

Grand Valley State University Service Animal & Emotional Support Animal Policy

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 Disability Support Resources (“DSR”).

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. 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 DSR 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 public must submit the request to DSR at least 30 days before the animal is needed.

Service animals are required to be at least 12 months of age unless an exception to this requirement has been approved by DSR.

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 DSR pursuant to the procedures and standards outlined below.

1. Students who wish to bring an ESA to campus must disclose and register with DSR and submit a request through the reasonable accommodation process. While accommodation requests will be accepted and considered at any time, requests should be filed **at least 30 days** before the student intends to bring the animal to campus to ensure timely consideration. An ESA will not be allowed until formal approval has been received in the form of an accommodation memo.
2. Students must request approval for an ESA each academic year and provide updated documentation. If an animal is on campus without approval, the animal may be removed, and the student may be fined up to \$250.00.

3. The University considers each request for an ESA on an individualized basis. Upon receipt of a request for an ESA, DSR will engage in an interactive process with the student to determine if the use of the animal is a reasonable accommodation.
4. The University needs certain information from a student 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 these procedures 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.
5. Documentation demonstrating the student's need for an ESA should include the following:
 - The patient's name,
 - Whether the health care professional has a professional relationship with the patient/client involving the provision of health care or disability-related services,
 - Whether the patient has a physical or mental impairment,
 - Whether the patient's impairment(s) substantially limit at least one major life activity or major bodily function,
 - Whether and why the patient needs the animal, and
 - The type of animal(s) for which the reasonable accommodation is sought.

It is the responsibility of the student to provide appropriate documentation, including the age and type of animal. For example, a puppy is different than a dog, and a kitten is different than a cat.

6. 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.
7. Health care professionals must include professional licensing information and sign and date the documentation provided.

8. Documentation obtained from internet providers who do not have a current relationship with the student is generally not considered reliable and will not be sufficient to establish that the student has a disability-related need for an ESA. There is no formal, recognized certification of ESA and letters from internet providers will rarely provide the information necessary to support a request to have an ESA in campus housing. As noted in this policy, documentation must establish that the student has a disability, and that the accommodation of an ESA is necessary to provide the student with an equal opportunity to use and enjoy University housing.
9. If DSR approves the student's request, it will issue a memo to document its approval. Approval is granted only for the current academic year. Students who wish to continue using an ESA must submit an annual request to DSR, preferably by July 1st for the next academic year.

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 (e.g., other living-learning center or apartment rooms or buildings, dining facilities, academic buildings, athletic buildings and facilities, classrooms, labs, libraries.) Students with disabilities may request approval from DSR 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, considering 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 aggressive 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 (e.g., barking, wandering) and the handler/owner does not take effective action to control it. If the out-of-control behavior happens repeatedly, 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 damage beyond normal wear and tear to University facilities.
- C. If an animal's presence on campus is not consistent with this Policy, the University will issue a written warning to the handler/owner and permit the handler/owner to rectify the situation (i.e., correct the animal's behavior and/or adhere to the Policy's requirements.) If efforts to remediate the concern are not successful or not attempted, the animal will be removed from campus. If the University determines that an animal poses an immediate threat to the safety or health of a person or other animal, a written warning will not be issued, and the animal will be removed from campus immediately.

- D. 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.

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 ordinances, policies, practices, and procedures.
- B. **Proper Identification:** All animals are subject to local licensing and registration requirements.
- C. **Vaccination:** Animals must be immunized against diseases common to that type of animal. All vaccinations must be current and meet vaccination guidelines from the Center for Disease Control and state and local health authorities. These animals must wear a rabies vaccination tag, and, in the case of ESAs, vaccination documentation must be provided to DSR or Human Resources prior to the animal being allowed into any facilities.
- D. **Animal Health:** ESAs must have an annual clean bill of health from a licensed veterinarian, documented by vaccination documentation, medical history records, or a written statement from a veterinarian in the county of residence according to the State of Michigan requirements. Dogs and cats which are ESAs must be spayed or neutered.
- E. **Caring for the Animal:** The cost of care, arrangements, and responsibilities for the well-being of the animal are always the sole responsibility of the handler/owner. 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, except as permitted in residential living quarters. Animals cannot be confined to a vehicle, tethered, or abandoned at any time.
 - 3. Residents in University housing must ensure that animals are contained in a crate or cage within their private living quarters when the resident is absent, including attending classes or other activities. Animals may not be left with other residents in University facilities.
 - 4. Owners may not leave an animal unattended overnight in University housing or to be cared for by any individual other than the owner. If the owner is absent from

University housing overnight, the animal must accompany the owner, or other arrangements to board the animal outside of University housing must be made. Local animal control authorities will be notified and asked to remove any animal that is left overnight in housing without its owner present. Owners are strongly encouraged to have plans for alternate housing in place for their animal in the event the owner must be absent from University housing overnight, including emergencies or other unexpected events.

- F. **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.
- G. **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.
- H. **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. If 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.
- I. **Leash Requirements:** Service animals must 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.
- J. **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).
- K. **Emergency Situations:** The handler/owner is expected to follow all University procedures for emergency evacuation and participate in emergency evacuation drills. Individual needs related to the animal's presence on campus and removal during an evacuation must be arranged in advance with appropriate University personnel.
- L. **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 the following two questions:
 - a. Is the animal required because of a disability?
 - b. What work or task has the animal been trained to perform?
2. 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).
3. The handler should not be asked for documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.
4. Allergies and fear of animals are not valid reasons for denying access or refusing service to people using service animals.

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.
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. Service animals are not permitted in the following areas unless an exception has been granted by DSR:
 - 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.
3. Questions regarding areas that are off limits to service animals should be directed to DSR. Exceptions may be granted in some circumstances. In making its decision, DSR will consult with the appropriate department and/or laboratory representative regarding the nature of the restricted area, the specific research or activities being conducted in the area, and whether any additional requirements may be necessary to protect the animal. Where the threat of injury is to the health of the dog, the handler will be permitted to make the decision.

- C. **Service Animals in Training**: Service animals in training are permitted in all University facilities open to the public 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 or socializing the dog.

VII. Additional Matters

- A. **Animal No Longer Necessary**: DSR 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 meeting the needs of all people with disabilities 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 DSR.

- C. **Non-Student, Non-Employee Resident Service Animal Use:** A non-student or non-employee resident who will utilize a service animal in housing is strongly encouraged but not required to disclose this information in advance to University Housing. This will enable the University to appropriately plan for the animal's presence and answer any questions the resident may have about this policy or its requirements for service animals in housing.
- D. **Non-Student, Non-Employee Resident ESA Requests:** The approval process for a non-student or non-employee resident to utilize an assistance animal in housing is the same as for students and employees above. The individual will be required to show proof of residency in University housing to initiate the process.
- E. **Concerns:** Concerns regarding an animal covered by this policy can be brought to the attention of DSR.

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

Disputes or disagreements about a disability determination, appropriateness of accommodations, service/assistance quality, or an animal restriction should first be raised with the DSR advisor involved. If the matter cannot be resolved, a dispute resolution should be submitted to DSR.

Individuals may also file a written grievance with the University's Deputy ADA Coordinator for Grievances:

Deputy ADA Coordinator for Grievances
Division of Inclusion and Equity
4035 James H. Zumberge Hall
1 Campus Drive
Allendale, Michigan 49401
Phone: (616) 331-3296
Email: inclusion@gvsu.edu

IX. Reasonable Modifications to this Policy

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