



Office of Access and Accommodations

Student Engagement & Achievement Center

Fort Valley, GA

Policy Regarding Service and Emotional Support Animals

Fort Valley State University (“FVSU”) is committed to maintaining a fair and respectful environment for students on campus with disabilities. To that end and in compliance with federal and state laws, this policy provides general guidelines and permitted uses of animals assisting individuals with disabilities while on FVSU property.

Definitions

Disability: A documented physical or mental impairment that substantially limits one or more major life activities.

Service Animal: Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. The work or tasks performed by a service animal must be directly related to the owner’s disability. Examples of such work or tasks include but are not limited to guiding individuals with visual impairments, alerting individuals with hearing impairments, pulling a wheelchair, and interrupting impulsive behaviors. The provision of emotional support, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Emotional Support Animal (“ESA”): Any animal providing emotional support or comfort that alleviates symptoms or effects of a documented disability. ESAs may also be referred to as comfort or therapy animals. ESAs are not considered pets and are not individually trained to perform specific work or tasks.

Owner: A student with a disability who has a service animal or an approved ESA.

Pet: Any animal kept for companionship that does not meet the definition of a service animal or ESA.

Process

Service Animals: Students who require the use of Service Animals that have been trained to perform tasks for people with disabilities may bring them on campus without making a formal request for reasonable accommodation. Service animals are permitted in FVSU facilities and campus areas, including housing, except where prohibited due to environmental or safety hazards or areas where there is a danger to the animal. However, all students who will reside with a service animal in campus housing should meet with the Office of Access and Accommodations (“OAA”) to review the Animal Policy and its requirements and acknowledge receipt and understanding of the Policy.

Emotional Support Animals: Students who wish to have ESAs in their residence hall units must receive approval through the OAA to have the animal in university housing. The student must submit an ESA accommodation request form and provide medical documentation from a licensed physician or mental health provider. The provider must be trained in the area of the disability and can attest:

- (1) that the individual qualifies as a person with a disability and specifically identify the diagnosis and functional limitation(s),
- (2) that the ESA is necessary to provide the person with a disability an equal opportunity to enjoy the use of the residence hall,
- (3) that there is an identifiable and documented connection between the disability and the assistance that the animal provides by describing how the use of the ESA is necessary or required to mitigate the impact of the functional limitation(s), and
- (4) that the documenting licensed physician, mental health provider, or other mental health professional has a documented history of treating the student for the underlying disability for at least six months.

The Office of Access and Accommodations shall maintain appropriate records on registered animals and provide Residential Life with the identities of the students and their approved ESAs when their registration requirements with the OAA have been completed. Required documents include the accommodations request form, letter of support from a licensed provider, current vaccination records for the ESA, and a signed roommate agreement.

All documentation should be submitted at least 30 days prior to the student moving into housing. Online ESA registries are not recognized as valid documentation for an ESA and are not accepted for consideration of approval.

Roommate Consideration

Roommates of the student with the ESA will be asked to sign a consent form. Although consent is not required for approval, concerns will be considered for housing assignments.

Campus Access

SERVICE ANIMAL ACCESS:

Service Animals must be allowed to accompany Owners in all areas of FVSU.

When it is not obvious what service an animal provides, only limited inquiries are allowed. Faculty and staff may ask two questions:

- (1) Is the Service Animal required because of a disability?
- (2) What work has the dog been trained to perform?

Employees cannot ask about the person's disability, require medical documentation, require a special identification card/training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

EMOTIONAL SUPPORT ANIMAL ACCESS:

ESAs are not allowed to accompany students with disabilities in public areas of FVSU or inside other University facilities. ESAs are restricted to the student's assigned housing unit after approval has been received from the OAA and said approval is provided to Residential Life.

ESAs are only allowed outside the unit to care for the animal outside of the building or to transport the animal. ESAs of visitors or students not residing in the University Housing facility being visited are not permitted in any University facility.

PET ACCESS:

Pets are not allowed in any FVSU facility.

RESPONSIBILITIES OF STUDENT ESA OWNERS

(1) All are required to always keep their animals under their direct physical control when outside of their assigned residence unit as permitted by this Policy. An Owner must always maintain close and direct physical control of the animal by means of an appropriate leash that enables the Owner to maintain close and direct physical control of the animal. If an Owner is unable to use these restraints because of his or her disability or because use would interfere with the safe and effective performance of work or tasks, then the animal must otherwise be under the Owner's control by voice control, signals, or other effective means. An example of an ESA that is out of control would be an animal that repeatedly gets loose and runs at large, even if it does not physically injure another person or ESA.

(2) All are prohibited from transferring control to another person even momentarily, requesting the assistance of other individuals in supervising or controlling their animals. At no time should the ESA become the responsibility of a roommate, FVSU staff person, or other residence hall students. Owners are responsible for ensuring that the animal is contained appropriately and receives the proper care.

(3) All must ensure that their animals are kept clean and well-groomed and kept in a healthy clean environment.

(4) Owners must ensure that their animals are housebroken. In the event of an isolated incident of an animal failing to control its bodily eliminations due to illness or accident, the Owner is responsible for immediately and properly cleaning up and disposing of any bodily fluids or solid waste from the animal whether indoors or outdoors. Student ESA owners are similarly responsible for clean-up and removal of animal waste. All are responsible for maintaining their animals in a sanitary and clean manner in the residence halls.

(5) Service animal and ESA owners shall be liable for any and all resulting costs when an animal causes damage to FVSU facilities or property or injury to persons. In all cases of damage to FVSU facilities or property by an animal failing to control its bodily eliminations due to illness, accident, or otherwise, the owner is personally responsible for the cost of additional cleaning of or repairs to FVSU facilities or the cleaning, repair, or replacement of damaged property. In the case of any incident involving injury to a person by an animal, the owner shall make an immediate report to the FVSU Campus Police Department so that the incident can be properly investigated and documented. The owner shall also fully comply with any state or local law or regulation requiring additional reports to other government agencies that may be required due to the physical injury caused by the animal.

(6) All approved animals must be in compliance with state and local laws regarding health, vaccination, and care of the animal.

GROUND FOR REMOVAL OF ANIMALS FROM FVSU FACILITIES

OUT OF CONTROL ANIMAL: Owners will be asked to remove any animal if it is out of control and the owner does not take effective and immediate action to control it. If the out-of-control behavior happens repeatedly, the owner may be prohibited from bringing the animal into university facilities until the owner can demonstrate that significant steps have been taken to correct and control the behavior.

NON-HOUSEBROKEN/UNSANITARY ANIMAL: An owner may be directed to remove an animal that is not housebroken or if the animal's environment is not maintained in a healthy, sanitary environment or the animal is not kept clean and well-groomed.

DIRECT THREAT: An animal that poses a direct threat to the health or safety of others is not permitted on campus. An example would be an animal that exhibits aggression or has injured another person or animal.

IMPROPER/INADEQUATE CARE: Failure to properly care for an animal will result in the animal being removed from FVSU property. Any evidence of mistreatment, abuse, neglect, or leaving the ESA unattended for unreasonably long periods of time may result in immediate removal of the ESA and/or discipline for the Owner pursuant to the University Student Code of Conduct.

EXOTIC AND NON-TRADITIONAL ANIMALS

Animals in this category include, but are not limited to, reptiles, amphibians, rodents, birds, and exotic mammals that are not commonly domesticated.

Requests for ESAs that are exotic or non-traditional require case-by-case review. In general, domesticated animals of a type commonly kept in households are eligible to serve as ESAs. Although it is possible that an exotic species could qualify as an ESA, the student seeking the accommodation has a substantial burden to demonstrate a disability-related need for a specific type of exotic animal.

Factors considered are health and safety risks, including known disease transmission (e.g., Salmonella in reptiles), the animal's specialized care/containment requirements, the student's ability to appropriately care for the animal within the constraints of university housing, and veterinary documentation confirming the animal is healthy and poses no known risk.

FVSU reserves the right to deny approval of an ESA that is deemed to present a direct threat to the health and safety of others, requires specialized care or housing equipment not feasible in the residence halls, cannot be reasonably accommodated without undue administrative or financial burden on the university, or causes or is likely to cause undue disruption to the residential community.

Students denied approval for an ESA, traditional or non-traditional, will be offered the opportunity to engage in the interactive process to identify alternative reasonable accommodations.

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