

The University of San Francisco

Student Disability Services

Service / Emotional Support Animal (ESA) Policies

AVAILABLE IN ALTERNATE FORMATS UPON REQUEST

Student Life

Gleeson Library LL 20

2130 Fulton Street

San Francisco, CA 94117

Voice: (415) 422-2613

TDD: (415) 422-5834

Fax: (415)422-5906

E-Mail: sds@usfca.edu

Website: <http://www.usfca.edu/sds/>

SERVICE ANIMAL POLICY

USF is committed to compliance with state and federal laws regarding individuals with disabilities. Student Disability Services (SDS) is committed to supporting students who require a service animal. The following is a guide for students who request the presence of a service animal on campus.

What is a service animal? A service animal is a dog (or in some cases a 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.

The work or task that the service animal performs must be directly related to the individual's disability. Examples include assisting individuals with low vision and alerting individuals who are hearing impaired. Service animals may also be needed to pull a wheelchair, retrieve items such as medicine or a telephone, recognize and assist during seizures, and prevent or interrupt compulsive or destructive behavior.

Animals whose presence provide emotional support, companionship or comfort but are not individually trained to do work or tasks in response to an individual's disability are not considered service animals. See USF's policy on Assistance Animals, if you feel you have a disability and believe you require an assistance animal for emotional support or comfort.

Service animals are exempted from the University's policy of no animals on campus and are allowed in all places of public accommodation. This includes campus buildings, residence halls, and anywhere on campus they are needed to assist an individual with a disability to participate in educational programs and other campus activities.

Service animals must be under effective control at all times and cannot harm or threaten others in the campus community; including faculty, staff, students and guests. Consistent with federal and state law, a service animal may be prohibited from university facilities or programs if the animal's behavior or presence poses a direct threat to the health or safety of others. The animal may also be excluded from areas where its presence fundamentally alters the nature of a program or activity, if the animal is disruptive, if its presence would result in substantial physical damage to the property of others, or if it substantially interferes with the reasonable enjoyment of housing or public accommodation by others. Service animals must be housebroken and cleaned up after. Animals may only relieve themselves in designated areas as defined by Facilities Management.

Students who are approved to have a service animal on campus are strongly encouraged to register with SDS.

EMOTIONAL SUPPORT ANIMAL (ESA) POLICY

USF is committed to compliance with state and federal laws regarding individuals with disabilities. The following is a guide for students who request the presence of an assistance animal, as defined by applicable law, in their campus residence. USF abides by both state and federal law regarding its housing policies, including the following:

Under the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973, “individuals with a disability may be entitled to keep an assistance animal as a reasonable accommodation in housing facilities that otherwise impose restrictions or prohibitions on animals. The assistance animal must be necessary to afford the individual an equal opportunity to use and enjoy a dwelling or to participate in the housing service or program. Further, there must be a relationship, or nexus, between the individual's disability and the assistance the animal provides.”

Assistance animals, which are defined under the Fair Housing Act, provide necessary emotional support to individuals with disabilities, and alleviate one or more identified symptoms or effects of a person’s disability, who have established the need for such an animal. Assistance animals are not required to have special training for work or tasks. The regulations permitting assistance animals pertain only to on-campus residential living facilities. Assistance animals are not permitted in non-residential facilities including but not limited to academic buildings, offices, and classrooms.

Service animals, which are generally limited to dogs, are defined under the American with Disabilities Act and have special training to provide services or tasks for individuals with Disabilities. Unlike assistance animals, they are allowed to accompany the individual with a disability in public places. If you require a service animal, please refer to the separate guidelines “Service Animals for Students with Disabilities.”

There are three requirements that need to be met in evaluating a request for an assistance animal. First, you need to establish that you have a disability that limits you in one or more major life activities as defined under state and federal law. Individuals who do not have a disability are not eligible for an assistance animal. Second, the animal must be necessary to afford you with an equal opportunity to use and enjoy your campus residence. Third, you need to provide information that demonstrates why an assistance animal is a reasonable accommodation for your disability. In other words, there needs to be an identifiable connection between your disability and the assistance the animal provides.

Student Disability Services (SDS) recommends you provide information from a medical professional, a psychiatrist, psychologist, social worker, or other person who is qualified to

diagnose and assess your disability. They should be familiar with you and able to identify the major life activity or activities in which you experience a limitation or limitations. These health care professionals should also describe the connection between your disability and your need for an assistance animal, and describe how the assistance animal is of benefit. However, SDS will also consider information from other sources.

If your disability is not considered permanent, you may need to reapply each academic year for continued permission to have an assistance animal.

What rules and expectations pertain to assistance animals? There are some rules that apply to assistance animals, and failure to follow them can result in the loss of permission to keep an assistance animal in your residence. The rules include:

- Assistance animals must comply with state and local animal regulations, including license and vaccination requirements depending on the type of animal. This includes animals from other countries as long as they meet any customs/federal regulations concerning animals entering the U.S.
- Assistance animals should be under effective control at all times and may not pose a danger or threat to the health or safety of other students, staff, faculty or guests.
- Assistance animals cannot fundamentally alter the nature of the University's programs, activities or operations.
- Assistance animals cannot create a nuisance to or distract from other students' use of the residence. Residence halls are places of study, so animals must not make excessive noise or cause disruption.
- Assistance animals need to be kept in clean, sanitary and safe conditions. This responsibility falls on the student and the university assumes no liability for the animal. All animals must be properly cared for which includes food, medical treatment, clean living space, etc. Abuse and neglect of animals may result in a formal complaint and possibly ultimate removal from your campus residence.
- Students are responsible for complying with all applicable laws and regulations concerning their assistance animals, including vaccination, licensure, leash control laws, cleanup rules, and animal health.
- Assistance animals do not require a deposit, but you are responsible for costs associated with any damage caused by your assistance animal. Damage includes pests (fleas, ticks) and additional wear and tear on carpets, furniture and university property.
- Assistance animals are not permitted general access to campus areas other than your residence. Assistance animals may use a designated area to relieve themselves provided they are under effective owner control at all times.
- Assistance animals may not be left in the care of another residential student overnight and/or during university breaks. Alternative arrangements must be arranged.

- Owners are responsible for properly containing and disposing of all animal waste. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and tied securely before disposing of in an outside trash receptacle. Outdoor animal waste, such as dog feces, must be immediately retrieved by the owner, placed in a sturdy plastic bag and securely tied before disposing of in an outside trash receptacle.
- Owners must ensure that preventative measures should be taken at all times for flea and odor control. Consideration of others must be taken into account when providing maintenance and hygiene to assistance animals. As per housing policy, Student Housing and Residential Education (SHaRE) staff inspect residential rooms during winter break and upon student move-out. If fleas or ticks are detected, the unit will be treated using an approved method and the resident will be billed for the expense.
- Assistance animals are not allowed to go on university sponsored international trips. Many countries do not have similar disability laws to the U.S., and the laws regarding assistance animals pertain only to U.S. housing accommodations and may not necessarily extend to other countries.
- Students who are approved to have an assistance animal on campus must sign an agreement with SDS, which will be on file with the SDS Office and Student Housing and Residential Education (SHaRE). The agreement will incorporate the rules and expectations with caring for an assistance animal on campus. It will also provide an emergency contact and will name a person responsible for the animal should the student be unable to take care of the animal.

If a student fails to comply with the policies, then Student Housing and Residential Education (SHaRE) will investigate any complaints and will work with SDS to resolve any issues or concerns. If a determination is made that the animal should be removed, a joint letter will be sent to the student from the SHaRE and the SDS Office. If the student refuses to remove the animal from his or her campus residence after such a determination has been made, the issue will be referred to the Office of Student Rights & Responsibilities (OSCRR) for proceedings under the Student Conduct Code.