



## Residential Life & Dining Services

### Emotional Support Animal & Service Animal Policy

#### Service Animals

Under the ADA, a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability. State and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go.

The ADA and DOJ do not currently recognize any form of certificate, identification card, vest, or tag as proof of an animal's designation as a service animal OR an emotional support animal. All of these items may be considered fraudulent, regardless of the claims asserted on the 'documentation' items. The "registration" and "certification" documentation purchased online does not constitute appropriate documentation. Please note it is illegal in New Hampshire to misrepresent a dog as a service animal.

#### Emotional Support Animals

An Emotional Support Animal (ESA) is an animal that provides emotional support which alleviates one or more identified symptoms or effects of an individual's disability. Unlike a service animal, an Emotional Support Animal is not trained to perform a task for a person with a disability relating to activities of daily living or to accompany that person at all times. As a result, ESAs are subject to restriction from any area with a no-pet policy.

The University may allow a resident with a disability to keep an emotional support animal in their assigned space if certain conditions are met. The animal must be necessary for the resident with a disability to have equal access to housing, and the specific accommodation requested must also be reasonable, and must, among other things, alleviate one or more identified symptoms or effects of the resident's disability.

#### Service Animals and Emotional Support Animals at PSU

Requests for service animals or emotional support animals will take into account the needs and requirements of other members of the University community with disabilities or medical conditions, including allergies to animals. Students who live in university housing, who do not participate in the selection process, are assigned based on the accommodation requests known at the time. A student who requests an emotional support animal after initial housing assignments have been made may be required to move if the presence of the animal conflicts with accommodations granted another student in the same residential facility. Communicating needs prior to assignments is advised based on the high level of occupancy within on-campus housing.

#### ESA/Service animal approval is a two-step process:

1. **Reasonableness: Campus Accessibility Services (CAS)**- Individuals who wish to bring an ESA or service animal to campus must first obtain confirmation of a reasonable accommodation through [Campus Accessibility Services](#). CAS will send confirmation to the Office of Residential Life once processed.
2. **Animal Health and Policy Adherence- Residential Life:** Once confirmation is received, the Housing Coordinator will set up an initial meeting to review the health and documentation requirements and policies. This meeting will be followed by an email with the link to the Service/Support Animal Housing Application. This online application is needed to confirm the health of the animal and acknowledgement of policies and adherence to same. The Service dog/ESA housing application and policy review are required annually. *Note: All documentation must be provided via the application and is not accepted via email.*

Plymouth State University is committed to minimizing disruptions animals may cause in on-campus housing. Animals, if not properly controlled, pose the risk of offensive odors, excrement, fleas, biological agents, and other hazards that may pose a threat to campus operations. Preserving a clean living and working environment, allowing all residential students and employees to feel safe from animals they may be afraid of, and to respect the health and budgetary restrictions of the university community are essential components of these policies.

### **Animal Considerations**

Residential Life in consultation with Campus Accessibility Services, and the student as appropriate, may consider the criteria below in determining whether the presence of the Service /Support animal is suitable for assignment:

- Whether the animal poses (or has posed in the past) a direct threat to the individual or others.
- Whether the animal causes (or has caused) excessive damage to housing beyond reasonable wear and tear.
- Whether the size of the animal is too large for available assigned housing space.
- Whether the animal's presence would force another individual from assigned housing (e.g., allergies).
- Whether the animal's presence violates other residents' right to peace and quiet enjoyment.
- Whether the animal is housebroken or is unable to live with others in a reasonable manner.
- Whether the animal is healthy and is up to date on vaccines, tests, physical exams etc. *The University reserves the right to request updated verification at any time during the animal's residency.*
- Whether the student/handler has a plan in place for the care and maintenance of the animal.
- Whether the animal is able to reasonably live and be cared for within a university residence room. *The university reserves the right to disallow animals that cannot be reasonably confined and cared for within a student's own room.*
- For safety reasons, poisonous/venomous animals, wild animals, domestic stray animals, or animals that may pose a risk to community health and safety are prohibited.

### **Student/Handler's Responsibilities**

Students granted the accommodation of an ESA/Service animal in university housing are subject to the following rules and expectations, in addition to any other University rules and regulations not specifically related to service/support animals.

- The animal must not be unruly, disruptive, or a direct threat to the health and safety of others. The student/handler is responsible at all times for the actions of their animal. The student/handler is responsible for any odors, noise, damage, or other conduct of his or her animal that disturbs others or damages the premises.
- The animal must be under the student/handler's control at all times- tethered/leashed, held, or caged/crated. If the animal must exit the handler's room or apartment, it must stay in close proximity (i.e., leashed, or in a carrier) of the handler.
- To the greatest extent possible, the animal must be unobtrusive to other residents. The student/handler will keep the animal and all of its belongings on their side of the room, where applicable, so as not to infringe upon any roommates.
- The care and supervision of the animal is the sole responsibility of the student/handler- which includes toileting, grooming, feeding, and veterinary care.
- The student/handler is responsible for cleaning up after the animal and appropriately disposing of its waste. Indoor and outdoor waste must be immediately retrieved by handler, placed in a plastic bag, and securely tied before being disposed of in an outside trash dumpster. Dogs and cats MUST be housebroken and spayed/neutered.
- The student/handler is financially responsible for the actions of the animal including bodily injury, property damage, replacement of furniture, carpet, blinds, etc. The student is expected to cover all costs of returning the unit to the same condition of move-in. The University will have the right to bill the handler's account for any unmet obligations.

- Residential Life will inspect the residential area during usual health and safety checks. If fleas, ticks, or other pests are detected through the inspection, the unit will be treated using methods by University-approved pest control services. Those costs will be added to the student's account.
- The animal may not be left overnight in University housing to be cared for by any individual other than the handler. If the handler is away from assigned housing overnight, the animal must accompany the handler.
- The student/handler is responsible for ensuring that the animal is contained/caged/crated, as appropriate when the owner is not present during the day while attending class or other activities.
- ESAs are restricted to the student/handler's residence (room, suite, or apartment) and are prohibited from common areas including, but not limited to lounges, study rooms, offices, university buildings, and dining areas. Service Animals are allowed in all public spaces when accompanied by their handler.
- The student is responsible for instructing others on appropriate interactions with the animal and setting clear expectations.
- The Office of Residential Life has the right to reassign the student to another space if care of the animal or interactions with others become a concern.
- If the student/handler violates any provision of this document, they may be required to immediately remove the animal from University Housing.

### **Emergency Situations**

Plymouth State University personnel and/or roommates shall not be required to provide care or food for an Emotional Support/Service Animal including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm. If emergency personnel determine removal of the animal is necessary, they will not be held responsible for the care, damage to, or loss of the animal. The student is required to provide two alternate care takers who do not live on campus and the name of a local boarding facility in case of emergency/incapacitation.

### **Removal of a Service or Emotional Support Animal**

Emotional Support Animals may be asked to leave Plymouth State University housing if any of the Animal Considerations are implicated, or Student/handler's Responsibilities listed above are violated. The University will only permit those emotional support animals that conform to the standards of this policy. The student/handler must abide by any applicable local or state ordinance, law or regulation pertaining to licensing, vaccination, and other requirements for animals residing in housing. The University may require documentation demonstrating compliance with such regulations.