



Policy Name:	Service and Emotional Support Animal Policy
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Approving Authority:	Northwest Leadership Team
Responsible Office:	Title IX and Equity
Category:	Personnel & Student Life

I. Statement of Policy

The University supports the use of service animals and emotional support animals on campus by individuals with disabilities in appropriate circumstances and in accordance with this policy. Those with questions about the use of service animals or emotional support animals should refer to this policy and/or contact the Office of Title IX & Equity: Accessibility & Accommodations (“A&A”) office.

II. Definitions

A. **Service Animals:** Service animals are defined under the Americans with Disabilities Act (“ADA”) as dogs that are individually trained to do work or perform tasks for people with disabilities. Service animals are working animals, not pets. The work or tasks performed must be directly related to the individual’s disability. The crime deterrent effects of an animal’s presence and the provision of emotional support, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

1. **Examples:** Examples of work or tasks that service animals perform include, but are not limited to: assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as books or the telephone, alerting a person to a sudden change in blood sugar levels, providing physical support and assistance with balance and stability to individuals with mobility disabilities, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

2. **Miniature Horses:** The University may permit the use of a miniature horse on the same basis as a service animal if the horse has been trained to do work or perform tasks for the benefit of the individual with a disability and after an assessment of the following factors: the type, size, and weight of the miniature horse and whether the facility can accommodate these features; whether the handler has sufficient control of the miniature horse; whether the miniature horse is housebroken; and whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.
- B. **Emotional Support Animals ("ESAs"):** An ESA is a companion animal which provides therapeutic benefit, such as alleviating or mitigating symptoms of a person's disability. ESAs are not service animals. However, an ESA may be permitted on campus as a reasonable accommodation. Prior approval must be obtained pursuant to the procedures and standards outlined below.
 - C. **Owner:** A student or employee who has an approved ESA on campus.
 - D. **Handler:** A person with a disability that a service animal assists or a personal care attendant who handles the animal for a person with a disability.

III. Specific Procedures

- A. **Service Animals:** Individuals who wish to bring a service animal to campus – including classrooms and University buildings open to the public – may do so without prior approval. However, students are *strongly encouraged* to reach out to A&A to ensure that their experience bringing the animal to campus is smooth.

Employees with a disability who wish to utilize a service animal as a reasonable accommodation in a University office or other areas of campus buildings not open to the general public must submit the request to Human Resources at least 30 days before the animal is needed.

B. Emotional Support Animals: Student Requests

ESAs are permitted in residential facilities if the animal is necessary to afford a person with a disability an equal opportunity to use and enjoy University housing, its presence in University housing is reasonable, and there is an identifiable relationship or nexus between the individual's disability and the assistance the animal provides. ESAs are allowed in residential facilities only with prior approval from A&A pursuant to the procedures and standards outlined below.

Students who wish to bring an ESA onto campus must go through the reasonable accommodation process with A&A. While accommodation requests will be accepted and considered at any time, requests should be filed at least 60 days before the student intends to bring the animal to campus in order to ensure timely consideration. An ESA will not be allowed until formal approval has been received.

The University considers each request for an ESA on an individualized basis. Upon receipt of a request for an ESA, A&A will engage in an interactive process with the student to determine if the use of the animal is a reasonable accommodation.

The University needs certain information from a student in order to evaluate a student's request for an ESA. A disability exists when a person has a physical or mental impairment that substantially limits one or more major life activities. Students and health care professionals should consult the following information to understand what information is needed to support an accommodation request. The University relies on health care professionals to provide accurate information to the best of their knowledge, consistent with their professional obligations, and relying on their personal knowledge of the student as their patient/client.

Documentation demonstrating the student's need for an ESA should include the following:

- The student's name,
- Whether the health care professional has a professional relationship with the student/client involving the provision of health care or disability-related services,
- Whether the student has a physical or mental impairment,
- Whether the student's impairment(s) substantially limit at least one major life activity or major bodily function,
- Whether and why the student needs the specific animal,
- Whether the student has an existing relationship with the animal, and
- The type of animal(s) for which the reasonable accommodation is sought.

When providing information about the need for the ESA, documentation should explain whether the patient needs the animal because it does work, provides assistance, or performs at least one task that benefits the patient because of his or her disability, or because it provides therapeutic emotional support to alleviate a symptom or effect of the disability of the patient/client. Said another way, this information explains the relationship or connection between the student's disability and the ESA and demonstrates that the animal is necessary for the student to enjoy their living arrangements. If the student requests approval of an animal other than a small, domesticated animal that is traditionally kept in the home, the University may seek additional information supporting the request.

Health care professionals should include professional licensing information and sign and date documentation provided. Students should note that falsification of ESA documentation is prohibited, and violations may result in disciplinary action.

Through the interactive process, the University may propose an equally effective alternative to a requested accommodation and may deny a request for an ESA if allowing the animal in University facilities would constitute a fundamental alteration of a program or be an undue burden.

ESAs are generally not permitted on campus other than in the designated residential room or apartment of an individual who has received approval. The animal cannot be taken into classrooms or other buildings on campus or allowed to roam freely on campus grounds. Students with disabilities may request approval from A&A to have an ESA accompany them to other campus areas as a reasonable accommodation. Such requests will be considered on a case-by-case basis consistent with applicable laws.

C. Emotional Support Animals: Employee Requests

Employees who wish to bring an ESA onto campus must go through the reasonable accommodation process with Human Resources. Human Resources will determine whether approving a particular ESA in the workplace is a reasonable accommodation that will enable the employee to perform the essential functions of the position. What constitutes a reasonable accommodation will vary depending on the circumstances of each case. In evaluating alternatives for accommodations, the preferences of the employee are considered, but the ultimate decision regarding the type of accommodation, if any, is made by Human Resources.

IV. General Standards for the Removal of Service Animals or the Disapproval/Removal of Emotional Support Animals

A. Decisions to remove a service animal or disapprove/remove an ESA will be made on a case-by-case basis, taking into account all surrounding circumstances. However, the following general standards reflect reasons why an animal may be removed or disapproved:

1. The animal poses a direct threat to the health or safety of others. For example, the animal displays vicious behavior towards others or has a serious illness.
2. The animal causes or would cause substantial physical damage to the property of others.
3. The animal poses an undue financial and/or administrative burden.
4. The animal would fundamentally alter the nature of the University's educational or business operations.
5. The animal is out of control and the handler/owner does not take effective action to control it. If the out of control behavior happens, the handler/owner may be prohibited from bringing the animal into University facilities until the handler/owner can demonstrate that he/she has taken significant steps to mitigate the behavior.
6. The animal is not housebroken.
7. The handler/owner does not abide by his/her responsibilities as outlined in Section V of this policy.

B. The University considers the following factors in determining whether to approve the presence of an ESA in its facilities:

1. The size of the animal and whether it is too large for the classroom, office, or relevant space;

2. Whether the animal's presence would force another individual from using that space (e.g., serious allergies);
 3. Whether the animal's presence would be disruptive to the academic or work environment;
 4. Whether the animal is housebroken;
 5. Whether the animal's vaccinations are up to date;
 6. Whether the animal poses or has posed in the past a direct threat to the individual or others, such as injuring or acting aggressively; and
 7. Whether the animal causes or has caused excessive damage to University facilities.
- C. When an animal has been properly removed pursuant to this policy, the University will work with the handler/owner to determine reasonable alternative opportunities to participate in the University's services, programs, and activities without having the animal on the premises.
- D. When the University has properly disapproved/removed an ESA, the animal must be removed within 48 hours from the University's premises. Pursuant to the [Residential Life Community Policies & Expectations](#), failure to comply with this requirement may result in disciplinary action, including but not limited to, monetary fines. Additionally, if a handler/owner does not comply with the University's decision to remove a service animal or disapprove/remove an ESA, the University may refer the matter to Student Conduct, Residential Life, and/or the relevant disciplinary authority at the University.

V. Responsibilities of Handlers/Owners

- A. **Laws, Ordinances, and Policies:** Handlers/owners are responsible for complying with all state laws and local animal ordinances and are subject to all University policies, including the [Residence Hall and Apartment Handbook](#).
- B. **Proper Identification:** All animals are subject to local licensing and registration requirements.
- C. **Health and Vaccination:** Animals must be immunized against diseases common to that type of animal. All vaccinations must be current. These animals must wear a rabies vaccination tag and, in the case of ESAs, vaccination documentation must be provided to A&A or Residential Life or Human Resources prior to the animal being allowed into any facilities. A&A may also require proof of vaccination of service animals in accordance with state and local law.
- D. **Caring for the Animal:** The cost of care, arrangements and responsibilities for the well-being of the animal are the sole responsibility of the handler/owner at all times. The University will accept no responsibility for the care of any animal covered by this policy.
1. Animals must be kept clean and well groomed. University facilities may not be used for this purpose.

2. Animals cannot be left unattended at any time. Animals cannot be confined to a vehicle, tethered, or abandoned at any time.
- E. **Keeping the Animal Under Control:** The animal should be fully controlled by the handler/owner, including responding to voice and/or hand commands (if this can reasonably be expected of the type of animal at issue). If an animal is found loose or unattended, the animal is subject to immediate removal.
- F. **Being Responsible for Damage Caused by the Animal:** Handlers/owners are personally responsible for any damage caused by their animals and must take appropriate precautions to prevent property damage. The handler/owner will be required to pay for any damages caused by the animal.
- G. **Being Responsible for Waste:** Cleaning up after the animal is the sole responsibility of the handler/owner and it must be done immediately. Waste must be bagged and discarded in designated outdoor receptacles. No waste may be flushed down toilets or discarded in interior waste bins. In the event that the handler/owner is not physically able to clean up after the animal, it is then the responsibility of the handler/owner to hire someone capable of cleaning up after the animal.
- H. **Leash Requirements:** Service animals should be on a leash at all times, unless the owner is unable to use a leash due to a disability or the use of the leash would interfere with the animal's ability to perform its duties. In that case, the owner must be able to control the service animal by other effective means such as voice controls or signals. ESAs must be on a leash or in a carrier while on University property.
- I. **Observing Good Animal Etiquette:** To the greatest extent possible, the handler/owner should ensure that the animal does not display behaviors or make noises that are disruptive or frightening to others, unless it is part of the service being provided to the handler (e.g., barking to alert the handler of danger).
- J. **Emergency Situations:** The handler/owner is expected to follow all University procedures for emergency evacuation and participate in emergency evacuation drills. Individual needs must be arranged in advance with appropriate University personnel.
- K. **Other Conditions and Restrictions:** In response to a particular situation, the University reserves the right to impose other reasonable conditions or restrictions on the use of service animals and ESAs as necessary to ensure the health, safety, and reasonable enjoyment of University programs and activities by others.

VI. Other Information Specifically Related to Service Animals

A. Permitted Inquiries

1. In general, members of the University community should not ask about the nature or extent of a person's disability. However, as permitted by the ADA, if it is not obvious that the animal is required because of a disability, the handler may be asked:
 - a. If the animal is required because of a disability, and
 - b. What work or task the animal has been trained to perform.
2. The handler should not be asked for documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, University community members should not make inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., if 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).

B. Areas Off Limits to ESAs and Service Animals

1. ESAs are permitted only in the building(s) or other areas of campus approved through the reasonable accommodation process. Generally, ESAs will only be permitted in a student's on-campus housing.
2. While service animals are generally allowed to go anywhere on campus that the handler is allowed to go, there are certain areas where the presence of a service animal fundamentally alters the nature of a program or activity or is disruptive. Examples of the areas that are off limits to service animals include:
 - a. Research Laboratories: The natural organisms carried by service animals may negatively affect the outcome of the research. At the same time, the chemicals and/or organisms used in the research may be harmful to service animals.
 - b. Mechanical Rooms/Custodial Closets: Mechanical rooms, such as boiler rooms, facility equipment rooms, electric closets, elevator control rooms and custodial closets, are off-limits to service animals. The machinery and/or chemicals in these rooms may be harmful to animals.
 - c. Food Preparation Areas: Food preparation areas are off limits to service animals per health codes.
 - d. Areas Where Protective Clothing is Necessary: Any room where protective clothing is worn is off-limits to service animals. Examples include chemistry laboratories, wood shops, and metal/machine shops.
 - e. Areas Where There is a Danger to the Service Animal: Any room, including a classroom, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface; where there is hot material on the floor (e.g., molten metal or glass); where there is a high level of dust; or where there is moving machinery is off-limits to service animals.

3. Questions regarding areas that are off limits to service animals should be directed to A&A. Exceptions may be granted in some circumstances.

C. **Service Animals in Training:** Service animals in training are permitted in all public facilities on the same basis as working service animals, provided that the dog is on a leash and is being led or accompanied by a trainer for the purpose of training the dog and the trainer has documentation confirming the trainer is affiliated with a recognized or certified service dog training organization. Service animals in training are not permitted in classrooms, offices, or other areas of campus buildings not open to the general public without prior approval obtained from A&A through the reasonable accommodation process.

VII. Additional Matters

A. **Animal No Longer Necessary:** A&A or Human Resources should be notified when an animal covered by this policy will no longer be on campus or, in the case of ESAs, is no longer needed as an accommodation.

B. **Conflicting Disabilities:** Some people may have allergic reactions, asthma, respiratory diseases or other responses to animals that are substantial enough to qualify as disabilities. The University is committed to ensuring that the needs of all people with disabilities are met and will determine how to resolve any conflicts or problems as expeditiously as possible. If an individual has a disability that may be affected by the presence of animals, please contact A&A (students) or Human Resources (employees).

C. **Concerns:** Concerns regarding an animal covered by this policy can be brought to the attention of A&A.

VIII. Grievance Procedure Related to Service Animals and Emotional Support Animals

If the decision is made to deny a request for or remove an animal covered by this policy, the affected individual may file a formal written grievance with the ADA/Section 504 Coordinator pursuant to the Non-Discrimination and Anti-Harassment Policy and Procedures.

IX. Reasonable Modifications to this Policy

Individuals wishing to request a modification or exception to this policy as a reasonable accommodation should contact A&A.