

## **SERVICE and EMOTIONAL SUPPORT ANIMALS ON CAMPUS** **(Revised on 6/9/17)**

This document describes the procedures for the use of service animals by students and employees and emotional support animals by students on the Brown University campus. Brown University complies with the Americans with Disabilities Act (ADA) in allowing use of service animals for students, staff and visitors. Brown complies with the Fair Housing Act in allowing students the use of emotional support animals that are approved as an accommodation in their residence hall. Employees may not bring emotional support animals to work.

### **DEFINITIONS**

#### **Service Animal:**

A service animal as per the ADA is defined as: “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 owner's disability. Examples of work or tasks 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, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, . . . retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, oru companionship do not constitute work or tasks for the purposes of this definition.”

#### **Emotional Support Animal:**

The Fair Housing Act defines an emotional support animal as any animal that provides emotional support, well-being, or companionship that alleviates or mitigates symptoms of the disability; the animal is not individually trained. Emotional support animals are not limited to dogs and can be other species of animal. Emotional support animals are not considered service animals. In order to bring an emotional support animal to campus, the Owner must contact SAS no less than 60 days prior to arrival, in order to permit time to gather all necessary documentation. **Animals should not be brought to campus prior to approval being granted.**

The University will make an individualized assessment of each proposed emotional support animal. Dogs must also be completely trained and housebroken. The use of “puppy pads” will not be permitted. For dogs under 12 months old that are not already living with the student at the time the ESA is requested, SAS will ask for a statement that the puppy is housebroken from the breeder, adoption agency, or person providing

the animal to the student. For animals already known to the student, the student can self-attest to the housebroken status of the animal.

**Owner:** A person with a service or emotional support animal.

**Trainer/Trainee:** A service animal in training, including puppies in training once they are old enough to remain under the control of the trainer. The animal must be accompanied by a person who is training the service animal (the trainer) and the animal must wear a leash, harness, or cape that identifies the animal as a service animal in training. Trainees are not permitted to reside in campus housing. See the Responsibilities/Requirements sections of this document regarding the registration of trainees.

### **QUALIFYING TO HAVE A SERVICE OR EMOTIONAL SUPPORT ANIMAL ON CAMPUS**

**For an individual to qualify for having a service animal on campus:**

- The student must have a disability as defined by the ADA;
- The accompanying animal must be trained to do specific tasks for the qualified individual; and
- Students must register with the Student Accessibility Services (SAS) office if the service animal will be housed on the campus so that accommodations can be coordinated.
- Must contact SAS and Residential Life as early as possible to permit time to gather and review all necessary documentation.

NOTE: If the definition of a service animal is not met, then the use of the animal as emotional support may be allowed as a reasonable accommodation.

**For a student to qualify to have an emotional support animal in his or her residence hall:**

- The student must have a disability as defined by the ADA;
- The student must be registered with the SAS office;
- The emotional support animal must be approved through the SAS office as an official accommodation, in conjunction with other offices as needed.
- The owner must notify SAS if the animal is no longer needed or is no longer residing on University property. If the animal will be replaced, the owner must submit a new request.

Students who require the use of a service animal on campus are encouraged to contact SAS to register as a student with a disability. Information provided to SAS is confidential and specific information about the disability will not be released without the consent of the student.

## **RESPONSIBILITIES/REQUIREMENTS**

### **SERVICE ANIMALS ON CAMPUS:**

#### **Owner:**

- Is responsible to attend to and be in full control of the service animal at all times. A service animal shall have a harness, leash, or other tether unless a) the owner is unable to use a harness, leash or tether, or b) using a harness, leash, or tether will interfere with the animal's ability to safely and effectively perform its duties.
- Is responsible for ensuring that the service animal is wearing a leash, harness or cape that identifies the animal as a service animal when on duty anywhere on campus.
- Is responsible for the costs of care necessary for a service animal's well-being. The arrangements and responsibilities with the care of a service animal is the sole responsibility of the owner at all times, including regular bathing and grooming, as needed.
- Is responsible for independently removing or arranging for the removal of the service animal's waste. Waste must be disposed in a sealed bag in the designated trash area of the residence hall.
- Is responsible for complying with local and state licensing laws for animal rights and owner responsibilities. Service animals should be current with immunizations and wear a rabies vaccination tag. Please visit this link for more information <http://www.providenceri.com/animal/licensing>
- Is responsible for paying for any damage to University property caused by the animal.
- Animals must leave campus with the student anytime the student leaves overnight and/or during University breaks.
- The University may prohibit the use of service animals in certain locations due to health and safety restrictions or places where the animal might be in danger. Restricted areas may include but are not limited to food preparation areas, research laboratories, boiler rooms, and other areas prohibited by law.

#### **University Community:**

- Must allow service animals to accompany their owners at all times and everywhere on campus where the general public (if accompanying a visitor) or other students (if accompanying a student) are allowed, except for places where there is a health, environmental, or safety hazard. The appropriate way to ascertain that an animal is a service animal is to ask (only if it is not apparent) if the animal is required because of a disability and what tasks it has been trained to perform. Specific questions about the individual's disability may not be asked.
- Contact SAS if any questions or concerns arise relating to service animals.
- Only two questions can be asked about service animals:
  - Is the Service Animal required because of a disability?
  - What work or task is the dog trained to perform
- Do not ask questions about the disability.
- Do not pet or feed a service animal.

- Do not attempt to separate the animal from the owner.
- Do not startle or tease a service animal.
- Contact SAS if faculty/staff have any additional questions regarding visitors to campus who have service animals.
- Refrain from charging a fee for the service animal to reside in the residence hall, but may assess usual fees for any damages incurred
- Report any service animals who misbehave or any owners (or other individuals) who mistreat their service animals to the Department of Public Safety.

**SAS:**

- Is responsible for developing the necessary procedures for the University and facilitating the use of service animals by students on campus.
- Assists owners and the University community when questions or concerns arise relating to service animals on campus and seeks legal advice when necessary.

**Trainers/Trainees:**

- Animals in training and their trainers are expected to adhere to the responsibilities and requirements of trained service animals and their owners (see above).
- If the trainer is a student, he or she must register the animal with Student Accessibility Services, showing documentation of licensing and vaccination and providing information about the overseeing training agency, if not pre-approved.
- Trainees are not permitted to reside in campus housing.
- There is no comprehensive list of approved service animal training agencies. Therefore, SAS will determine on a case-by-case basis whether a specific program provides the proper training, supervision and oversight of trainees and their trainers.

**EMOTIONAL SUPPORT ANIMALS IN UNIVERSITY-OWNED RESIDENCES:**

**Owner:**

- Is responsible to attend and be in full control of the emotional support animal at all times. The emotional support animal shall have a harness, leash, tether or be transported in an appropriate enclosure whenever it is outside of the residence hall room where it will be housed.
- In shared living spaces, the emotional support animal should be in an appropriate container if the owner is not in the room with the animal.
- Is responsible for following all rules related to the restrictions of animals from buildings on the campus other than their residence hall.
- Is responsible for the costs of care necessary for the emotional support animal's well-being. The arrangements and responsibilities for the care of an emotional support animal are the sole responsibility of the owner at all times, including regular bathing and grooming, as needed.
- Is responsible for not leaving the emotional support animal unattended for an unreasonable length of time.

- Is responsible for independently removing or arranging for the removal of the emotional support animal's waste. Waste must be disposed in a sealed bag in the designated trash area of the residence hall.
- If the comfort animal voids on the floor or carpet anywhere inside a residence hall, the student is responsible to clean up promptly to the best of their own ability, as well as submit a work request with Facilities Management for the area to be properly disinfected. The student must pay all costs associated with such clean up. Dogs must be housebroken and accidents should be infrequent.
- Is responsible for complying with local and state licensing laws for animal rights and owner responsibilities. Emotional support animals should be current with immunizations and wear a rabies vaccination tag if appropriate. We highly recommend keeping this documentation on file with the SAS Office. Please visit this link for more information regarding the licensing of dogs:  
<http://www.providenceri.com/animal/licensing>
- Animals must leave campus with the student if student leaves overnight and during all University breaks if the student leaves campus.
- Is responsible for paying for any damage to University property or pest treatment caused by the animal.
- Must abide by all applicable residential policies, including room inspections.
- Is responsible for notifying SAS and Residential Life if the emotional support animal is no longer needed.
- Is responsible for renewing ESA requests each academic year.

#### **University Community:**

- Must allow emotional support animals to reside with their owners in their residence hall room or suite once they are approved as a disability related accommodation.
- Contact SAS if any questions or concerns arise relating to emotional support animals including any additional questions regarding visitors to campus who have emotional support animals.
- Report any emotional support animals who misbehave or any owners (or other individuals) who mistreat their emotional support animals to the Department of Public Safety and SAS.
- Refrain from charging a fee for the emotional support animal to reside in the residence hall, but may assess usual fees for any damages incurred.

#### **SAS:**

- Is responsible for developing the necessary procedures for the University and facilitating the use of emotional support animals by students on campus.
- Will contact potential roommates and suitemates to determine if other students have any concerns about potentially living with an animal.
- Assists owners and the university community when questions or concerns arise relating to emotional support animals on campus and seeks legal advice when necessary.
- If other residents raise concerns about the animal and attempts at mediation are unsuccessful, the owner of the ESA will be provided with an alternate living space on campus and expected to move within a reasonable period of time.

## IMPORTANT CONSIDERATIONS

### **A service or emotional support animal can be asked to leave or not allowed participation on campus if:**

- The animal is found by the University to be out of control or disruptive and the animal's owner does not take immediate and effective action to control it.
- The animal is not housebroken or kept in a cage where waste can be managed effectively.
- The animal is found to be neglected or mistreated and prompt corrective action is not taken.
- The animal is physically ill.
- The animal is unreasonably dirty.
- A service animal attempts to enter a place on campus where the presence of a service animal causes danger to the safety of the owner or other students/member of campus.
- A service animal attempts to enter any place on campus where a service animal's safety is compromised.
- An emotional support animal is brought inside a building other than the approved residence hall.
- ESA Requests must be renewed every academic year. If the animal is returned to campus without proper renewal, the animal may be removed from campus until approval is complete.

The process for handling disruptions to the community is as follows:

- A student will receive a written warning if a complaint(s) is received regarding the animal. Following the first warning, the student will have the opportunity to rectify the situation and correct the behavior.
- If a second complaint is received, SAS will conduct a further assessment of the situation and the extent of impact to the community. At this point, it is possible that the student with the animal will be asked to switch rooms if there is availability on campus.
- Following a third complaint or incident, the animal will need to be removed from campus. Students must identify a person who could come to campus to remove the animal if needed within a reasonable amount of time. This person must be identified during the approval process.

The individualized assessment of each incident may lead to escalation of this process, up to and including removal of an animal from campus after a first complaint, depending on the severity of any incident involving any service or support animal.

**Reminder:** Emotional support animals are not allowed anywhere on campus, outside of the residence hall, where animals are not normally allowed. An ESA may be removed from campus if it is found in any other building on campus, other than the student's residence hall.

All animal owners must abide by applicable local ordinances. Rhode Island state law requires that all dogs over the age of four months be vaccinated against rabies, and be licensed through the local city and town. Please visit this link for more information: <http://www.providenceri.com/animal/licensing>. There are also vaccination requirements for cats and possibly other emotional support animals: <https://www.providenceri.com/animal/rabies-vaccination>.

Any service or emotional support animals who misbehave or any owners (or others) who mistreat their service or emotional support animals should be reported to DPS.

### **Restricted Areas**

The University may prohibit the use of a Service Animals in certain locations due to health or safety restrictions. Restricted areas may include but are not limited to food preparation areas, research laboratories or classrooms that contain research animals, areas that require protective clothing, and other areas as required by state or local laws. Exceptions to these restrictions may be requested and will be considered on a case by case basis. Approved Emotional Support Animals are permitted only in the residence halls.

### **Etiquette around service animals and their owners:**

- Do NOT pet, touch or otherwise distract a service animal when it is working. Doing so may interfere with its ability to perform its duties.
- Do NOT feed a service animal. Their work depends on a regular and consistent feeding regimen that the owner is responsible to maintain.
- Do NOT attempt to separate the owner from the service animal.
- Do NOT harass or deliberately startle a service animal.
- Avoid initiating conversations about the student's disability. Some people do not wish to discuss their disability.

### **Significant allergies to animal dander and other concerns.**

- Concerns of this nature will be addressed on a case by case basis. SEAS will work in conjunction with The Office of Residential Life to alert potential roommates of the fact that a service or comfort animal will be present in an effort to address concerns including those related to allergies and objections or fears related to certain types of animals as early as possible in the housing assignment process. Issues or concerns that may arise during the academic year should be reported as quickly as possible.
- Owners who have concerns about any matter affecting their use of a service or

### **Special Situations or Exceptions**

Students should contact SAS to discuss any special situations regarding service animals or emotional support animals that are not covered by this

policy, as well as any exceptions to this policy that might be requested by a student. All exceptions must be approved in writing by SAS.

*Brown students using a Service Animal on the Campus or approved to have Emotional Support Animal in a Brown owned residence are required to sign below, asserting that they have read and agree to all of the policies contained within this document.*

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Student signature

Date

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Student name (printed)

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SAS staff signature

Date

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SAS Staff name (printed)