



## **CSCC Service Animals on Campus**

### **CT State Guidelines**

Effective Date:

Version: 2

Application: Employees, Faculty, Students, Contractors and Other Representatives

For More Information Contact: Office for Disability and Accessibility Services

<https://ctstate.edu/life-at-ct-state/odas>

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## CSCC Service Animals on Campus - CT State Guidelines

## Record of Changes

## **I. Definitions**

Please refer to BOR Policy 5.10 for definitions.

## **II. Examples of work or tasks performed by service animals**

An example of a task that a service animal is trained to do might include guiding a person who is blind, pulling a wheelchair, alerting a person who is Deaf, alerting a person who has a seizure, assisting a person with a Post Traumatic Stress Disorder during an anxiety attack, reminding a person with a mental illness to take their medication, alerting a person with diabetes of high/low blood levels, as well as other tasks. Note: this is not an exhaustive list of examples of the types of tasks a Service Animal may be trained to perform for persons with disabilities. Service Animals should be treated as a necessary medical asset that is required by a student.

## **III. Access to public areas**

Please refer to BOR Policy 5.10 for information on access to public areas.

## **IV. Inquiries, Excursions, Charges, and Other Specific Rules to Service Animals**

Faculty, Faculty Designee, staff and other students may not request documentation, such as proof that the Service Animal has been certified, trained, or licensed as a Service Animal. When the need for the Service Animal is obvious, specific questions about the Student/Handler's disability are not permitted. When the individual's disability or the Service Animal's task or work is not obvious, only Authorized Staff (Disability Services or its equivalent, including ADA/Section 504 Coordinators, Residence Life, Campus Law Enforcement or Security Personnel, Facilities Management, or Faculty) may make the following limited inquiry.

## **V. Access to laboratories**

Because having animals in laboratories increases the risk of the animal being exposed to chemicals, microorganisms and other lab materials, only Service Animals, and not Emotional Support Animals, will be allowed to access CT State laboratories. Any animal that is considered an Emotional Support Animal or a pet will not be allowed in laboratories. Allowing Service Animals access to a lab should be done after careful consideration of the risk factors specific to the lab environment and all lab participants involved while Service Animal is present. The accompaniment of an individual with a disability by a service animal in a location with health and safety restrictions will be reviewed on a case-by-case basis by the appropriate department representative(s). The lab should post local pet hospital, poison control center information within the lab in case of an emergency. Individuals with Service Animals must receive prior approval before bringing the Service Animal to a science lab.

Faculty and/or Faculty Designee who have lab courses are strongly encouraged to add the following wording to their course syllabus: *Due to the nature of this class, any student with a disability who has and plans to bring their service animal to the lab needs to coordinate with the*

*instructor and Office for Disability and Accessibility Services (ODAS) as early as possible to ensure the safety of the service dog. Students are strongly encouraged to connect with ODAS once registered for the class, and no later than before the term begins to ensure all necessary precautions are taken prior to the first day of the lab.*

## **VI. Roles and Responsibilities**

### **Student/Service Animal Handler:**

- Assume responsibility for all risks involved, including the risk for the Service Animal being exposed to hazardous materials and fumes.
- Meet with the faculty teaching the science lab prior to the start of the class to discuss a safe setup, protocol for emergencies and expectations for Service Animal.
- Remain in control of the animal at all times.
- Set up a place for the Service Animal outside the lab in case the animal needs food and/or water.
- Pay for any damage to the facility/equipment caused by the Service Animal.
- Pay for any necessary personal protective equipment (PPE) for the Service Animal.

### **Faculty and/or Faculty Designee Responsibilities:**

- Connect with the student and the ODAS, as needed, to develop a plan to ensure safety of all science lab participants, including the Service Animal.
- Ensure that any list given to students describing the required PPE includes PPE for Service Animals.
- Discuss with the student the location of the student station and that of the Service Animal, including any areas around the lab pre-established for the Service Animal in case student must travel to various locations within the science lab.
- Contact ODAS to report or discuss behavioral issues or safety concerns regarding the Service Animal.

### **ODAS responsibilities:**

- Assist the student with registering with ODAS
- In case the student has not connected with the faculty in advance, facilitate connection between the student and the science lab faculty.
- Assist the faculty and/or faculty designee and the student in discussing appropriate accommodations for the Service Animal within a science lab.
- Assist the faculty and/or a faculty designee and the student in developing/reviewing emergency protocols and expectations for the Service Animal in the lab.
- If necessary, accompany the faculty and/or faculty designee and the student to visit the lab prior to the start of class.

### **Joint responsibilities:**

- The Faculty, the Faculty Designee, the Student/Handler and the ODAS, when possible, should identify any arrangements that need to be made to ensure the safety of the lab environment, students in the lab, the safety of the Service Animal, as well as how to best prevent any potential harm to the animal or contamination of the community outside the lab.
- The Student/Handler and the Faculty (and/or Faculty Designee) teaching the lab should

discuss an emergency response based on the materials being used in the lab.

- If the Service Animal exhibits behavior inconsistent with a trained Service Animal, or the Handler fails to maintain control of the Service Animal, Authorized Staff should report the incident(s) to ODAS or its equivalent, who may revisit the question whether the animal is a Service Animal.

## **VII. Personal Protective Equipment (PPE) guidelines for the Service Animal in CT State laboratories while in the lab:**

- Service Animal's **paws** should be covered to prevent contamination by pathogens, harm by broken glass, or contact with chemicals.
- Service Animal's **body** should be protected from spills that may occur.
- Service Animal's **eyes** should be covered with protective gear (goggles or eye coverings) to prevent contact with harmful chemicals, debris, or gases. Service Animal should have an **assigned space** by the Lab Staff the Service Animal should sit/lay on a protective layer like a disposable mat. This assigned space will be located at an appropriate location away from experimentation, but within the necessary distance of the handler to perform its function. While planning the assigned space for the Service Animal, keep in mind the potential for the trip and traffic hazard. When **exiting the lab**, the PPE should be disinfected (as applicable), removed, and stored or discarded (if disposable).

For any inquiries about the rules for Service Animals on CT State campuses, please reach out to the Office for Disability and Accessibility Services on each campus. You can find ODAS contact information at <https://ctstate.edu/life-at-ct-state/odas>.

Policy #	Policy Name	BR #	Board Action Date
5.10	Animals on Campus Policy	19-108	2019-10-24

## **ANIMALS ON CAMPUS POLICY**

The Board of Regents for Higher Education (“BOR”) recognizes the importance of service animals as defined by the Americans with Disabilities Act of 1990 (“ADA”) (See 42 U.S.C. § 12101, et seq.) and assistance animals<sup>1</sup> under the Fair Housing Act (“FHA”) (See 42 U.S.C. § 3601, et seq.) and Section 504 of the Rehabilitation Act of 1973 (“Section 504”). Connecticut state law regarding Service Animals may be found under C.G.S. § 46a-44. This policy may be reviewed and revised, if and as necessary, as directed by the Board of Regents for Higher Education.

The BOR has established this policy regarding Service Animals and Emotional Support Animals to facilitate full-participation and equal access in the programs and activities of Connecticut State Colleges and Universities (“CSCU”). This policy applies to students, employees, visitors and members of the public attending, working at or visiting CSCU campuses, and sets forth specific requirements and procedures concerning the appropriate use of and protocols associated with Service Animals and Emotional Support Animals.

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<sup>1</sup> Under the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973, the term “Assistance Animals” is an overarching term that encompasses Service Animals *and* Emotional Support Animals. To avoid confusion, the term “Assistance Animals” is not used in this policy, and instead, the terms “Service Animals” and “Emotional Support Animals” are used to separately address the practical implications of each term.

## **I. Definitions**

### **A. Service Animals**

A service animal (“Service Animal”) is any dog or miniature horse specifically trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other disability. The ADA limits Service Animals to dogs and miniature horses. Disability Services or its equivalent, the Office of Diversity and Inclusion, or the Human Resources Department will assess requests for the use of a miniature horse by individuals with disabilities on a case-by-case basis and in accordance with ADA regulations. 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.

### **B. Trainer and Service Animals in Training**

A trainer is an individual who is qualified to train Service Animals to aid and guide persons with disabilities (“Trainer”). A service animal in training is a dog or a miniature horse that is being trained as a Service Animal (“Service Animal in Training”).

Trainers must be employed and authorized to engage in training activities by a guide or assistance dog organization that complies with criteria for membership in a professional association of guide dog or assistance dog schools. The Trainer also must carry photographic identification indicating such employment and authorization.

In Connecticut, all dogs, including Service Animals, must be licensed, vaccinated against rabies and wear a license tag issued by the town clerk. All Service Animals and Service Animals in Training, including puppies, that are being trained to become a Service Animal, must wear an orange-colored bandana, leash, collar, harness, cape or coat that identifies the animal as a Service Animal or Service Animal in Training.

### **C. Emotional Support Animals**

An Emotional Support Animal (“ESA” or “ESAs”) is any animal specifically designated by a Licensed Medical Practitioner (see definition in Section I(K)) to provide companionship, therapeutic and emotional support, or passive comfort to an individual with a disability in order to alleviate or mitigate one or more identified symptoms or effects of that disability, but does not qualify as a Service Animal under Section 504 and the ADA. An ESA may provide an individual with a disability an equal opportunity to use and enjoy a dwelling, workplace, or other area, provided there is a nexus between the individual's disability and the assistance or support the animal provides. Some ESAs are professionally trained, but in other cases, ESAs provide the necessary support to individuals with disabilities without any formal training or certification. Dogs are commonly used as ESAs, but any animal may serve a person with a disability as an ESA. ESAs are not Service Animals.

**D. Pet**

For the purposes of this policy, a pet is any other animal that is not a Service Animal or an ESA.

**E. Handler**

A handler (“Handler”) is an individual with a disability who requires the use, support or service of an animal on CSCU property, workplace or campus housing.

**F. Controlled or Restricted Space**

Controlled spaces (“Controlled Space(s)”) are any indoor or outdoor areas owned or controlled by CSCU with limitations on use or access. Such areas may include, but are not limited to, classrooms, campus housing, workplace areas, libraries, cafeterias, practice fields, stadiums, lecture halls, etc.

Restricted spaces (“Restricted Space(s)”) are areas within the CSCU Controlled Spaces with additional health or safety restrictions as required by federal regulations, other applicable law, or CSCU policy, guidelines or procedures.

Areas open to the general public with no limitations on access are not Controlled or Restricted Spaces. Examples include sidewalks, lawns, parking lots, streets, etc.

**G. CSCU Property**

CSCU property includes all areas owned or controlled by CSCU or its constituent units.

**H. Authorized Staff**

For the purposes of this policy, “Authorized Staff” includes Disability Services or its equivalent, including ADA/Section 504 Coordinators, Residence Life, Campus Law Enforcement or Security Personnel, Facilities Management, or CSCU Faculty.

**I. CSU Campus(es)**

For the purposes of this policy, Connecticut State Universities (“CSUs” or “CSU campuses”) within the Connecticut State Colleges and Universities system that provide campus housing.

**J. Disability Services Office, ADA/Section 504 Coordinator, Office of Diversity and Inclusion, and Human Resources Department**

Each CSCU campus may have a different term for the disability services office or its equivalent. The terms “Disability Services,” “ADA/Section 504 Coordinator” or its equivalent refer to the campus offices serving students. For purposes of this policy,

“Disability Services” includes “ADA/Section 504 Coordinator” or its equivalent. The “Office of Diversity and Inclusion” or the “Human Resources Department” are interchangeable terms and refer to the offices serving employees.

## **K. Licensed Medical Practitioner**

A licensed medical practitioner (“Licensed Medical Practitioner”) professionally qualified to make a diagnosis of the condition and is familiar with the individual’s disability, and qualified to articulate the necessity for the accommodation and the nexus between the individual’s disability and the therapeutic relief of one or more symptoms of the individual’s disability provided by an ESA. A Licensed Medical Practitioner includes, but is not limited to, a professional in the appropriate area of specialization (e.g. psychologist, psychiatrist, therapist, or social worker) with whom the individual with a disability has an established or longstanding and current treatment relationship. Generally, the Licensed Medical Practitioner verifying the need for the ESA should be working and residing in Connecticut or in the same state as the individual requesting the accommodation. However, Disability Services or its equivalent, Office of Diversity and Inclusion, or the Human Resources Department must determine whether the documentation is satisfactory, whether the Licensed Medical Practitioner is professionally qualified to diagnose the disability, whether the therapeutic relationship is established and current, and whether the need for the accommodation is demonstrated by the supporting documentation.

## **L. Office of Housing and Residence Life**

Each CSU campus may have a different term for housing and residence life office or its equivalent. For the purposes of this policy, the term “Offices of Housing and Residence Life” (“Residence Life”) refers to the campus offices providing housing. Residence Life oversees the student experience of living on campus, manages all room assignments and administers the facilities operations of all student residences on CSU campuses or within their control. These responsibilities include but are not limited to managing housekeeping and maintenance efforts, and ensuring that all residence options are welcoming, safe, inclusive, secure and well-maintained.

## **II. Controlled or Restricted Space**

With the exception of outdoor areas open to the general public and other approved exceptions to this policy, no one is permitted to bring animals onto CSCU Controlled or Restricted Spaces. However, individuals with disabilities may bring Service Animals and ESAs on or into CSCU Controlled or Restricted spaces as provided below.

### **A. Service Animals**

Service Animals are generally permitted to accompany their Handlers at all times and all places throughout CSCU campuses where students, members of the public and other participants in services, programs or activities are permitted to go. Service Animals may also reside in campus housing.

Students with disabilities accompanied by a Service Animal are encouraged to contact Disability Services or its equivalent in advance of beginning classes. Such courtesy notification allows Disability Services or its equivalent to make appropriate arrangements, offer any necessary assistance prior to the Handler's arrival on campus, and to notify the campus law enforcement or security personnel office of the animal's presence in case of an emergency.

However, CSCU or its constituent units may prohibit the use of Service Animals in Controlled or Restricted Spaces due to health or safety restrictions, or when required by federal regulations or other applicable law. Restricted spaces may include, but are not limited to:

1. food preparation areas;
2. custodial closets, boiler rooms, and facility equipment rooms;
3. biologically sensitive or hazardous research laboratories;
4. classrooms that contain research animals;
5. motor pools, rooms with heavy machinery, wood and metal shops;
6. areas that require protective gear or clothing; or
7. any other areas outlined in federal, state or local laws as inaccessible to animals.

Prior to excluding a Service Animal from a particular space, CSCU and its constituent units must engage in an individualized analysis to determine whether significant risk exists and whether modifications to its practices would mitigate such risk and enable the individual with a disability to use the Service Animal.

If the individualized analysis determines that the Service Animal poses a health or safety risk, CSCU and its constituent units must ensure the individual with a disability has an opportunity to participate in the program or activity without the Service Animal.

## **B. Service Animals in Training**

Trainers are entitled to enter areas open to the public with a Service Animal in Training. However, Trainers with Service Animals in Training are not permitted in classrooms, campus housing, workplace, or other Controlled or Restricted Spaces.

## **C. Emotional Support Animals**

Generally, approved ESAs are not permitted in any CSU Controlled Space (e.g. libraries, dining halls, classrooms, academic buildings, labs, etc.) other than the assigned living accommodations within campus housing to which the Handler is assigned, except to the extent the Handler takes the ESA out for natural relief.

However, Disabilities Services or its equivalent on all CSCU campuses may consider requests for ESAs to accompany Handlers within non-campus housing Controlled Spaces, provided that, such requests are reviewed and approved through the reasonable accommodation process consistent with this policy and applicable laws.

#### **D. Workplace Reasonable Accommodation**

Approved Service Animals or ESAs assisting or supporting employees may be permitted within the individual's workplace as an accommodation or a modification for a disability, but must be reviewed and approved by the Office of Diversity and Inclusion, or the Human Resources Department, as applicable, consistent with applicable laws and CSCU policies.

#### **E. Pets**

Except for fish in 20-gallon or smaller tanks, pets are not permitted in or on any Controlled or Restricted Spaces on CSCU property.

### **III. Information and Responsibilities for Students, Faculty and Staff**

Students, staff, and faculty members must maintain institutional standards of performance.

#### **A. Service Animals**

Faculty, staff and other students may not request documentation, such as proof that the Service Animal has been certified, trained, or licensed as a Service Animal. When the need for the Service Animal is obvious, specific questions about the Handler's disability are not permitted. When the individual's disability or the Service Animal's task or work is not obvious, only Authorized Staff (Disability Services or its equivalent, including ADA/Section 504 Coordinators, Residence Life, Campus Law Enforcement or Security Personnel, Facilities Management, or Faculty) may make the following limited inquiry:

1. Is the Service Animal required because of a disability?
2. What work or task has the Service Animal been trained to perform to assist you with your disability?

An affirmative answer to the first question and a reasonable description in response to the second ends the permissible inquiry. However, if the Service Animal exhibits behavior inconsistent with a trained Service Animal, or the Handler fails to maintain control of the Service Animal, Authorized Staff should report the incident(s) to Disability Services or its equivalent, who may revisit the question of whether the animal is a Service Animal.

#### **B. Animals on CSCU Campuses Etiquette**

Faculty, staff and other students may not:

1. Pet, touch or feed Service Animals or ESAs without the Handler's permission;
2. Ask the Handler to make the Service Animal perform the work or task;
3. Deliberately startle or distract Service Animals or ESAs; or
4. Separate or attempt to separate a Handler from a Service Animal or an ESA.

### **C. Reporting Animals' Concerning Behavior**

If an animal has injured someone or another animal, is exhibiting aggressive or disruptive behavior, is posing a direct threat to the health or safety of others, or the Handler is unable to maintain control of the animal, faculty, staff or students should contact the law enforcement or security personnel office with a general description of the animal's concerning behavior, name of the Handler (if known), time, date, and location of the incident(s), and if circumstances require, request assistance with the removal of the animal. After filing the incident report, the faculty, staff, or student reporting the incident may also refer the incident to the campus Student Affairs Office, the Office of Diversity and Inclusion, or the Human Resources Department, as applicable.

### **IV. Information for Visitors**

Visitors planning to bring their Service Animals or Service Animals in Training to public areas of CSCU campuses are not required to request permission from CSCU campuses prior to the visit. However, if the disability is not obvious, Authorized Staff may inquire whether the Service Animal is required because of a disability, and what work or task(s) the animal has been trained to perform to assist with the visitor's disability.

### **V. Animals in CSU Campus Housing**

#### **A. Process for Students with Service Animals**

Handlers are not required to seek permission prior to bringing a Service Animal onto CSU property where students, members of the public and other participants in services, programs or activities are permitted to go. The Handler's use of a Service Animal must not be handled as a request for a reasonable accommodation. Rather, the animal must only meet the ADA definition of a Service Animal to be permitted in campus housing. However, if the disability is not obvious, Authorized Staff may inquire whether the Service Animal is required because of a disability, and what work or task(s) the animal has been trained to perform to assist with the Handler's disability.

If a Handler with a disability plans to reside in campus housing, the Handler is encouraged to contact Disability Services or its equivalent and Residence Life to provide notice of the need for a Service Animal in advance of beginning residence. Such courtesy notification allows Disability Services or its equivalent and Residence Life to make appropriate arrangements, offer any necessary assistance prior to the Handler's arrival on campus, and to notify the campus law enforcement or security personnel office of the animal's presence in case of an emergency.

If a student needs other accommodations while attending classes, documentation of the disability and a separate request for accommodations must be made to Disability Services or its equivalent in accordance with campus ADA/Section 504 procedures.

## **B. Process for Students Requesting an ESA Accommodation**

Students who plan to reside in campus housing are responsible for identifying themselves as an individual with a disability(ies) to Disability Services or its equivalent when seeking a reasonable accommodation in campus housing.

A student must contact Disability Services or its equivalent to request an ESA accommodation under the established interactive process at each CSU campus and meet with Disability Services or its equivalent to discuss the need and the reasonableness of the ESA. This process must be completed each academic year during which the individual will be residing in campus housing. Campus housing accommodations depend on availability of space and are not guaranteed.

Each CSU campus has its own Disability Services or its equivalent and Residence Life accommodation processes. However, all CSU campuses must comply with the following general guidelines:

1. Before an ESA can move into campus housing, the student requesting an ESA accommodation must register with Disability Services or its equivalent prior to the start of the semester within the timeframe provided by each CSU campus by completing the appropriate intake form. Forms are generally available in the Disability Services or its equivalent offices and on campus websites. If the student requires assistance in completing the intake form because of disability, Disability Services or its equivalent can assist with completing the form. Disability Services or its equivalent is required to keep a record of all requests.
2. Students requesting a housing accommodation must contact Residence Life and follow the respective CSU campus housing accommodation request process within the timeframe provided by each campus.
3. Disability Services or its equivalent will evaluate the accommodation request and determine whether the presence of the ESA is necessary to assist, perform tasks or services, or provide emotional support that alleviates one or more of the identified symptoms or effects of a student's existing disability.
4. When a student's disability is not readily apparent or otherwise known, Disability Services or its equivalent may ask for credible information verifying the disability or disability-related need for the ESA. If a disability is known, but the need for an ESA is not readily apparent, Disability Services or its equivalent may request disability-related documentation for the ESA. In evaluating such requests, Disability Services or its equivalent should request permission from the Handler to directly contact the Licensed Medical Practitioner and obtain the necessary information. Disability Services or its equivalent may confer with Residence Life, the Counseling Center, Health Services and other individuals on or off campus, as necessary, to determine whether the requested accommodation is necessary and reasonable. However, this documentation cannot be requested when the disability and need for the animal are readily apparent.

5. A Licensed Medical Practitioner professionally qualified to make a diagnosis of the condition and familiar with the student's disability, the necessity for the accommodation, and the nexus between the student's disability and the therapeutic relief of one or more symptoms of the student's disability provided by an ESA, must provide the requested information to Disability Services or its equivalent for evaluation. A Licensed Medical Practitioner's conclusion concerning the need for a requested accommodation may be probed, or ultimately rejected by the Disability Services or its equivalent, if the Licensed Medical Practitioner's expertise does not appear to be adequate, or the conclusion does not appear to be supported by the rationale provided. However, Disability Services or its equivalent must provide a well-documented justification for rejecting the Licensed Medical Practitioner's expertise or conclusion(s).

**IMPORTANT NOTE:** A significant amount of misinformation regarding ESAs exists online. ESA verification services purchased online may not be sufficiently reliable to verify an individual's disability and the disability-related need for an ESA. Many services claiming to provide registration or certification are not legitimate as they convey no legal protections for the animal or the Handler. Individuals with questions regarding what constitutes a Licensed Medical Practitioner should contact Disability Services or its equivalent for more information.

**6. Financial or Administrative Hardship or Fundamental Alteration of Campus Housing**

Based on the information provided, Disability Services or its equivalent will evaluate the housing accommodation request and determine whether the presence of the ESA is reasonable in CSU campus housing.

To ensure that the presence of an ESA is not an undue financial or administrative hardship or a fundamental alteration of campus housing, each CSU campus reserves the right to assign an individual with an ESA to a room with or without a roommate, as available housing accommodations permit.

Since ESAs are not required to be specifically trained to do work or perform tasks for the benefit of an individual with a disability, Disability Services or its equivalent may request the Handler to provide sufficient documentation regarding the ESA, including the ESA's temperament and any other relevant information to determine whether the accommodation request is reasonable.

Disability Services or its equivalent in consultation with Residence Life may consider the following factors, among others, in determining whether the presence of the animal is reasonable in the making of campus housing assignments:

- a. The size of the animal is too large for available assigned housing space;
- b. The animal's presence would force another student from campus housing (e.g. serious medical condition);

- c. The animal's presence otherwise violates individuals' right to peace and quiet enjoyment;
- d. The animal is not housebroken or is unable to live with others in a reasonable manner;
- e. The animal poses or has posed in the past a direct threat to the individual or others such as aggressive behavior towards or injuring individuals or other animals; or
- f. The animal causes or has caused excessive damage to housing beyond reasonable wear and tear.

A determination that an ESA poses a direct threat or harm to others or will behave disruptively, must be based on an individualized assessment that relies on objective evidence about the specific ESA's actual conduct. This determination cannot be based on mere speculation or fear about the types of harm or damage an animal may cause, and not on evidence about harm or damage that other animals have caused.

## **VI. Conflicting Disabilities or Other Special Circumstances**

### **A. Conflicting Disabilities**

The Handler must provide written consent to Disability Services or its equivalent, the Office of Diversity and Inclusion, or the Human Resources Department, as applicable, to disclose information regarding the request for and presence of an ESA or a Service Animal to those individuals who may be impacted by the presence of the animal, including but not limited to, Residence Life, potential or actual roommate(s), neighbor(s) or co-workers. Such information will be limited to information related to the animal and not include information regarding the Handler's disability.

Some individuals on campus may have severe allergic reactions or other medical conditions in response to animals that are substantial enough to qualify as a disability. When conflicting disabilities intersect, such individuals should contact Disability Services or its equivalent, the Office of Diversity and Inclusion, or the Human Resources Department, as applicable, to evaluate the needs of both individuals in meeting each campus' obligation to reasonably accommodate all individuals with disabilities and resolve the conflict as efficiently as possible.

## **B. Religion and Disability**

If conflicts arise between individuals with respect to a reasonable accommodation involving an animal and religious practices, neither the disability nor the religious practice should automatically prevail. While the ADA, Section 504 and the FHA protect individuals with disabilities, the First Amendment to the United States Constitution protects individuals in the exercise of their religions. Disability Services or its equivalent, the Office of Diversity and Inclusion, or the Human Resources Department must evaluate the needs of both individuals and find a way to accommodate both parties.

## **C. Other Special Circumstances**

Students should contact Disability Services or its equivalent, and employees should contact the Office of Diversity and Inclusion, or the Human Resources Department, as applicable, to discuss any special circumstances or to request exceptions to this policy.

## **VII. Reasonable Accommodation Process for Employees**

Employees seeking a reasonable accommodation for a Service Animal or an ESA in the workplace or in campus housing should contact the Office of Diversity and Inclusion, or the Human Resources Department, as applicable, and follow the reasonable accommodation process for employees.

## **VIII. Handler's Responsibilities Regarding Animals on Campus**

- A. A Service Animal or an ESA is the full responsibility of the individual with a disability. The Handler must be in full control of the animal at all times. The care and supervision of such animals is the sole responsibility of the Handler. The Service Animal or an ESA must be maintained and used at all times in ways that does not create safety, health or other hazards for other people or any property. The Handler must fully cooperate with campus personnel and meet the terms of this policy with regard to the Service Animal or an ESA.
  1. If required by state or local law, covered Service Animals and ESAs must wear a tag issued by the town clerk any time the animal is on CSCU property.
  2. When applicable, animals must have an annual clean bill of health signed by a licensed veterinarian, including vaccinations and immunity shots against rabies or other diseases common to the type of animal. Handlers are responsible for ensuring that all vaccinations are current, and animals that are required to have rabies vaccinations, wear a rabies vaccinations tag at all times. It is the Handler's responsibility to know and understand the applicable laws, ordinances and regulations with respect to licensing and vaccination of animals. CSCU campuses reserve the right to request documentation evidencing that the animal has been licensed and vaccinated.

3. The Handler is required to maintain control of a Service Animal or an ESA at all times. Service Animals and ESAs, if physically feasible and appropriate, must be harnessed or leashed when the animal is in a public area, unless these devices interfere with the Service Animal's ability to perform a task that it could not accomplish while harnessed or leashed. In this case, the Handler must maintain control over the Service Animal through voice, signal, or other control. The Handler does not need to keep the Service Animal or ESA harnessed or leashed in the Handler's assigned room within campus housing.
4. Handler must not leave a Service Animal or an ESA in campus housing if Handler leaves campus housing overnight. Handler must keep the animal in the assigned room, or in an appropriate container while the Handler is not with the animal.
5. The Handler is responsible for cleaning up an animal's waste as directed by the campus Residence Life or Facilities Management. Individuals who are not physically able to pick up and dispose of animal waste are responsible for making all necessary arrangements for assistance. CSCU staff are not responsible for these services.
6. The Handler is required to ensure that the Service Animal or an ESA is well cared for at all times. Any evidence of animal mistreatment or abuse may result in the immediate removal of the Service Animal or an ESA, discipline of the Handler, or both.
7. CSCU personnel are not required to provide care or food for any Service Animal or ESA, including but not limited to, removing the animal during an emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the animal and are not responsible for the care, damage to, or loss of the animal.
8. The Handler bears the financial responsibility for property damage or bodily injury caused by a Service Animal or an ESA.
9. Handler is responsible for any expenses incurred by CSCU for cleaning above and beyond a standard cleaning and for repairs to CSCU property that are assessed after the Handler and the Service Animal or an ESA vacate CSU campus housing or other CSCU property. CSCU reserves the right to bill the Handler's student account for assessed cleaning fees.
10. Handlers are responsible for regular bathing, grooming, odor and pest control. Animals must not be cleaned or groomed in restrooms, locker rooms, or other campus facilities. The Handler's assigned CSU campus housing may be inspected for fleas, ticks or other pests if necessary as part of Residence Life or Facilities Management standard or routine inspections. If fleas, ticks or other pests are detected through inspection, the Handler's assigned campus housing, including any other adjacent areas, will be treated using approved fumigation methods by a campus-approved pest control service. The Handler will be billed for the expense of any pest treatment above and beyond the standard pest management in campus housing facilities. CSU campuses reserve the right to bill the individual Handler's account for unmet obligations under this provision.

11. The Handler is responsible for notifying Disability Services or its equivalent in writing if an ESA is no longer needed or is no longer in residence. To replace an ESA, the new animal must be necessary because of the Handler's disability and the Handler must follow the process outlined in this policy when requesting a different ESA.
12. For ESA access to campus housing, Handlers are required to renew requests every academic year or as applicable at each CSU campus. If the ESA is returned to campus housing without proper renewal, the ESA may be removed from campus until approval is complete.
13. Should an ESA or a Service Animal be removed from CSU campus housing for any reason, the Handler is expected to fulfill the CSU campus housing obligation for the remainder of the contract.

## **IX. Restrictions, Access Denial, or Removal**

Depending on the seriousness of the Handler's or animal's conduct or repeated conduct, CSCU and its constituent units may temporarily or permanently impose restrictions on, deny access or remove a Service Animal or an ESA. Restriction, access denial or removal of an animal are considered on a case-by-case basis in consultation with Disability Services or its equivalent, Residence Life, the Office of Diversity and Inclusion, Human Resources Department, faculty or campus law enforcement or security personnel offices, as applicable.

### **A. CSCU reserves the right to restrict, deny access, or remove any ESA under the following circumstances:**

#### **1. Fundamental Alteration or Undue Hardship**

The ESA must not cause undue interference with routine CSCU activities, including campus housing, or cause an undue hardship for other students who reside in campus housing or other employees in the workplace. If the ESA's presence results in an undue financial or administrative hardship, or fundamentally alters CSCU policies, CSCU reserves the right to remove or exclude the ESA.

#### **2. Direct Threat to Safety, Health or Wellbeing of the CSCU Community**

An ESA may be removed from CSCU property temporarily or permanently if it poses or exhibits a direct threat to the safety of others, or if it is not housebroken, or poses a threat to the health or wellbeing of the campus community due to improper or inadequate care of the ESA. If circumstances require, Authorized Staff may contact the campus law enforcement or security personnel office to engage an animal control or another animal welfare agency to remove an animal exhibiting a safety or a health threat.

### **3. Substantial Physical Damage or Harm to CSCU Property or the Property of Others**

An ESA may be removed from campus temporarily or permanently if it has caused or would cause, based on the objective evidence about the specific ESA's actual conduct, substantial physical damage to the property of others, including any CSCU property, and it is not possible to reduce or eliminate the threat by another reasonable accommodation.

#### **B. CSCU reserves the right to restrict, deny access, or remove any animal from campus if:**

##### **1. The Animal Creates Disruptions, Unmanageable Disturbances or Interferences**

All animals on CSCU property must be under the control of the Handler at all times. If the animal or its presence creates an unmanageable disturbance or interference with the CSCU community, CSCU and its constituent units reserve the right to restrict, deny access, or remove the animal from CSCU property.

If any animal is disruptive in the classroom, the faculty may ask the Handler and the animal to leave the classroom immediately. If a Handler's animal is disruptive in the workplace, the Handler's supervisor may ask the Handler and the animal to leave the workspace immediately, and the Handler must follow the workplace process for handling such disruptions in accordance with established procedures, guidance or applicable union contracts. If the animal is disruptive at a CSCU event or function, the organizer may require the Handler and the animal to leave the event or function immediately.

When such disruptions occur, the impacted faculty, supervisor, or event or function organizer should, depending on the circumstances, contact the Disability Services or its equivalent, the Office of Diversity and Inclusion or the Human Resources Department, or campus law enforcement or security personnel to report the incident.

If an animal is excluded, removed, or denied access to CSCU property, the Handler with a disability must be offered an opportunity to return to the service, workplace, event or function without the animal.

##### **2. The Handler Does Not Comply With Section VIII Handler's Responsibilities**

If the Handler violates any of the Handler's responsibilities outlined in Section VIII, such violation(s) may result in the immediate removal of the animal from CSCU property, and may be reviewed through the student conduct or appropriate employee disciplinary process, as applicable. Any violations of CSCU BOR policies are addressed in accordance with applicable policies and campus procedures.

Handlers with concerns about restriction, access denial, or removal of their Service Animal or an ESA should contact Disability Services or its equivalent, the Office of Diversity and Inclusion, or the Human Resources Department, as applicable.

## **X. Exclusions**

This policy does not apply to:

- A. Fish in aquariums no larger than 20-gallon tanks;
- B. Requests for the presence of animals within Controlled Spaces for non-educational purposes must be reviewed and approved by the campus Provost's Office, Dean of the Student Affairs Office, or their designees;
- C. Animals used in police, search and rescue operations on CSCU property;
- D. Animals trained for and used in a clinical therapeutic setting on CSCU property, such as a counseling center;
- E. Animals used in Institutional Animal Care and Use Committee approved research, education or testing of animals, based on requests by faculty for such use in accordance with CSCU policy.

## **XI. Appeals and Grievances Process**

Handlers covered by this policy who believe CSCU campuses have not met their obligations under this policy or applicable laws, are entitled to due process and appeal rights and should follow the established appeals or grievance process at the respective CSCU campus.

Any questions regarding this policy may be addressed to Disability Services or its equivalent, including the ADA/Section 504 Coordinator, the Office of Diversity and Inclusion, or the Human Resources Department at each CSCU campus, as applicable.