



# Lewis University Service and Emotional Support Animal Policy

Lewis University provides reasonable accommodations for qualified students with disabilities. The University allows individuals with Service Animals access to buildings on campus, including University Residence Halls, academic and other buildings. The University will allow qualified students with disabilities to have Emotional Support Animals in University Residence Halls on a case-by-case basis according to the policy outlined below. Where this policy or a procedure applies equally regardless of whether the animal is a Service Animal or an Emotional Support Animal the term assistance animal will be used.

## Service Animals

Per Titles II and III of the Americans with Disabilities Act, Lewis University allows a person with a disability to be accompanied by a service animal in all places where students and members of the public are permitted to go, except where animals are specifically prohibited due to a health or safety hazard. Service animals are defined as dogs (and in some cases miniature horses) that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, and alerting/protecting a person who is having a seizure. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purposes of defining a service dog. The work or task a dog has been trained to provide must be directly related to the person's disability. Service animals in training and service animal trainers maintain all of the same rights and responsibilities as service animals and their handlers.

## Emotional Support Animals (ESAs)

Per the Fair Housing Act, a student with a verified disability will be allowed to have an emotional support animal in University Residence Halls to the extent it is a reasonable and necessary accommodation to enable equal enjoyment of the residence program. Unlike service animals, emotional support animals are not necessarily trained to perform work or tasks, and they may include species other than dogs and miniature horses. An emotional support animal is an animal that is necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling when there is an identifiable relationship or nexus between the person's disability and the assistance the animal provides (there must be a link between the animal and the disability). Typically, an emotional support animal is prescribed to an individual with a disability by a healthcare or mental health professional and is an integral part of a person's treatment process. An emotional support animal is not necessarily a service animal, although in some instances an emotional support animal may also be a service animal. Except to the extent that an emotional support animal also meets the definition of a service animal, emotional support animals are only allowed within a person's residence in the University Residence Halls. Emotional support animals are **not** allowed in any other areas of the campus unless transporting them on and off campus.

## Lewis University Residence Hall Service and Emotional Support Animal Request Process

1. Students who seek to have a service or emotional support animal in University Residence Halls must notify the Academic Services Office and the Office of Residence Life at least 45 days prior to move-in. If the animal is an emotional support animal, the student must also complete the Lewis University Emotional Support Animal Request Form and provide documentation of the disability and disability-related need for an assistance animal from the student's health care professional on the University's ESA Request Form.
2. Review of the request will be processed by the CASE Academic Services Office and the Office of Residence Life within 14 days of submission.
3. If the request is approved, the student must complete and sign the Service and Emotional Support Animal Agreement in full and comply with its rules.

## Appeal

If a requested accommodation is not approved, or a student is required to remove the service or assistance animal due to a violation of the Service and Assistance and Emotional Support Animal Agreement, the matter may be resolved

informally between the student(s) and the staff of the Academic Services Office and the Office of Residence Life or, the matter may be brought forth to an appeal committee consisting of the Dean of Student Services, the Vice President for Mission and Academic Services, and an representative from the Office of the Provost. The appeal committee would render a final decision within 14 days of receiving the appeal.

### Limitations to Service and Emotional Support Animal Policy

Under most circumstances, only one assistance animal is allowed per resident or room. Assistance animals in residence halls must be able to tolerate the small room size and other unique aspects of residence hall living and not disrupt the learning environment of the residence halls, or the safety and comfort of other residents. Service animals are allowed in all University facilities, including classrooms and dining halls. Emotional support animals must remain in the student's assigned residence hall room, other than as necessary to take the animal out of the building. All assistance animals must be on a leash or harness or crated when being transported out of the building, unless in the case of a service animal where a leash would interfere with the service animal's safe, effective performance of work or tasks. Students who require assistance animals should be sensitive to the quality of life for an animal living in a small living space. Student owners are required to clean up after their animals, and will be responsible for any damages caused by the animal to University property or property of roommates. Assistance animals that are a nuisance due to noise, hygiene, or aggressiveness will not be allowed to continue living in the residence halls.

Students with a disability who require an assistance animal will be given equal consideration for assignment to a private room as a student with any other verified disability; that assignment will be at the scheduled rate for that room type.

### Student Responsibilities for Assistance Animals

- A. Students with an assistance animal are entirely responsible for their animal's care and wellbeing.
  1. Food for animals must be kept in a covered, sealed storage container (not a plastic or paper bag).
  2. Animals may not be bathed in the shower rooms of the residence halls.
  3. Students are expected to regularly clean crates, cages, and bedding.
- B. Animals left unattended in a resident's room must be crated or otherwise appropriately contained.
  1. Animals cannot be left unattended for unreasonable periods of time, and in no case for more than 24 hours at any time. Dogs, in particular, must not be left unattended for more than 12 hours at any time.
  2. If the student must be away, the owner must either take the animal with him/her, or make arrangements for the animal to be cared for off campus.
- C. Assistance animals must be housebroken.
  1. The student is responsible for properly containing and disposing of all animal waste. Indoor animal waste must be placed in a sturdy bag and tied securely before being disposed of in outside trash dumpsters. Outdoor animal waste, such as dog feces, must be immediately retrieved by owner, placed in a plastic bag and securely tied before being disposed of in outside trash dumpsters.
  2. If an animal has an "accident" inside a University building, the owner is expected to contact the Facilities Department, so that the University may ensure that the area is properly cleaned. This applies to the student's room and common spaces.
- D. Students are expected to notify the Office of Residence Life if the animal develops a pest problem (fleas, ticks, etc.) so that the University's professional pest control vendor can ensure the problem is taken care of properly in the affected area. Students will assume responsibility for the cost of the pest control process.
- E. Any time the student requires service for the purpose of inspections, work orders, etc., if the student's animal will be in the residence, the student must arrange a time when he/she will be present for the service to be performed
- F. In the event that an animal develops a health problem, this issue must be addressed immediately.
- G. Students are responsible to control and care for their assistance animal so that the animal does not present an undue threat to the health or safety of others or unreasonably interfere in others ability to participate in educational and residence programs of the University.

If any of the expectations listed above are not met, the Office of Residence Life will work with the Academic Services Office and the resident to correct the issues. If the issues are not corrected to the satisfaction of Residence Life or the Academic Services Office, or are severe in nature, the animal will be removed from the residence halls on a temporary or permanent basis.

### **Conflicting Disabilities**

The Office of Residence Life will make a reasonable effort to notify residents in the hall where the animal will be located of the existence of a service or emotional support animal in the building. Students with medical condition(s) that are affected by animals (respiratory diseases, asthma, severe allergies) should contact the Office of Residence Life if they have a health or safety related concern about exposure to a service or emotional support animal. The individual will be asked to provide medical documentation that identifies the condition(s), and will allow determination to be made as to whether the condition is disabling and whether there is a need for an accommodation.