

**3344-79-02 Service animals.**

(A) Definitions

- (1) 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.
- (2) Service animal
  - (a) Any 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 meets the definition of “service animal” under the Americans with Disabilities Act (“ADA”) regulations at 28 CFR 35.104. The work or tasks performed must be directly related to the individual’s disability.
  - (b) Under particular circumstances set forth in the ADA regulations at 28 CFR 35.136(i), a miniature horse may qualify as a service animal.
  - (c) Examples of a service animal 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 (e.g. assistance animals) do not constitute work or tasks for the purposes of this definition.

(B) Basic policy

- (1) In compliance with applicable law, CSU generally allows service animals in its buildings, classrooms, residence halls, meetings, dining areas, recreational facilities, activities and events when the animal is accompanied by an individual with a disability who indicates the service animal is trained to provide, and does provide, a specific service to them that is directly related to their disability.
- (2) CSU may not permit service animals when the animal poses a substantial and direct threat to the health or safety of the campus community or when the presence of the animal constitutes a fundamental alteration to the nature of the program or service. CSU will make those determinations on a case-by-case basis.

(C) CSU's inquiries regarding service animals

- (1) In general, CSU will not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal. CSU may ask:
  - (a) If the animal is required because of a disability and;
  - (b) What work or task the animal has been trained to perform.
- (2) CSU cannot require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, CSU may not make any 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., 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).

(D) Responsibilities of handlers

- (1) Students who wish to bring a service animal to campus are strongly encouraged to partner with the office of disability services, especially if other academic accommodations are required. Additionally, students who

plan to live in on-campus housing must inform residence life that they plan to have a service animal with them in student housing.

- (2) Handlers are responsible for any damage or injuries caused by their animals and must take appropriate precautions to prevent property damage or injury. The cost of care, arrangements and responsibilities for the well-being of a service animal are the sole responsibility of the handler at all times.
- (3) Service animal control requirements
  - (a) The animal should be on a leash when not providing a needed service to the individual with a disability.
  - (b) The animal should respond to voice or hand commands at all times, and be in full control of the handler.
  - (c) To the extent possible, the animal should be unobtrusive to other individuals and the learning, living, and working environment.
  - (d) Identification. It is recommended that the animal wear some type of commonly recognized identification symbol, identifying the animal as a working animal, but not disclosing disability.
- (4) Waste cleanup

Cleaning up after the animal is the sole responsibility of the handler. In the event that the handler is not physically able to clean up after the animal, it is then the responsibility of the handler to hire someone capable of cleaning up after the animal. The person cleaning up after the animal should abide by the following guidelines:

- (a) Always carry equipment sufficient to clean up the animal's feces whenever the animal is on campus.
- (b) Properly dispose of waste and litter in appropriate containers.
- (c) Contact staff if arrangements are needed to assist with cleanup. Any cost incurred for doing so is the sole responsibility of the handler.

(E) Removal of service animals

Service animals may be prohibited from campus for the following reasons:

- (1) Out of Control animal: A handler may be directed to remove an animal that is out of control and the handler does not take effective action to control it. If the improper animal behavior happens repeatedly, the handler may be prohibited from bringing the animal into any university facility until the handler can demonstrate that the handler has taken significant steps to mitigate the behavior.
- (2) Non-housebroken animal: A handler may be directed to remove an animal that is not housebroken.
- (3) Direct threat: A handler may be directed to remove an animal that CSU determines to be a substantial and direct threat to the health and safety of individuals. This may occur as a result of a very ill animal, a substantial lack of cleanliness of the animal, or the presence of an animal in a sensitive area like certain laboratories.
- (4) Where a service animal is properly removed pursuant to this policy, CSU will work with the handler to determine reasonable alternative opportunities to participate in the service, program, or activity without having the service animal on the premises.

(F) Appeals and grievances

Any person dissatisfied by a decision concerning a service animal may appeal through the office for institutional equity.

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