing stability for a person who has mobility difficulty, pulling a wheelchair, providing guidance to a person who is blind or has low vision, providing alerts to certain sounds, or responding to certain medical events (e.g. seizures or psychiatric alert dogs).

Case Experience

Initial Request – Fall 2022

- Student enrolled in graduate program
- SAO asked student the appropriate questions re: service animal
- SAO received a request for a service animal in training to be in her research lab
- SAO met with campus partners for evaluation
- Animal was not permitted in the lab

Options provided to the student:

- Modifications in physical lab space
- Animal could be placed as close to the student as possible without being in the lab
 - In hallway across from the lab, crated (option chosen)
 - In open office
 - In open storage room

Second Request

- After 1 year, SAO received complaints the animal was barking in the hallways and jumping on students/staff.
- After a few complaints came in, the student requested the animal be placed in the lab with her

Research and Communication

- Institutional comparison
- EHS review
- Administrative review

- Service animal could not be in the research lab

OCR Complaint

- College was put on notice the request was made.
- Process for determination
- Determination was specific to the specific animal in a specific lab

OCR Complaint continued

- OCR found no discrimination
- No further action necessary...
- ...Really?

Policy Drafted

- Not recreating the wheel
- Used policies from Indiana University, University of New Mexico, University of Alaska, and University of Florida
- What does this look like at Vanderbilt?

Policy

- Keeping it within Student Access
 - Needs Assessment/Risk Assessment
 - Faculty involvement
 - If needed: EHS, radiation, safety, etc.
-
- Not policy: notification on academic web pages

Vanderbilt Policy

- At the time this presentation was submitted, the Vanderbilt policy for Service Animals in Research Labs was under review.
- Please contact me if you would like the digital copy. Hard copies are here with me.

Campus Collaborations (1)

- Environmental Health and Safety
 - First partner
 - Safety, assurance
- Equal Opportunity and Access
 - Most likely a request for students, but what about faculty and/or staff

Campus Collaborations (2)

- Associate Deans (focused on schools with research labs)
 - Subject matter experts
 - Put link to policy on their website so potential students have information from the beginning
- Office of General Counsel
 - Because of course they're involved

Questions?

Participant Engagement

I promise this is worth your time!

Small groups (15 minutes)

- Share the current service animal policy(ies) on your campus. Does your institution have one? If so:
 - Are they lab specific (research v. teaching)?
 - Can modifications be made?
 - If a policy is needed, or if changes need to be made, what additional stakeholders are you asking to get involved?

5 minute working session

Email or write down the next two steps you will take to draft or update your service animals in labs policy

Thank you!

Jamie Bojarski

Jamie.Bojarski@vanderbilt.edu

615-343-1708

Session Evaluation



tinyurl.com/AHEADFeedback

Your feedback helps shape future programming.

Thank you for attending!