

INFORMATION ONLY

PROCEDURE TITLE:	SERVICE ANIMALS AND EMOTIONAL SUPPORT ANIMALS
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1.0 GENERAL

The use of service animals and emotional support animals in and on University owned, leased or maintained property shall be in accordance with these procedures.

2.0 REQUESTS FOR SERVICE ANIMALS OR EMOTIONAL SUPPORT ANIMALS

Requests by individuals with disabilities to have a service animal at University locations where animals are otherwise prohibited or to have an emotional support animal (ESA) in University housing shall be handled by the Office of Accessibility Services. The requirements of Procedure No. 5.01:06 shall apply to all such requests to the extent that they are not inconsistent with the procedures herein.

3.0 SERVICE ANIMALS

3.1 In determining whether an individual with a disability shall be permitted to have a service animal, the Office of Accessibility Services will limit its inquiry to the following questions:

3.1.1 Whether the animal is required because of a disability; and

3.1.2 What work or task the animal has been trained to perform.

Notwithstanding the provisions of Procedure 5.01:5, the ADA Coordinator's inquiry of an employee requesting a service animal will also be limited to these two questions.

3.2 The Office of Accessibility Services will approve the service animal without the inquiries set forth in sections 3.1.1 and 3.1.2 when it is readily apparent that the animal is trained to do work or perform tasks for the individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair or providing assistance with stability or balance to an individual with an observable mobility disability).

- 3.3 The University will not require documentation such as certification, proof of training, or licensure for a service animal.

4.0 EMOTIONAL SUPPORT ANIMALS

- 4.1 Approval from the Office of Accessibility Services is required before an individual is permitted to have an ESA in student housing.

- 4.2 In consideration of others who will be living in student housing, applicants for ESAs should give as much advance notice as feasible of their request.

- 4.3 A resident requesting an ESA must provide written consent for the Office of Accessibility Services to disclose the request for an ESA and/or presence of the ESA to others who may be impacted by the presence of the animal including, but not limited to, housing personnel and potential or actual roommates/neighbors. The University will limit its disclosure to information related to the animal and will not include information related to the disability of the requester.

- 4.4 The application for an ESA must include documentation from a reliable third party establishing that:

4.4.1 The applicant is an individual with one or more physical or mental impairments that substantially limit a major life activity.

4.4.2 The ESA is necessary to assist with the individual's disability.

A reliable third party is someone familiar with the individual's disability and the necessity for the requested accommodation. Reliable parties may include, but are not limited to, doctors, physician assistants, psychiatrists, psychologists, or social workers.

- 4.5 The University may deny a request for an ESA when the animal would pose a direct threat to others, would impose an undue financial or administrative burden, or would fundamentally alter the housing program or services. When the nature of a request for an ESA would reasonably cause the Office of Accessibility Services to question whether one of these exceptions might apply, Accessibility Services will promptly consult with other affected University interests (e.g., Housing, Residence Life, Academic Department) in attempt to obtain consensus on whether the request should be accepted or denied. When consensus cannot be reached, the question will be presented to the Provost for final determination.

- 4.6 An individual with an approved ESA is responsible for ensuring that the animal is well cared for, and is not left alone or cared for overnight by others in student housing. Any evidence of mistreatment, abuse, neglect, or leaving the ESA unattended for unreasonably long periods of time may result in immediate removal

of the ESA and/or discipline for the responsible individual. The University may order the removal of the animal if the owner fails to fulfill these responsibilities.

- 4.7 Individuals with medical condition(s) that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) are advised to contact the Office of Accessibility Services or Housing and Residence Life if they have a health or safety related concern about exposure to an ESA. Upon request, the University will provide reasonable accommodations for individuals with disabilities who will be impacted when living in proximity to ESAs.
- 4.8 The University may remove an ESA if it poses a direct threat to the health or safety of others, causes substantial property damage, or creates an unmanageable disturbance or interference with the University community.
- 4.9 An ESA may only remain in student housing for as long as the owner has a disability-related need for the animal. The owners are required to notify the University if the animal is no longer necessary or no longer in residence.

5.0 DIRECT THREAT

In determining whether an animal poses a direct threat to the health or safety of others, the Office of Accessibility Services will make an individualized assessment, relying on objective evidence to determine the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk. Breed, size, and weight limitations may not be applied in excluding any ESA, nor may an ESA be excluded based on fear or speculation about the types of harm or damage an animal may cause.

History

Effective: 09/11/2020