Emotional Support/Comfort Animal Policy
Adams State University
Revised: May 2016

Definitions

Disability:
“Disability” is defined as a physical or mental condition or impairment that is medically cognizable, diagnosable, and substantially limits one or more of a person’s major life activities. These limitations may include, but are not limited to: caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning. A person is substantially limited in major life activities if the individual is unable to perform the activity, or is significantly restricted as to the manner in which he or she can perform that activity when compared to the average person.

Service Animal:
A “service animal” is a dog or miniature horse used as an accommodation who is individually trained to do work or perform tasks for the benefit of an individual with a qualifying disability, and the animal’s skills must be directly related to the individual’s disability. These tasks include but are not limited to: guiding individuals with impaired vision; alerting individuals who are hearing impaired to intruders or sound; providing minimal protection or rescue work; pulling a wheelchair; or fetching dropped items.

Therapy/Emotional Support Animal:
An “emotional support animal” or “comfort animal” is an animal that is necessary to afford the person with a qualifying disability an equal opportunity to use and enjoy ASU housing. The emotional support animal may provide physical assistance, emotional support, calming, stability, and other kinds of assistance. Under the Americans with Disabilities Act, emotional support animals do not perform tasks that would qualify them as service animals. Unlike a service animal, an emotional support animal does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times.

Pet:
A pet is an animal kept for ordinary use and companionship. A pet is not considered a service animal or an emotional support animal, and therefore, it is not covered by this policy. Pets are not permitted in any buildings on university property, with exception of fish (in a tank no more than 25 gallons).
Requirements for the University Community

Members of the University community are required to abide by the following practices:

1. Do not touch or pet an emotional support/comfort animal unless invited to do so.
2. Do not feed an emotional support/comfort animal.
3. Do not deliberately startle an emotional support/comfort animal.
4. Do not separate or attempt to separate an owner from his or her emotional support/comfort animal.
5. Do not inquire for details about a person’s disabilities. The nature of a person’s disability is a private matter.

Department of Housing and Urban Development (HUD) and Fair Housing Regulations

HUD and Fair Housing regulations provide that emotional support/comfort animals be considered a reasonable accommodation for an individual with a qualifying disability in campus housing. Since HUD/Fair Housing regulations only apply to campus housing, the animal may not be allowed in common or public areas of the university.

Requesting Accommodation for an Emotional Support/Comfort Animal

A person desiring the assistance of an emotional support/comfort animal must first provide verification to the Office of Accessibility Services (OAS) that she or he has a qualifying disability and that the animal is needed for the use and enjoyment of ASU housing. The person’s health care provider, who is familiar with the professional literature concerning the assistive and/or therapeutic benefits of assistance animals for people with disabilities, must submit a signed letter on professional letterhead, expressing the following:

1. The provider’s diagnosis of the person’s condition.
2. The provider’s opinion that the condition qualifies as a disability under federal law, including the major life activities which are substantially limited by the disability.
3. Any additional rationale or statement the University may reasonably need to understand the basis for the professional opinion.
4. The provider must give her/his professional opinion of how the person’s documented disability relates to the necessity of the animal’s presence in the campus living units.
5. The provider’s description of what function(s) the animal will specifically provide.

Examples of a “health care provider” may be a therapist/counselor, psychologist, psychiatrist, primary care doctor, or nurse. However, other health care providers may be qualified to provide documentation for the person’s disability and need for an emotional support animal.
In addition to the above documentation from a health care provider, the person must provide the following documentation before being considered for the accommodation of an emotional assistance animal.

1. Record of License & Registration in Alamosa, CO (for canines only)
2. Record of up-to-date Vaccinations
3. Record of current Veterinarian Clean Bill of Health
6. A clear photograph of the Animal

The required documentation may be mailed, scanned/emailed, faxed, or delivered in person to The Office of Accessibility Services. Contact information is as follows:

Attention: Joseph Green, Coordinator of Accessibility Services
Richardson Hall, 3-100
208 Edgemont Blvd., Alamosa, CO 81101
Phone: 719-587-7746
Fax: 719-587-7543
Email: oas@adams.edu

The Office of Accessibility Services will review documentation and, if the office determines that a qualifying disability exists, the Coordinator of Accessibility Services shall meet with the person requesting that emotional support animal. This policy will be carefully reviewed with the person at that time and an interactive dialogue will take place to determine whether or not the animal is a reasonable accommodation, considering alternative accommodations and the impact of the animal in the ASU housing program. The Coordinator of Accessibility Services reserves the right to request additional clinical information from the professional who provided the initial letter of recommendation for the emotional support/comfort animal.

If the accommodation of an emotional support/comfort animal cannot be granted, ASU will make every reasonable effort to find ways to assist the student in her/his academic progress.

Emotional Support/Comfort Animals in University Housing

Emotional support/comfort animals may not reside in ASU housing without expressed advance approval of The Office of Accessibility Services and must abide by all housing policies.

Note: Should the emotional support/comfort animal be removed from campus housing due to a violation of this or ASU housing policy, your privileges to obtain another emotional support animal may be relinquished. This will be determined by university housing or administrative officials.

A person requesting an emotional support animal must provide the Office of Accessibility Services and Housing Office with appropriate documentation prior to moving into campus housing. Animals will not be allowed to reside in ASU housing if this condition of reasonable advance notice is not fulfilled in a timely manner. The necessary documentation is listed in the earlier part of the policy.
The following regulations are the responsibility of persons with emotional support/comfort animals on campus and/or in ASU Housing.

**Care and Supervision:** Care and supervision of the animal is the sole responsibility of the owner/individual who benefits from the animal’s use. The person is required to maintain control of the animal at all times. The person is also responsible for ensuring the clean-up of the animal’s waste. The animal must not be left alone overnight or for extended periods of time. The animal must not be left outside unattended in student’s dwelling or campus buildings.

Caged Animals are to be kept in appropriate cages with flooring and liner to prevent any damage to living quarters, and to easily allow removal of waste.

**Leash:** The animal must be on a leash, harness, or other tether at all times, unless the individual is unable to use one of those because of the disability. If this is the case, the animal still has to be under an alternative form of control (e.g., voice control or signals).

**Vaccination:** The animal must be immunized against disease common to that type of animal. Dogs must have current vaccination against rabies and wear a rabies vaccination tag. Owner must provide proof of vaccination to the Office of Accessibility Services.

**Health:** The animal must be in good health. Animals to be housed in ASU housing must have an annual clean bill of health from a licensed veterinarian and provide proof of this to the Office of Accessibility Services. ASU has authority to direct that the animal receive veterinary attention.

**Licensing and Local Ordinances:** The City of Alamosa requires all dogs to be licensed and registered. Dogs must wear license tags at all times. The City of Alamosa also mandates that every female dog in heat shall be confined in a building or secured enclosure in such a manner that such female dog cannot come into contact with another animal, except for planned breeding.

**Alternate Caregiver:** The person will provide The Office of Accessibility Services and the Housing department with contact information for an alternate caregiver. This information will be used in case of an emergency, or if the person is unable or unwilling to provide adequate care for the animal. Housing staff will assume no responsibility/liability for the care of a resident’s emotional support animal.

**Other:** ASU will not consider animals that traditionally provoke a rational fear in others (e.g. snakes or spiders). ASU may place other reasonable conditions or restrictions on the animals depending on the nature and characteristics of the animal. Animals cannot interfere with reasonable enjoyment of people sharing the space. If there are conflicting disabilities, The Office of Accessibility may get involved to assist with a resolution.
**Conflicting Disabilities**

Students with medical condition(s) that are affected by animals (respiratory diseases, asthma, severe allergies) should contact the Office of Accessibility Services 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 if there is a need for an accommodation.

The Office of Accessibility Services will resolve any conflict in a timely manner, considering the conflicting needs and/or accommodations of all persons involved. In the event that an agreement cannot be reached, the Office of Accessibility Services will work with Housing staff to determine a ruling to resolve the dispute. Students who wish to appeal the ruling may do so to the Vice President of Student Affairs. The ruling of the Vice President of Student Affairs is final.

**Removal of an Emotional Support/Comfort Animal**

The owner of an emotional support/comfort animal may be asked to remove the animal from ASU facilities if the owner or animal fails to comply with this policy, which is in accordance with the Student Code of Conduct. The student is required to provide both The Office of Housing and Residence Life and The Office of Accessibility Services with the contact information of an off-campus alternative caregiver if the student is unable or unwilling to provide adequate care. The following are examples of behaviors that may result in removal of the emotional support animal. Other inappropriate or dangerous behaviors not included here may result in removal of the animal, at the discretion of University administrators.

**Disruptive Behavior:** An animal may be removed if its behavior is unruly or disruptive (e.g., barking, growling, biting, not being housebroken, excessively escaping their dwelling and displaying aggressive behavior). If such behavior persists, the owner may be prohibited from bringing the animal on campus until the owner takes significant and effective remedial steps to correct the animal’s behavioral problems.

**Poor Health:** Animals that are ill or in poor health must not be taken into public areas. An owner with an ill animal may be required to remove the animal from ASU property.

**Uncleanliness:** Owners who fail to properly clean up and dispose of the animal’s waste may be required to remove the animal from ASU property. Owners of animals that are otherwise unclean or unkempt may be required to remove the animal from ASU property. An animal that becomes wet from walking in the rain or mud, but is otherwise clean, is considered a clean animal.

**Damage:** Owners of service or therapy/emotional support animals are solely responsible, legally and financially, for any damage to persons or property caused by their animals.
Questions or concerns related to this policy should be addressed to the following:
Office of Accessibility Services
Richardson Hall, 3-100
208 Edgemont Blvd, Alamosa CO 81101
OAS@adams.edu
Phone: 719-587-7746
Fax: 719-587-7543

Statement of Acknowledgement
I have received, read, and understand this policy in its entirety. I understand that I must abide by all Adams State University policies and procedures. Failure to do so may result in disciplinary action set forth by University officials.

Name                                      Date

*Please keep the signed statement and policy for your records. See next page for ASU records.
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I have received, read, and understand this policy in its entirety. I understand that I must abide by all Adams State University policies and procedures. Failure to do so may result in disciplinary action set forth by University officials.

Name

Date

*Please sign this copy for ASU’s records