

# Guidelines

## Service, Service-in-Training, and Emotional Support Animals on Campus Rules, Procedures, and Guidelines

*Revised 12/20/19*

In accordance with federal and state laws, individuals with documented disabilities, students, employees and visitors, are allowed the use of service animals on the Youngstown State University (YSU) campus. Students in University housing are allowed the use of emotional support animals (ESAs) that are approved as an accommodation by the offices of Housing and Residence Life and Disability Services.

### Section I: Definitions

- **Service Animal:** Service animals are individually trained to perform some of the functions and tasks that an individual with a disability cannot perform for themselves. The work or tasks a dog has been trained to provide must be directly related to the person's disability. Guide dogs are one type of service animal, used by some individuals with visual impairments, but there are service animals that assist persons with other kinds of disabilities in their day-to-day activities. Some examples include:
  - Alerting persons with hearing impairments to sounds
  - Pulling wheelchairs or carrying and picking up things for persons with mobility impairments
  - Assisting persons with mobility impairments with balance

Dogs or other animals that are not trained to perform such tasks, including dogs that provide comfort or emotional support, do not qualify as service animals.

- **Emotional Support Animal:** An emotional support animal (ESA), or therapy animal, is an animal whose role is to provide companionship, affection, security, calming influence, emotional support, or otherwise function as part of a regimen of psychological treatment. Federal law does not give emotional support/therapy animals access to the campus as a whole. ESAs may qualify as a reasonable accommodation in a residence hall, though YSU is not required to allow an individual to bring an ESA to other areas or buildings on campus unless the animal also qualifies as service animal under Americans with Disability Act (ADA) and Section 504 of the Rehabilitation Act.

- : A pet is an animal kept for ordinary use and companionship. A pet is not considered a Service Animal or an Emotional Support Animal. Residents are not permitted to keep pets on university property or in University housing. Pets are permitted on YSU's outdoor property only if they are on a leash or otherwise under physical control.
- : Owner refers to the individual, typically the student, who requires the use of a service animal or who requested an accommodation and received written approval to bring an Emotional Support Animal into University housing.
- Disability Services: Disability Services is a YSU office that collaborates with students, faculty, and staff to ensure that students with documented disabilities have equal access to all programs, services, and activities.

## **Section II: Service-Animals-in-Training**

The Americans with Disabilities Act (ADA) assures people with disabilities who are accompanied by service animals that they will not be excluded from public places or activities, nor charged any additional fees, because they are accompanied by their service animal. However, the ADA does not provide the same protection to service animals "in-training" (that is, the ADA assures access for the handler/partner only if the animal is fully-trained to provide some disability-related service).

Ohio state law (RC §955.43) provides the same rights of access for individuals who are training service animals for a non-profit special agency. For example, an individual employed by Pilot Dogs, Inc. who is preparing future guide dogs to be paired with someone who is blind (in order to provide independent mobility) may bring the dog onto University property and interact with the campus community in public areas, campus offices, and so on. Because Ohio state law does not further clarify its use of the term "in-training," Youngstown State University has established an institutional policy, based on accepted practices suggested by Assistance Dogs International (ADI).

A service-dog-in-training is a dog, accompanied by its trainer, which is undergoing individual training to provide specific disability-related work or service for an individual with a disability. This does not include obedience training or socialization of puppies (generally 15-18 months) who may later become service animals. Thus, adult dogs are recognized as being "in-training" to provide disability-specific assistance only after they have completed an earlier period of socialization (obedience training, being housebroken, acclimating to public places and everyday activities as pets).

Since service-animals-in-training in Ohio are only given access rights when accompanied by someone employed by a non-profit agency, they cannot be in residence in University housing. Similarly, puppies who are being raised/trained in preparation for participating in formal service animal training are not permitted in University housing.

Service-animals-in-training are not allowed in University housing based on the aforementioned definitions. Puppies that are being socialized in preparation for more

formal service animal training are not considered service animals by the University and are therefore not appropriate for the University's campus and/or housing environments.

### **Section III: Service Animal Inquiries**

An individual's disability may be invisible. When it is not obvious what service an animal provides, only limited inquiries should be made. Generally speaking, University personnel may make two inquiries to determine whether the animal qualifies as a service animal:

- Is this animal trained to provide a disability-related service for you?
- What work or task has the dog been trained to perform?

### **Section IV: Voluntary Registration of Service Animals While on Campus**

For those individuals who are enrolled in courses at YSU that would like to voluntarily register their service animal with the University, please contact Disability Services at (330)-941-1372 or visit 2082 Kilcawley Center. Registration is voluntary but may aid one in accessing the University premises. Registration is not available for visitors to campus.

### **Section V: Areas of Accessibility**

Under the Americans with Disabilities Act (ADA), individuals with disabilities may use service animals in any public area, unless doing so would pose a danger to the health and safety of others or cause an undue burden on the University. Service animals are permitted to accompany people with disabilities in all areas of YSU's facilities (including University housing) where students, members of the public, and other participants in services, programs, or activities are permitted.

### **Section VI: Guidelines for Members of the YSU Community**

To ensure equal access and non-discrimination of people with disabilities, members of the YSU community must abide by the following practices:

- Allow service animals to accompany people with disabilities on campus
- Do not ask for details about an individual's disability
- Do not pet a service animal, as it distracts the animal from its work
- Do not feed a service animal

- Do not deliberately startle, tease, or taunt a service animal
- Do not separate or attempt to separate a person from their service animal

If you have a disability that may be affected by the presence of animals, including service animals, please contact Disability Services at (330)-941-1372 or visit 2082 Kilcawley Center. YSU is committed to ensuring that the needs of all people with disabilities are met and will determine how to resolve any conflicts or problems as expeditiously as possible.

## **Section VII: Responsibilities of Owners and Service Animals**

Youngstown State University is not responsible for the care or supervision of service animals. Owners are responsible for the cost, care, and supervision of the service animal including:

- Compliance with any laws pertaining to animal licensing, vaccination and owner identification
- Keeping the animal under control and taking effective action when it is out of control
- Feeding and walking the animal and disposing of waste (for specific campus areas designated by YSU for toileting of animals, please contact Housing and Residence Life).

Additionally, the handler:

- Should ensure that the service animal does not approach and sniff other individuals, dining tables, or the personal belongings of others
- Must assure that the service animal does not block fire or emergency exits
- Must assure that the service animal does not display behaviors or noises that are deemed disruptive to others unless said noise/behaviors are part of the needed disability service to the handler

YSU will not require surcharges or fees for service animals. However, the individual accompanied by the service animal may be charged for damage caused to the same extent that YSU would normally charge a person for the property damage they cause.

## **Section VIII: Service Animal Exclusions**

A service animal may be excluded from any authorized area and its owner may be subject to disciplinary action for incidents including, but not limited to:

- If the service animal displays aggressive\* or disruptive behavior or noises and effective action is not taken to control it, unless said noise/behavior(s) are part of the needed disability service to the owner

- If the service animal is not housebroken
- If the service animal poses a direct threat to the health and safety of others
- If the service animal is not in good health, well-groomed or cared for
- If the service animal infringes inappropriately into others' personal space
- If the owner intentionally uses the service animal to block identified fire or emergency exits

*\*Service animals who exhibit aggression are not permitted on University premises, regardless of whether or not they have caused injury. In other words, the University does not have to wait until someone is harmed in order to ban a service animal from University premises.*

## **Section IX: Procedure for Requesting Service Animals in University Housing**

For information on service animals in University housing, please contact Housing and Residence Life.

## **Section X: Removal of a Service Animal**

If an issue arises as to whether an approved service animal should be removed from campus, the University will base such determination upon consideration of the behavior of the particular service animal at issue, unless it has demonstrated aggressive or threatening behavior. The determination will not be based on speculation or fear about the harm or damages the service animal may cause. Any removal of a service animal will be done in consultation with Accessibility Services and may be appealed through its Grievance Procedure. The owner will be afforded all rights of due process and appeal as outlined in that process.

YSU may require the individual to remove the service animal from University housing if:

- The service animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others
- The service animal's presence results in a fundamental alteration of a University program
- The owner does not comply with the owner's responsibilities, set forth above
- The service animal or its presence creates an unmanageable disturbance or interference with the University community
- If the service animal is disruptive to the living environment for others (for example, barking or other loud noises, significant odor from litter boxes or cages, etc.)

If such removal is necessary, the student will be given twenty-four (24) hours' notice to remove the animal voluntarily, after which time the University may remove the service animal to the nearest animal shelter. In the event that restriction or removal of a service

animal is determined to be necessary, every effort will be made to assure the individual still has access to the programs, services, or activities of the University without the use of the service animal.

## **Section XI: Grievance Procedure**

Complaints arising under this Policy shall be handled under the provision of Accessibility Services, Grievance Procedure.

## **Section XII: Additional Information:**

Accessibility Services

2082 Kilcawley Center

Phone: (330) 941-1372

Fax: (330) 941-7470

Email: [accessibility@ysu.edu](mailto:accessibility@ysu.edu)

Website: [www.ysu.edu/disability](http://www.ysu.edu/disability)

*Youngstown State University reserves the right to amend the information above at any time as circumstances require.*