**GUIDANCE AND RECOMMENDATIONS FOR UNIVERSITY HOUSING REGARDING SERVICE AND ASSISTANCE ANIMALS**

State law requires the university to accommodate students in campus housing by permitting service. Neither is considered a pet; appropriate policies and procedures should be established separate from existing pet policies. The following resource provides guidance in:

* Distinguishing between service and assistance animals,
* Creating a request process,
* Verifying the need for a service or an assistance animal,
* Approving the need for an assistance animal,
* Creating license addendums, and
* Establishing guidelines for animal care and behavior for students with service or assistance animals in university housing.

Distinguishing between Service and Assistance Animals

A service animal is a dog (or miniature horse) that is individually trained to do work or perform tasks for the benefit of a person with a disability including a physical, sensory, psychiatric, intellectual or other mental disability. A service animal may also be referred to as a guide dog or a signal dog.

An assistance animal is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability or an animal that provides emotional support that alleviates one or more identified symptoms or effects of a person’s disability. Training or certification (professional or otherwise) is not required for an assistance animal nor is an assistance animal restricted by species like a service animal. An assistance animal may also be referred to as a comfort animal or a therapy animal.

Creating a Request Process

The process for a Request and Approval Process may begin with providing information to those that inquire and establishing effective materials. It is important to respond to an initial inquiry via phone, email or in person and to outline who is qualified to have an animal in housing and to explain the approval process. The Housing Policy and Procedures for Service and Assistance Animals should be readily accessible to all.

If a resident believes he/she meets the criteria in the Policy and Procedures, the resident should be advised to complete a “Service and Assistance Animal in Housing” form or, to accommodate a disabled resident, the information may be acquired in an interview.

Verifying the Need for a Service or Assistance Animal

The form /interview should identify whether the resident is requesting a service or assistance animal and the need for the animal should be verified.

*Service Animal --* If a service animal is requested, Housing **cannot**:

* Ask about the person’s disability,
* Require medical documentation of the need for the animal,
* Ask that the dog demonstrate its ability to perform work or a task.

If a service animal is requested, and it is not obvious what service the animal provides, there are only two questions that Housing staff may ask:

* Is the dog required because of a disability? and
* What work or task has the dog been trained to perform?

The answers to these two questions verify the need for a service animal.

*Assistance Animal –*The verification process for an assistance animal is markedly different. A resident must show that he/she meets the definition of a qualified person with a disability and that it is necessary to have the animal to afford the resident with a disability an equal opportunity to use and enjoy the dwelling. Housing may request verification from a medical provider that the student is disabled and has a medical need for the accommodation. Housing is not entitled to specific information about the nature of the disability. Documents should be collected and evaluated by the campus Services for Students with Disability Office not by University Housing. Housing must develop a procedure to coordinate the verification process.

Approving the Need for an Assistance Animal

An assistance animal is only approved to be in and around University Housing. The approval does not extend to having an assistance animal in other buildings on campus.

Only in consultation with Services to Students with Disabilities Office, University Housing can deny a specific assistance animal (not an entire species of animal) that actually poses a direct threat to the health and safety of others; would cause substantial physical damage to the property of others; would pose an undue financial and/or administrative burden; or would fundamentally alter the nature of the Housing provider’s operation.

Creating License Addendums

Once the service animal is verified or the assistance animal is approved, the resident should be asked to complete and sign a Housing License Addendum that outlines the guidelines for animal care and behavior and establishes the owner’s responsibility for the animal. A section of the license addendum may also contain a notice to any roommate(s) informing them of the presence of the animal in their assigned residential space and thereby ensuring that they are aware of the care and behavior responsibilities of the owner. The roommate(s) should be required to sign the licensing addendum (or another addendum) acknowledging the notice. If they refuse to sign, the roommate(s) should be reassigned to another room/apartment.

It is also recommended that the owner complete an animal registration form with the owner’s contact information, and a description of the animal with an attached picture of the animal for identification purposes. A veterinary record certifying the animal has all recommended vaccinations required to maintain the animal’s health and to prevent contagious diseases, and copies of applicable city/county animal license(s) should also be submitted. These records may be collected and maintained with the license addendum.

Establishing Guidelines for Animal Care and Behavior in University Housing

It is the responsibility of the resident with a disability to control his/her animal. Neither the University nor Housing is responsible for the care or supervision of the animal. Housing should establish procedures that outline expectations for animal behavior, animal health and well-being, animal cleanliness and general responsibilities for the owner. Housing may require:

1. Supervision of the animal by the owner at all times. Housing may restrict how long the animal may be left unattended in the owner’s room and may require the animal to be contained while left unattended.
2. Owner control of the animal. This includes physical and behavioral control and may specify devices such as leashes for assistance animals. However, if the owner’s disability does not allow him/her to handle a leash, specific procedures for animal control should be discussed with the owner.
3. Appropriate animal care (regular feeding, watering, bathing/grooming, veterinary care, etc.)
4. Housebroken animals.
5. Restriction of assistance animals from residential dining halls.
6. Humane treatment of the animal by the owner.
7. Proper containment and disposal of animal waste.
8. Owner responsibility for the animal’s actions/behavior (injury to others, property damage, interference with the routine activities within the residence).
9. The assessment of a charge for required cleaning and/or repair that is above and beyond normal cleaning and routine wear and tear.
10. An inspection and charge for pest treatment (beyond normal pest management) if pests are detected due to the animal.
11. The owner and the animal to abide by all Housing and University policies and procedures (such as noise restrictions).
12. The owner and animal to relocate, if necessary, in the manner prescribed for licensees in the Housing License Agreement.
13. The owner and the roommate(s) to submit to a Housing determination about relocation if there is an unresolved roommate or community disagreement.

Housing may **not**:

1. Restrict residents with service animals from entering residential dining halls with the service animal.
2. Assess a deposit charge for the animal.
3. Assess a cleaning fee/deposit prior to move-in.
4. Issue a general notice to residents about the presence of a verified service or approved assistance animal in their community.
5. Require residents with service or assistance animals to live in restricted rooms or buildings—no “animals only” or “no animal” housing area(s). Residents with service or assistance animals must have the same choice of housing as others.
6. Restrict residents with service or assistance animals from areas in the residential building. An animal under the control of its owner will have access to all areas of the residential building accessible to residents without service or assistance animals, such as lounges and lobbies.

Best practices:

Once it is clear a person with a service or assistance animal will be in residence, notify staff that may come in contact with the animal. This may include residential life staff, administrative systems staff, custodians, and maintenance staff who may enter the residence to handle work-orders.

It is advised that:

* Housing establishes and enforces policies or procedures consistently. If a procedure is not uniformly enforced there may be claims of inequitable treatment.
* Housing educates all residents about the process to verify service animals and to approve assistance animals so they understand that animals in residence are not pets but are allowed as an accommodation for a disability.
* Residents are informed that a service or assistance animal should not be fed or handled without the owner’s permission.
* Residents are informed they may assist an owner in caring or attending to animal needs, such as assisting a blind student pick up pet waste.
* Service animals in training be accommodated the same as service animals. While there is no accommodation obligation under the ADA for service animals in training, CA law (CA Civil Code Section 54-55.32) indicates that service animals in training (be it by an individual with a disability or by a person authorized to train service dogs for individuals with a disability) shall be accommodated the same as service animals.

*Campus Resources\**

If you need answers to questions, you may contact:

Services to Student with Disabilities

Phone Number/Location

Human Resources

Phone Number/Location

If you need immediate assistance, you may contact:

Campus Safety

Phone Number/Location

**\*Please fill in blank spaces on documents with appropriate point of contact from your campus.**