



Policy Title	Service and Emotional Support Animals on Campus Policy
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Responsible Office	Students: Student Disability Services (SDS) Employees: Human Resources
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1. Policy Purpose Statement

Kennesaw State University (KSU) understands the benefit that Service and Emotional Support Animals provide to individuals with disabilities. In accordance with applicable state and federal law, Kennesaw State University seeks to facilitate the full participation and equal access of persons with documented disabilities who require the benefit of the work or support that such animals provide. As set forth below, this policy provides the specific protocols and guidelines for the use of Service and Emotional Support Animals at the University.

2. Background

The creation of this policy is in response to federal and state laws and the necessary compliance required of the university.

3. Scope (Who is Affected)

The Service and Emotional Support Animals on Campus Policy applies to all individuals on University property or property for the use of the University, including employees, affiliates, volunteers, students, business representatives, contractors, and visitors.

4. Exclusions or Exceptions

Under limited circumstances, other animals not covered by this policy may appear on campus. Their presence will be reviewed by University Events as part of the Event verification process when documentation is submitted for approval or as covered by other contractual relationships.

5. Definitions and Acronyms

Handler: Any person responsible for an animal or person with a disability who is the user or trainer of a Service or Emotional Support Animal.

Service Animal: The Americans with Disabilities Act defines a service animal as “any dog or miniature horse 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 individual'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; alerting individuals to the presence of allergens; 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, or companionship do not constitute work or tasks for the purposes of this definition."

(http://www.ada.gov/regs2010/titleII_2010/titleII_2010_regulations.htm#a35136). Pursuant to Georgia law, a person training or raising a service dog has the same rights to have the dog accompany them as would a disabled person using the dog for assistance, so long as the trainer is identified as an agent or employee of a school for service dogs (See: OCGA 30-4-2(2) & (3)).

Emotional Support Animal or Assistance Animal: Any animal that is specifically designated by a licensed healthcare provider as affording an individual with a disability an equal opportunity to use and enjoy a dwelling provided there is a nexus between the individual's disability and the assistance the animal provides.

Emotional support animals are not pets. Their use is limited to University housing, and they are prohibited in other areas of the University (e.g., academic buildings, classrooms, libraries, student center), unless they also qualify as a Service Animal.

Pet: A "Pet" is an animal kept for ordinary use and companionship or present on campus under an Exception or Exclusion as referenced above in Section 3. A pet is not considered a Service or Emotional Support Animal. With the exception of fish who exist in a properly maintained aquarium that does not exceed 10 gallons, pets are not permitted in University housing, and are only allowed on University property if all of the following conditions are met: (1) the pet is leashed and/or under the control of a handler at all times; (2) the handler cleans up after the pet; (3) the pet is only taken to outdoor common areas that are not being used at the time for an event (unless pets are specifically authorized during the event) and that are not sports fields.

6. Policy

A. Access

All individuals on KSU property or property for the use of the University, including employees, affiliates, volunteers, students, business representatives, contractors, and visitors, are generally prohibited from bringing animals into any buildings or other controlled spaces on University property, unless otherwise noted. However, individuals with disabilities are allowed to bring Service or Emotional Support Animals onto University property subject to the provisions below.

1. Service Animals:

Individuals with disabilities are permitted to be accompanied by their Service Animal in all areas where their official activities take place and where members of the public, participants in services, programs, or activities, are allowed to go. However, there are

specific locations and activities on University property where all animals are prohibited for safety and health reasons. These areas may include, but are not limited to:

- a. Research laboratories where the presence of the dog may negatively impact the outcome of the research or where certain chemicals may be harmful to the dog;
- b. Mechanical rooms/custodial closets, such as boiler rooms, electrical closets, elevator control rooms, technology control rooms, and similar spaces;
- c. Areas where protective clothing and gear is required; and
- d. Food preparation areas (except for food preparation areas in residence halls, to the extent the Service Animal is necessary for a resident to use the area).

Student Disability Services or Human Resources will coordinate with units that restrict access of service animals to a specific facility to provide appropriate notice to all members of the community and the public at large that those facilities are service-restricted areas.

2. Emotional Support Animals

Emotional Support Animals are permitted only in the Handler's on-campus assigned dwelling. Emotional Support Animals are not allowed in any other buildings on KSU property, nor are they allowed in other controlled spaces on campus. Emotional support animals may be walked in the same areas and manner as pets (see above).

B. Registration

A student, employees, affiliate, volunteer, business representative, contractor, or visitor who wishes to bring a Service Animal onto KSU property, other than housing, need not request the University's permission to allow the presence of a Service Animal on University property. The Handler is requested to notify the University of the need for a Service Animal's presence in advance of coming to campus with the animal. The individual may be asked, "Is the service animal required because of a disability?", and "What work or task has the service animal been trained to perform?"

Students that require the presence of a Service or Emotional Support Animal in their on-campus residence must obtain approval from Student Disability Services and the Department of Housing and Residence Life at least 30 days before moving into on-campus housing. Individuals intending to bring an Emotional Support Animal on campus will be required to provide documentation from a medical professional that the animal provides support that alleviates the identified symptoms or effects of the individual's disability. Registration forms for Emotional Support Animals can be found at SDS offices.

C. Criteria for Determining if the Presence of the Animal is a Reasonable Accommodation

1. Any request for an animal may be denied if granting the request would impose an undue financial and administrative burden on the University or fundamentally alter the nature of the University's operations. If a request is denied, the University will discuss alternative accommodations that would not impose such a burden or result in fundamental alteration.
2. KSU may consider the criteria below in determining whether the presence of the animal is reasonable in the making of housing assignments for individuals with Emotional Support Animals.
 - 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 that individual's housing (e.g., serious allergies);
- Whether the animal's presence otherwise violates individuals' right to peace and quiet enjoyment; and
- Whether the animal is housebroken or is unable to live with others in a reasonable manner.

D. Responsibility

KSU is not responsible for the care or supervision of any Service or Emotional Support Animal. The failure of a Handler to adhere to the provision of this policy may result in the Handler's being required to remove their animal.

1. Unattended Animals

Animals may not be left unattended at any time on University property, except for Service or Emotional Support Animals left in the Handler's assigned University residence by the Handler. The animal may only be left unattended for reasonable periods of time and not neglected, whereby the animals health may be impacted, as determined by the residence director. An Emotional Support or Service Animal left for longer than a reasonable period of time may be impounded by the University police. A Handler who leaves the Emotional Support or Service Animal unattended for longer than a reasonable period of time will receive one warning, and if the behavior occurs a second time, the Handler will be required to remove the animal from campus and prohibited from bringing the animal back onto University property.

Animals may not be tied or tethered to any University property, including but not limited to buildings, railings, bike racks, fire hydrants, fences, sign posts, benches, and trees, and may not be allowed to run loose anywhere on campus.

2. Disruption

Animals must not be allowed to disrupt or interfere with University activities, including but not limited to the communal living in the University's residences, teaching, research, service, or administrative activities. If the animal is unruly or disruptive, or if the Handler fails to maintain control of the animal, the Handler must regain control immediately or remove the animal from the University property. If the improper behavior continues or happens more than once, the Handler may be prohibited from bringing the animal onto University property, in the determination of the Chief of Police, the Dean of Students (for students), the Assistant Vice President of Campus Services (for on-campus residents), or the Assistant Vice President of Human Resources (for employees). In the event an animal is banned, the University will engage as needed in a good faith process with the individual to identify other accommodations that will effectively allow the individual to participate in the program, service, or activity.

3. Health and Safety

KSU may remove any animal that it deems to be a risk to the health and safety of community members. This includes, but is not limited to, any animal that has injured or threatened to injure any individual or other animal.

4. Laws and Policies

The Handler must abide by current city, county, and state ordinances, laws, and regulations pertaining to licensing, vaccination, and other requirements for animals. It is the Handler's responsibility to know and understand these ordinances, laws, and regulations. The University has the right to require documentation of compliance with such ordinances, laws, and regulations, which may include a vaccination certificate. The University reserves the right to request documentation showing that the animal has been licensed. Additionally, the owner must abide by all equally applicable residential policies, such as assuring that the animal does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside there.

Animals in University housing must have an annual clean bill of health from a licensed veterinarian. Documentation must be filed on an annual basis with Student Disability Services, and can be a vaccination certificate for the animal or a veterinarian's statement regarding the animal's health. The University has authority to direct that the animal receives veterinary attention.

5. Control

A Service Animal shall be under the control of its Handler. A Service Animal shall have a harness, leash, or other tether, unless either the Handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the Service Animal's safe, effective performance of work or tasks, in which case the Service Animal must be otherwise under the Handler's control (e.g., voice control, signals, or other effective means).

The Handler is financially responsible for the actions of that individual's animal, including bodily injury or property damage. The Handler's responsibility covers, but is not limited to, replacement of furniture, carpet, window, wall covering, and the like. The owner is expected to cover these costs at the time of repair and/or move-out.

6. Cleanliness

All animals, except those exclusively confined to cages, shall be housebroken. Any animal that is not housebroken may be excluded from KSU facilities. In the event of an isolated incident, the Handler is responsible for immediately cleaning up and disposing of bodily fluids or solid wastes whether indoors or outdoors.

The Handler is responsible for cleaning up all liquid and solid dog waste unless the Handler is physically unable to perform the cleanup. The Handler should have appropriate cleanup materials and disposal bags available at all times. Used cleanup materials should be disposed of by tying securely in a plastic bag and depositing in an outdoor waste container.

Any Handler who is physically unable to perform the necessary cleanup must make satisfactory arrangements for a third party to perform all actions required by this paragraph. It is the responsibility of the Handler to make such arrangements, and all costs for additional cleanup or repairs will be the responsibility of the Handler.

The Handler's residence may be inspected for fleas, ticks, or other pests as needed. KSU staff will schedule the inspection. If fleas, ticks, or other pests are detected through

inspection, the residence will be treated using approved fumigation methods by a University approved pest control service. The Handler will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls.

7. Treatment

Any evidence of mistreatment, abuse, neglect, or leaving the animal unattended for unreasonably long periods of time may result in immediate removal of the animal as well as discipline for the responsible individual pursuant to the University Student Code of Conduct and any housing-related sanctions.

E. Appeals

Any Handler dissatisfied with a decision concerning an animal may appeal through the University's established grievance procedures.

7. Associated Policies/Regulations

- a. [Americans with Disabilities Act](#)
- b. [Fair Housing Act](#)
- c. [Section 504 of the Rehabilitation Act of 1973](#)
- d. [Official Code of Georgia Annotated](#) (O.C.G.A.) § 30-4-2, Right to equal public accommodations; right to be accompanied by guide dog or service dog

8. Procedures Associated with this Policy

[Student Disability Services](#)

9. Forms Associated with this Policy

[Intake Form and Documentation Guidelines maintained by Student Disability Services](#)

10. Violations

Students in violation of this policy may be referred to the Department of Student Conduct and Academic Integrity. Faculty or staff members in violation of this policy may be referred to Human Resources.

If a Service or Emotional Support Animal is banned from university property, the individual with a disability will have the right to engage in an interactive process to determine if effective participation can occur with other appropriate accommodations.

Any animal found unattended in or on any university property (other than Emotional Support or Service Animal in a Handler's residence left for a reasonable period of time) may be impounded. Handlers of impounded animals will be held responsible for payment of any impound and/or license fees required to secure the release of their animals.

Any Handler whose animal causes damage to property may be charged for replacement and repair of university or other individuals' assets, including grounds, personal property and improvements.

Any members of the university community who interfere with a Service Animal or the duties it performs, or with an Emotional Support animal, may face sanctions under appropriate misconduct charges.

11. Review Schedule

Division of Legal Affairs will review the Service and Emotional Support Animals on Campus Policy annually.