THE UNIVERSITY OF ALABAMA IN HUNTSVILLE

SERVICE ANIMAL AND EMOTIONAL SUPPORT ANIMAL POLICY

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Division Student Affairs

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Purpose The University of Alabama in Huntsville ("UAH" or "University") is committed to compliance with state and federal laws regarding students with disabilities. This policy addresses reasonable accommodation for students with disabilities who require the use of service or emotional support animal.

Policy Service animals assisting individuals with disabilities are generally permitted in all facilities, UAH-owned housing, transit vehicles, and programs on the UAH campus that are open to the public or students.

Emotional support animals are generally permitted only in UAH-owned housing and only when it is necessary to afford an individual with a disability an equal opportunity to use and enjoy UAH-owned housing, provided certain conditions, described herein, are met.

All requests for emotional support animals should be directed to the Senior Coordinator of Disability Support Services at 256-824-1997, dss@uah.edu, or 128 Wilson Hall. The University will determine, on a case-by-case basis, and in accordance with applicable laws and regulations, whether the animal is a reasonable accommodation on campus. In doing so, the University must balance the needs of the individual student with the impact of animals on other campus patrons.

I. Definitions

Disability is defined as a physical or mental condition or impairment that is medically cognizable and diagnosable, and that substantially limits one or more of a person's major life activities. These limitations may include: caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning. A person is substantially limited in major life activities if the individual is unable to perform the activity, or is significantly restricted as to the manner in which he or she can perform that activity, when compared to the average person. Acceptable documentation of a disability can be from either a

medical or mental health provider. It should verify the disability as well as the need for an emotional support animal.

Emotional Support Animal (ESA), sometimes called a therapy animal or companion animal, is an animal that is necessary to afford the student with a disability an equal opportunity to use and enjoy UAH-owned housing and provides therapeutic benefit to an individual with a mental or psychiatric disability upon the recommendation of the student's physician, psychiatrist, social worker, or other licensed mental health professional. An ESA provides emotional support that alleviates one or more identified symptoms of the owner's disability. An ESA is limited to the student's specific residence assignment and designated outdoor areas on campus and is not permitted in academic buildings and other campus facilities. An ESA must be housebroken and under the control of their handler at all times.

Pet is an animal kept for ordinary use and companionship. A pet is not considered a service animal or emotional support animal; therefore, it is not covered by this policy. Students are not allowed to have pets in University buildings. .

Service Animal is defined by the Americans with Disabilities Act (ADA) as a dog[1] that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this policy. Work or tasks performed by the service animal must be directly related to the handler's disability. Examples include, but are not limited to:

- pulling a wheelchair,
- 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,
- 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

[1] Although not a "service animal," the use of a miniature horse by an individual with a disability is permitted under the ADA in limited circumstances.

- 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. Therapy animals and companion animals are not service animals under the ADA.

II. Responsibility of Persons with Service Animals and Emotional Support Animals

Care and Supervision

Care and supervision of a service animal or emotional support animal is the responsibility of the individual who benefits from the animal's use. The care, arrangements and responsibilities for the service or emotional support animal, and the costs associated with the same, are the sole responsibility of the owner at all times.

Hygiene and Cleanliness

Service animals and ESAs must be clean. Daily grooming and occasional baths should be utilized to keep animal odor to a minimum. Adequate flea prevention and control must be maintained. If an animal's odor is offensive to other individuals, the owner will be directed to bathe the animal before returning to the facility. Repeated occurrences may result in the animal being temporarily barred from the facility until steps are taken to comply with the rules regarding cleanliness.

The owner/handler is also responsible for ensuring the clean-up of the animal's waste and, when appropriate, must toilet the animal in areas designated by the University consistent with the reasonable capacity of the owner. If a disability prevents the owner/handler from cleaning up after a service animal, this information must be provided to Disability Support Services (DSS) if a student, the Office of Human Resources if an employee, or the Disability Support Services for all other circumstances. Those offices will work with the individual with a disability on reasonable modifications to this rule.

Control

The owner/handler is required to maintain control of the animal at all times. A service animal or emotional support animal must have a harness, leash, or carrier. If the handler is unable to use a harness, leash or carrier due to the handler's disability, the service animal or ESA must be otherwise under the handler's control. If the animal is not under the control of the handler, the University reserves the right to have the animal removed until such time as the animal is under the handler's control.

Vaccination

All individuals must abide by current city and state ordinances/laws pertaining to licensing and vaccination requirements for animals. It is the responsibility of the owner/handler of the animal to know about and comply with these ordinances and/or laws, some of which are noted below. ESAs that are cats and dogs must have current vaccination against rabies and wear a rabies vaccination tag. Local licensing and vaccination requirements are followed and must be kept up-to-date.

Licensing

Madison County, including the City of Huntsville, requires all dogs and cats more than four (4) months old to be licensed. ESA must wear license tags at all times which verify that the rabies shots required by law have been given.

Health

ESAs to be housed in university housing must have an annual clean bill of health from a licensed veterinarian. Documentation can be an annual vaccination certificate for a dog or a cat or a veterinarian's statement regarding the animal's health for an animal that is not a dog or a cat. The University has authority to direct that the animal receives veterinary attention.

Other Conditions

The University may place other reasonable conditions or restrictions on animals brought on to campus, depending on the nature and characteristics of the animal.

Liability

The owner/handler of an animal is personally responsible for any damages to a facility or sponsored event due to that animal. Owners are financially responsible for the actions of service or

ESAs including bodily injury, property damage, cleaning and/or replacement of furniture, carpet, blinds, and any and all other damages which may arise.

III. Service and Emotional Support Animals Permitted on Campus and Exceptions

Individuals with disabilities may be accompanied by their service animals on the campus of UAH, where members of the public or participants in services, programs, or activities are allowed to go. ESAs are limited to the residence of the student and outdoor public areas.

The University may exclude a service animal or ESA from University facilities and housing if the animal is not housebroken (or the owner/handler fails to clean the designated cage or litter box, such that the cleanliness of the room is not maintained); would cause substantial physical damage to the property of others; would pose a direct threat to the health or safety of self or others; or is not being cared for or under control of the owner/handler.

Service animals are permitted to accompany the student owner/handler anywhere the student owner/handler goes on campus except where an animal might compromise a sterile environment (such as an operating room or burn unit). Service animals may be excluded in areas where the presence of the animal fundamentally alters the nature of a program or activity. ESAs are generally permitted only in UAH-owned housing and may be excluded where the presence of the animal fundamentally alters the nature of the program or activity or presents a safety hazard.

IV. Verification of Disability and Need for a Service Animal

If a person has an animal with them and it is not clear what service the animal is providing, UAH officials may ask two questions:

- Is the animal a service animal required because of a disability?
- What work or task has the service animal been trained to perform?

V. Responsibilities of Individuals with Service Animals or Emotional Support Animals

The University is not responsible for the care or supervision of a service animal or ESA. Individuals with disabilities are responsible for the control of their animals at all times and for ensuring the immediate clean-up and proper disposal of all animal waste. Individuals must comply with all applicable laws and regulations, including vaccination, licensure, animal health and leash laws, as well as the University's rules and in lease provisions regarding vaccination, licensure, leash control, cleanup rules, animal health, and community relationships.

Review

Disability Support Services and University Housing is responsible for the review of this policy every five (5) years (or whenever circumstances require).