



Service and Emotional Support Animals

Responsible Executive: Executive Director of the Office of Equal Opportunity and Access

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Effective: May 13, 2024

Last Revised: October 3, 2024

1. Policy Statement

- 1.1. Oregon State University (university) welcomes the use of Service Animals by individuals with disabilities as needed to facilitate their full participation and equal access to the university's programs, services, and activities.
- 1.2. The university welcomes the use of Emotional Support Animals by individuals with disabilities through accommodation processes.

2. Reason for Policy

- 2.1. Oregon State University recognizes the importance of Service and Emotional Support Animals to individuals with disabilities and complies with the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act, and all other applicable state and federal civil rights laws.

3. Scope & Audience

- 3.1. This University Policy applies to all university employees, students, contractors, volunteers, visitors, and anyone on university-owned or -controlled property.
- 3.2. This University Policy only describes policies and procedures related to Service Animals and Emotional Support Animals.
 - 3.2.1. Therapy Animals as defined in Section 4.5 are excluded from the scope of this policy.
 - 3.2.2. Service Animals and Emotional Support Animals are not pets; pets and other animals are regulated by University Standard 07-030 *Animals on Campus*.

4. Definitions

- 4.1. **Emotional support animal:** An Emotional Support Animal may provide emotional support, calming, or stability that alleviates or reduces one or more identified symptoms or effects of a person's disability. Emotional Support Animals do not perform work or tasks that would qualify them as "Service Animals" under the ADA or this University Policy.
 - 4.1.1. Unlike Service Animals, Emotional Support Animals are not often formally trained to do specific disability-related tasks.
 - 4.1.2. Emotional Support Animals may be any kind of animal commonly kept in households and allowed within state, county, or municipal regulations.
- 4.2. **Handler:** A person with a disability assisted by a Service Animal or Emotional Support Animal, a personal care attendant who handles the animal for the person with a disability, or a person training a Service Animal.
- 4.3. **Person in charge:** For the purposes of this University Policy, a university employee in a position of authority. These persons may include but are not limited to public safety officials, building managers, event management staff, university-operated housing staff, and teaching faculty.
- 4.4. **Service animal:** A dog, 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, and that meets the definition of "Service Animal" under the ADA at 28 CFR 35.104. The work or tasks performed must be directly related to the individual's disability.
 - 4.4.1. Under circumstances set forth in the ADA, a miniature horse may serve as a Service Animal if approved by Disability Access Services (DAS) for students or the Office of Equal Opportunity and Access (EOA) for all other persons. Any mention of dogs in this University Policy extends to miniature horses.
 - 4.4.2. Work or tasks that do not meet the Service Animal definition include, but are not limited to:
 - a. An animal serving as a crime deterrent.
 - b. An animal trained in specific tasks that are not related to the Handler's specific disabilities.
 - c. An animal providing emotional support, well-being, comfort, or companionship.
- 4.5. **Therapy animal:** An animal, most often a dog, that has been trained to be used by specific practitioners in interactions with people in a therapeutic or public venue.

4.6. **University facility:** Any university-owned or -controlled building.

5. Responsibilities & Procedures

5.1. Service Animals

5.1.1. The university welcomes Service Animals in its university facilities, recreational facilities, activities, programs, and events when accompanied by:

- a. An individual with a disability for whom the Service Animal is trained to provide, and does provide, a specific service to them that is directly related to their disability, or
- b. An individual who is training the animal on tasks related to a disability with the intent of becoming a fully trained Service Animal.

5.1.2. Service Animals are not required to:

- a. Wear a vest or other identification that indicates they are a Service Animal.
 - i. Handlers may consider having the animal wear some type of commonly recognized identification symbol, identifying the animal as a Service Animal, while not disclosing the disability.
- b. Be certified by or registered with the university.
 - i. Handlers may consider obtaining a free university ID card for their Service Animal by contacting DAS (students) or EOA (all others).

5.2. University Inquiries Regarding Service Animals

5.2.1. Only Persons in Charge may question an individual about a Service Animal. Persons in Charge may not ask about the nature or extent of a person's disability, or ask for proof of a disability, but may ask two questions to determine whether an animal qualifies as a Service Animal:

- a. If the animal is required because of a disability, and;
- b. What work or task the animal has been trained to perform related to the disability.

5.2.2. Generally, a Person in Charge should not inquire about a Service Animal if it is readily apparent that the animal is trained to do work or perform tasks for an individual with a disability.

- 5.2.3. Persons in Charge are prohibited from requiring documentation about the Service Animal, such as proof that the animal has been certified, trained, or licensed as a Service Animal.

5.3. Service Animals in Training

- 5.3.1. In Oregon, a dog being trained to be a Service Animal (*i.e.*, to perform specific work or tasks for an individual with a disability) has the same rights as a fully trained Service Animal when accompanied by a Handler. Handlers of Service Animals in training are subject to the same requirements as Handlers of Service Animals.
- 5.3.2. Generally, dogs that are being socialized or housebroken are not Service Animals in training.

5.4. Emotional Support Animals

- 5.4.1. In contrast to Service Animals, Emotional Support Animals must be approved as a reasonable accommodation by DAS or EOA before being allowed in a university facility. Some of the factors used to decide whether a specific animal is reasonable include:
 - a. Whether the animal is appropriate for the requested environment.
 - b. Whether the animal is commonly kept in households.
 - c. Whether the animal is necessary for the individual to have equal access in the requested environment.
- 5.4.2. Emotional Support Animal in university-operated housing.
 - a. Students living in university-operated housing must request Emotional Support Animal accommodations by following DAS's [Steps for Requesting Housing Accommodations](#).
 - b. Employees and non-students living in university-operated housing must request Emotional Support Animal accommodations by following EOA's [Request for Accommodations](#).

5.5. Handler Responsibilities and Control Requirements

- 5.5.1. Handlers are responsible for any damage caused by or because of their animals, beyond normal wear and tear.
- 5.5.2. Handlers are responsible for injuries caused by their animals and must take appropriate precautions to prevent property damage or injury.

- 5.5.3. The cost of care, arrangements, and responsibilities for the well-being of an animal are the sole responsibility of the Handler.
- 5.5.4. The Handler is responsible for understanding and abiding by city, county, and state and any federal ordinances, laws, and regulations pertaining to licensing, vaccination, and other requirements for animals.
- 5.5.5. Service Animal Handlers.
 - a. Students who plan to live in university-operated housing facilities must register with DAS and then follow appropriate procedures for informing DAS and University Housing and Dining Services (UHDS) about the Service Animal. Advance notice may allow more flexibility in meeting students' specific requests for housing.
 - b. For Service Animals, Handlers must:
 - i. Where appropriate, keep the animal on a leash when not providing a needed service to the Handler.
 - ii. Ensure the animal responds to commands at all times and is under full control of the Handler.
 - iii. To the extent possible, ensure the animal is unobtrusive to other individuals and the learning, living, and working environment. See FAQ 7.4 for additional information.
 - c. **While not required**, communicate with DAS (for students) or EOA (for employees) before bringing a Service Animal into a university facility.
- 5.5.6. Emotional Support Animal Handlers.
 - a. For approved Emotional Support Animals, Handlers must:
 - i. Where appropriate, keep the animal on a leash.
 - ii. Ensure the animal is under the Handler's control at all times.
 - iii. To the extent possible, ensure the animal is unobtrusive to other individuals and the learning, living, and working environment.
 - b. In university-operated housing facilities, Handlers must:
 - i. Crate or otherwise safely contain the animal within their assigned room when not present. Animals must not roam free or enter other students' rooms.

- ii. Provide current vaccination records for their animal upon request.
- iii. Perform animal grooming and cleaning of animal environments (*e.g.*, cages, aquariums) according to UHDS guidelines.
- iv. Refrain from using live feed, which is prohibited in UHDS residence halls.

5.5.7. Waste cleanup.

- a. Cleaning up after the animal is the sole responsibility of the Handler. If the Handler is not physically able to clean up after the animal, it is the responsibility of the Handler to find someone capable of cleaning up after the animal regularly and promptly.

5.5.8. Emergency response and care plan.

- a. Handlers must ensure the animal has a care plan in place that includes a local emergency contact in the event of an emergency where the Handler may be incapacitated or otherwise unable to care for the animal.
 - i. The local emergency contact must be able to care for the animal off university property while the Handler is incapacitated or otherwise unable to care for the animal.
 - ii. If the local emergency contact does not respond or is unavailable to assist, the university has the right to remove the animal. Animal removal will follow procedures established by EOA.

5.6. Removal of Service Animals and Emotional Support Animals

5.6.1. Animals may be ordered removed by a Person in Charge for the following reasons:

- a. **Out of control animal.** If directed, a Handler must remove an animal that is out of control and the Handler has not taken immediate effective action to control it. Whether an animal is out of control is at the discretion of the Person in Charge.
- b. **Not-housebroken animal.** If directed, a Handler must remove an animal that is not housebroken. The Handler will be held responsible for cleaning up wherever an animal waste accident happens.
- c. **Unhygienic animal.** A substantial lack of cleanliness of the animal may result in the Handler being directed to remove the animal.

- d. **Abandoned animal.** The university may remove an animal that is left anywhere on university property without a Handler present, unless a local emergency contact is imminently responding pursuant to an emergency response and care plan.
 - e. **Direct threat.** If directed, a Handler must remove an animal that the university determines to be a substantial and direct threat to the health and safety of others. This may occur as a result of a very ill animal, an animal acting in an aggressive or threatening manner, or the presence of an animal in a sensitive area like a medical facility, certain laboratories, or mechanical or industrial areas.
- 5.6.2. If the improper animal behavior(s) happens repeatedly, the Handler may be prohibited from bringing the animal into any university facility until the Handler can demonstrate to the Person in Charge who ordered the removal or their designee that they have taken significant steps to mitigate the behavior(s).
- 5.6.3. In the event a Handler is not cooperating regarding removal of the animal, the Person in Charge should not separate or attempt to separate a Handler from their animal. The Department of Public Safety, local law enforcement, or both may be called to help address the situation. Where an animal is removed pursuant to this University Policy and no longer permitted, the university will work with the Handler to determine reasonable alternative opportunities to participate in the service, program, or activity without having the specific animal on the premises.
- 5.6.4. Special considerations when removing a Service Animal.
- a. When a Service Animal is removed pursuant to this Section, or when the presence of the Service Animal constitutes a fundamental alteration to the nature of a program, service, or activity, the university may require removal of the Service Animal. Disability Access Services (DAS) for students, or Equal Opportunity and Access (EOA) for employees and non-students should be consulted to help make these determinations on a case-by-case basis.

5.7. **Conflicting Disabilities**

- 5.7.1. Some people may have allergic reactions to animals that are substantial enough to qualify as disabilities. In the event of a person with a severe animal allergy having to be in close proximity to a Service Animal or Emotional Support Animal, the university will consider the needs of both persons in

meeting its obligations and will attempt to resolve the problem as efficiently and expeditiously as possible.

- a. Programs in receipt of a conflicting allergy accommodation request should consult with EOA.

5.7.2. The person asserting a conflicting allergy (or other conflicting medical condition) will be required to provide appropriate medical documentation identifying the condition(s) and need for an accommodation.

- a. Students requesting allergy accommodations should contact DAS.
- b. Employees requesting allergy accommodations should contact EOA.

5.8. Appeals

5.8.1. Students.

- a. Any student dissatisfied by an accommodation decision wishing to appeal should follow the [Disability Access Services Grievance Procedures](#).
- b. Any student wanting to appeal the removal of a Service Animal or Emotional Support Animal from a residence hall should follow the procedure established by UHDS or the relevant university housing and dining unit if not UHDS.
- c. Any student wanting to appeal the removal of a Service Animal or Emotional Support Animal from university property should contact the Person in Charge who ordered the removal of the animal.

5.8.2. All other persons.

- a. All other persons who are dissatisfied by a decision regarding a Service Animal or Emotional Support Animal should follow procedures established by EOA.

5.8.3. Nothing in Section 5.8 of this University Policy prohibits a person from filing a disability-related discrimination complaint with EOA using the process outlined in University Policy 04-110 *Discrimination and Discriminatory Harassment*.

6. Forms & Tools

6.1. None.

7. Frequently Asked Questions

7.1. *Question: Can any university employee inquire about a Service Animal?*

Answer: Only the Person in Charge may inquire about a Service Animal. Each facility should designate one person (for example, a building manager) as the Person in Charge who will inquire about the presence of an animal for that particular facility. Repeated inquiries due to an uncoordinated procedure for the facility can have an unwelcoming and chilling effect on the person using the Service Animal, which is contrary to the mission of the university.

7.2. *Question: What work or tasks are Service Animals trained to perform?*

Answer: The kind of work or tasks a dog can be trained to perform is constantly growing, including many tasks for individuals with non-apparent disabilities. The following list is not exhaustive, but a sample of related tasks:

- 7.2.1. Assisting individuals who are blind or have low vision with navigation and other tasks,
- 7.2.2. Alerting individuals who are deaf or hard of hearing to the presence of people or sounds,
- 7.2.3. Pulling a person's wheelchair, pressing automatic door buttons, opening doors,
- 7.2.4. Alerting and protecting an individual during a seizure,
- 7.2.5. Alerting individuals to the presence of allergens,
- 7.2.6. Reminding someone to take prescribed medicine,
- 7.2.7. Providing physical support and assistance with balance and stability, and
- 7.2.8. Helping persons with psychiatric and neurological disabilities by preventing, responding to, interrupting, or redirecting impulsive or destructive behaviors.

7.3. *Question: What does "unobtrusive" mean in Sections 5.5.5 and 5.5.6?*

Answer: To be unobtrusive, the Handler should ensure that the animal does not:

- 7.3.1. Sniff people, food, or the personal belongings of others, unless doing so is a service provided by a Service Animal.
- 7.3.2. Display any behaviors or noises that are disruptive to others, unless part of the service being provided to the Handler.
- 7.3.3. Block an aisle or passageway for fire egress.

- 7.3.4. In classrooms, bark, sniff backpacks, whine, paw the Handlers or others when not related to the tasks the animal is performing.
- 7.3.5. Relieve itself in inappropriate settings (e.g., classrooms, hallways, sidewalks, and sports fields).
- 7.4. *Question: What is considered beyond “normal wear and tear”?*
Answer: Some examples of damage beyond normal wear and tear include flea infestation, urine stains, scratch marks, chew marks, or university property that must be repaired or replaced.
- 7.5. *Question: Where can I find out more information about Therapy Animals?*
Answer: The university may grant exceptions to University Standard 07-030 *Animals on Campus* for Therapy Animals on a case-by-case basis. To read more about what a Therapy Animal is, visit <https://www.akc.org/products-services/training-programs/akc-therapy-dog-program/>.

8. Related Information

- 8.1. University Standard 07-030 *Animals on Campus*.
- 8.2. University Policy 04-110 *Discrimination and Discriminatory Harassment*.
- 8.3. The following links are to state regulations on animals and select specific county codes. All animal Handlers are responsible for knowing and following these regulations as well as this University Policy.
- 8.3.1. [State of Oregon regulations on animals.](#)
- 8.3.2. [Benton County Animal Control Code.](#)
- 8.3.3. [Deschutes County Animal Control Code.](#)
- 8.3.4. [Lincoln County Animal Control Code.](#)
- 8.3.5. [Multnomah County Animal Control Code.](#)
- 8.4. *Service Dogs in Teaching, Research, and Physical Shop Laboratories: Guidance for Instructors, Staff and Students:* <https://ds.oregonstate.edu/service-dogs-teaching-research>.

9. History

- 9.1. Adopted: Oregon State University issued *OSU Service & Assistance Animal Policy* on October 8, 2012 (revised 2016). *OSU Service & Assistance Animal Policy* was revised,

reformatted and renumbered, and adopted as University Policy 04-120 *Service and Emotional Support Animals* on May 13, 2024. The policy received housekeeping amendments on October 3, 2024.

9.2. Next scheduled review date: May 2029.

10. Website

10.1. <https://policy.oregonstate.edu/policy/service-and-emotional-support-animals>

11. Contacts

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