



# LACKAWANNA ♦ COLLEGE



Issued March 2019

## Addendum to 2018-19 Student Handbook



## Waiver and Release Agreement

Students will not have access to their rooms, campus mailboxes, or residence hall facilities during breaks. Students may leave their belongings in the room over break periods, providing they are returning to school after the break and meet all of the following criteria, as verified by the Residence Life staff:

- In good academic standing (not on probation or suspension)
- No balance owed for current semester
- Registered for the next semester
- All financial aid paperwork is complete
- If on a payment plan, first payment is made

It is advisable not to leave valuable items in the room over break. The College will not be responsible for those items. Those items may include, jewelry, rental text books, medications, passports or other official identification, and electronics including computers and entertainment consoles. Please also note that you must take all other items you may need over break as you will not be allowed access to housing until the end of break.

Before departing, you should unplug all electrical items, empty your wastebasket, dispose of perishable food, close and lock your windows, and lock your doors.

Staff will inspect rooms to ensure that the above conditions have been met and for any sign of damage. You are encouraged to report any damage to the room prior to your move-out.

The College is not and will not be responsible or liable for any damage, theft, casualty, loss, or destruction involving your personal property.

If you do not return to the College following the break, you will have 6 days from the beginning of the new term to remove any items. After the 6 days the College will dispose of those items as it sees fit.

I, individually, and on behalf of my heirs, successors, assigns and personal representatives, agree as follows:

1. To release, acquit and forever discharge the College and its employees, agents, servants, officers, trustees and representatives from any and all liability, claims, demands, actions, causes of action, judgments, costs, and expenses (including reasonable attorneys' fees) which I now have or may have in the future, of whatever kind or nature and howsoever originating, which arise from or by reason of any loss, damage, or destruction of my property.
2. In signing this Waiver and Release, I hereby acknowledge and represent that I have read the foregoing Waiver and Release, that I understand its content and terms, and that I understand that such terms are contractual and sign it voluntarily.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

## Lackawanna College Student Service Animal Policy

This policy addresses the use of service animals by students with disabilities on the grounds of Lackawanna College and presents a standard of behavior for the animal and student.

### **POLICY STATEMENT**

Pursuant to the Americans with Disabilities Act, the Code of Federal Regulations requires that a public institution modify its policies, practices and procedures to permit the use of a service animal by an individual with a disability in any area open to the general public. 28 C.F.R. § 36.302(c)(1). The Pennsylvania Human Relations Act mandates that a public institution shall not discriminate against any individual who uses guide or support animals. 43 P.S. § 953.

In compliance with the ADA and Pennsylvania law, Lackawanna College recognizes that service dogs can play an important role in facilitating the independence of some individuals with certain types of disabilities. Therefore, an appropriately trained animal, under the control of its partner/handler, may be allowed in campus facilities where animals would typically not be permitted.

The health and safety of Lackawanna College students, faculty, staff, and the service animal are important concerns; therefore, only service animals that meet the criteria described below will be exempt from the rules that otherwise restrict or prohibit animals.

### **DEFINITIONS**

Service animal means any dog 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. 28 C.F.R. § 36.104.

### **DOCUMENTATION REQUIREMENTS**

Students with disabilities who desire to use a service animal on campus are encouraged, but not required, to provide notice of the use to the Department of Academic Development. Two weeks advance notice is recommended in order to make appropriate plans to meet student/animal needs. Additionally, students requiring a service animal who plan to reside in the Residence Halls must submit a Request of an Exception to the Residential Pet policy for a Service Animal and comply with the Residence hall Service Animal Policy.

### **REQUIREMENTS FOR SERVICE ANIMALS**

Service animals must comply with all applicable Pennsylvania dog laws. Information related to licensing, ID tags, vaccinations, rabies and other requirements can be found under Pennsylvania Dog Law. See, Purdon's Pennsylvania Statutes and Consolidated Statutes. Title 3. Agriculture. Chapter 8. Dogs. Dog Law; Title 34 Pa.C.S.A. Game. Chapter 23. Hunting and Furtaking. Subchapter E. Dogs Pursuing Game or Wildlife. Chapter 29. Special Licenses and Permits. Subchapter C. Permits Relating to Hunting Dogs.

Leash: Dogs must be on a leash at all times, unless impracticable or unfeasible due to owner/keeper's disability.

Under Control: The owner/keeper of a service animal must be in full control of the animal at all times. The care and supervision of a service animal is solely the responsibility of owner/keeper.

Cleanup Rule: The owner/keeper of a service animal must ensure cleaning up of any Lackawanna College property the animal might soil.

Health: Animals to be housed in College Housing must have an annual clean bill of health from a licensed veterinarian.

Service Dogs in Training: Under Pennsylvania law, individuals with disabilities who use guide or support animals, or trainers of such animals, are entitled to equal opportunity in all aspects of employment and education, as well as equal access to and treatment in all public accommodations, and any housing accommodation or commercial property without discrimination. Violation of this law may result in an award of damages or other remedies pursuant to the Pennsylvania Human Relations Act. 43 P.S. § 953.

### **BEHAVIOR OF SERVICE ANIMALS**

Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

A person with a disability cannot be asked to remove his service animal from the premises unless the animal is out of control and the handler does not take effective action to control it or the animal is not housebroken.

### **EMERGENCY SITUATIONS**

In the case of an emergency, the College's public safety office should inform emergency and local public safety personnel that there is a service animal on the premises. Every effort should be made to keep the animal with its owner. It may be necessary to leave the animal behind in certain disaster situations.

### **CONFLICTING DISABILITIES**

Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. Should individuals with conflicting disabilities take the same class, The Office of Academic Development should be notified so that staff can make necessary arrangements to resolve the conflict.

### **RESTRICTED AREAS**

There are certain areas that may be considered unsafe for the animal and its partner, or where the presence of animal might interfere with the safety of others (i.e., labs, machine rooms, kitchen areas where protective clothing is necessary). Exceptions would have to be made on a case-by-case basis. If it is determined that an area is unsafe, reasonable accommodations will be provided to assure equal access to the student.

### **APPEALS PROCEDURE**

Appeals should be submitted to the Dean of Students. The Dean will form an ad hoc committee to discuss and resolve the issue. The ad hoc committee will be comprised of the Director of Developmental Education and other necessary personnel.

## Leave Due to Medical Exigency

If a physician determines that a student requires medical treatment for physical health, mental health, or substance abuse during a semester and is unable to continue in his or her coursework, the College has mechanisms in place to protect the student's academic and financial status, as follows:

- If a student requires medical treatment for more than 14 calendar days, he or she will be unable to continue in on-ground courses. If a student requires medical treatment for more than 7 calendar days, he or she will be unable to continue in online courses.
- If a student misses up to 14 calendar days of an on-ground class and/or up to 7 days of an online class for medical treatment, a member of the Academic Success Office will assist the student in developing an academic plan to catch up on missed work and assignments upon the student's return. The Dean of Student Success will collaborate with faculty members, tutors, and the Student Wellness Office to create an individualized plan for the student's re-entry into coursework.
- If a student requires medical treatment for more than 14 consecutive calendar days (and/or 7 days for an online class) during the first three weeks of the semester, the student will be "dropped" from classes as if he or she never attended and given a full refund.
- If a student requires medical treatment for more than 14 consecutive calendar days (and/or 7 days for an online class) after 70% of the semester or term is complete, the Student Wellness Office will initiate the Incomplete Policy on the student's behalf for all classes in which the student has a passing grade. Per the College's Incomplete Policy, the student will have 30 days from the end of the semester to complete coursework. Otherwise, the Incomplete turns to an F. If a student chooses not to pursue an Incomplete at the time of initiation of the medical leave or if the student does not have a passing grade in a course or courses, he or she may withdraw without academic penalty.
- If a student requires medical treatment for more than 14 consecutive calendar days (and/or 7 days for an online class) between week 3 and the 70% mark of the semester (Week 11), the student will be withdrawn without academic penalty.
- In all cases, if a student chooses to return to the College at any point after his or her medical leave, the Academic Success Office will create an individualized support plan.

**ALL POLICIES CONTAINED IN THIS ADDENDUM EFFECTIVELY REPLACE THE SAME OR SIMILARLY NAMED POLICIES IN CURRENT 2018-19 HANDBOOK.**