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# Accessibility Services

## Office of Diversity, Equity, and Inclusion

### Service and Emotional Support Animal Agreement

**Emory University is committed to compliance with state and federal laws regarding individuals with disabilities. Members of the Emory University community who seek reasonable accommodation for disabilities should contact the Department of Accessibility Services (DAS) as a first step to obtaining information about making a request.**

Emory University complies with the Americans with Disabilities Act (ADA) in allowing use of service animals for students, staff and visitors. Service animals are animals specifically trained to assist people with disabilities in the activities of normal living. The ADA, as amended in 2010, defines a *service animal* as:

any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

The U.S. Department of Housing and Urban Development (HUD) defines an *emotional support animal* as an animal that provides emotional or other support/assistance that alleviates one or more symptoms or effects of a person's disability. Unlike a service animal, an ESA does not necessarily assist a person with a disability with activities of daily living tasks. Absent a specific accommodation that is granted by DAS on a case-supported basis, when a reasonable accommodation is granted for use of an ESA, the permission is granted to permit the ESA to be present in an individual's residence (as designated) but not to accompany the individual with a disability around the campus. Accordingly, in most circumstances, an ESA may not attend class or go to an individual's campus workplace, enter the library, or visit other residence halls, dining halls, or other campus facilities. A handler must first submit a request reasonable accommodation to DAS to initiate the review process. In general, ESAs include what would normally be considered domesticated animals including a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes. Reptiles (other than turtles), barnyard animals, monkeys, kangaroos, and other non-domesticated animals are not considered common household animals. If an individual is requesting to keep a unique type of animal that is not commonly kept in households, then the individual has the substantial burden of demonstrating a disability-related therapeutic need for the specific animal or the specific type of animal.



### Responsibilities of Handlers for Service and Emotional Support Animals

Handlers of Service Animals and ESAs (and trainers of Service Animals, if applicable) shall comply with the following requirements and expectations, in addition to other Emory University policies that may govern animals permitted to be on campus.

1. Handlers are required to keep the animal under their direct physical control at all times by means of an appropriate leash or other lead of a type and length that enables a Handler to maintain close and direct physical control of the animal. Absent emergent circumstances, a Handler shall not transfer control of the animal to another person while in any Emory facility or on the grounds of housing facilities. Within assigned living space, all residents must agree to the presence of the animal.
2. Handlers are required to remove an animal that is *unruly or disruptive* (e.g. *biting or attempting to bite, barking, running around, jumping at or up on people or other excessive physical activity*). In determining whether an animal is being unruly or disruptive within the meaning of this paragraph, all facts and circumstances may be considered. In the event of such behavior by an animal, it may be denied access to residential facilities until the Handler can demonstrate that the animal has been brought under sufficient and acceptable control.
3. Handlers shall ensure that an animal is in good health. Handlers cannot bring an animal that is ill to campus facilities and must remove the animal immediately if it becomes ill. A Handler with an animal that appears to be ill may be asked to remove the animal.
4. Handlers must ensure that animals are kept clean and well-groomed. If a responsible staff member determines that an animal is unhygienic (e.g., has fleas, has excessive odor, or is inadequately groomed as may be appropriate for the breed and other physical characteristics of the particular Service Animal), the animal may be required to leave residential facilities until such conditions are corrected.
5. Handlers must ensure that Service animals are housebroken, and Handlers will routinely remove and properly dispose of any waste from the animal around campus facilities. Service Animals will be excluded from campus facilities if they are not housebroken. In the event of an isolated incident of an animal failing to control its bodily eliminations due to illness or accident, the Handler or a designee is responsible for immediately and properly cleaning up and disposing of waste from the animal whether indoors or outdoors. Proper clean-up will depend on the specific circumstances, but includes, at a minimum, physical removal of any liquid and solid waste and disposal of the same (secured in a plastic bag and deposited in an outdoor waste container), and proper disposal of cleaning materials used. A Handler must always have waste disposal bags in his/her possession when accompanied by an animal.

In the event of an isolated incident of an animal who fails to control elimination, after the immediate clean-up action required above, the Handler or designee must notify an appropriate university staff member in the affected building or area of the incident so that further deodorization and disinfection procedures can be performed as needed by appropriate personnel. The Handler is personally responsible for the cost of additional cleaning of or repairs to campus facilities.



6. Handlers of animals shall be liable for any and all costs related to damage caused by an animal in campus facilities, or injury to persons. In the case of any incident involving injury to a person by an animal, the handler agrees to indemnify and hold harmless Emory University for any liability to third parties that result from the student's keeping of the Emotional Support Animal. The Handler shall make an immediate report to the Emory University Police Department so that the incident can be properly investigated and documented and the Handler 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 Service Animal.

Emory University strives to make a comfortable campus environment for Handlers and their Service or Emotional Support Animals. To this end, the Department of Accessibility Services will provide training to staff members or educational opportunities/materials to community members as needed.

### **Additional Responsibilities of Handlers for Emotional Support Animals**

Individuals with disabilities using emotional support animals are responsible for their animals at all times and must comply with the following requirements:

1. The user/owner must request a reasonable accommodation for the animals with DAS.
2. The user/owner must have completed the requirements outlined in this policy.
3. The animal must wear a leash, collar, cape, harness, backpack or other appropriate visible identification that identifies in writing that the animal is an emotional support animal. With the exception of cats or dogs, all animals will remain in the proper type of cage, terrarium, or aquarium.
4. The user/owner of the animal must be in full control of the animal at all times. When applicable, the animal must appropriately restrained, contained or be controlled by verbal commands.
5. The user/owner must take responsibility for the behavior of the animal in private and public places, and for due care and diligence in the use of the animal on campus.
6. The user/owner must take all necessary steps to ensure that their animal does not disturb neighboring rooms at any time. This is particularly important in regard to noise.
7. The liability for the actions of the animal is the sole and exclusive responsibility of the owner. The University is not responsible or liable.
8. All rooms with animals will be marked appropriately for students, staff, or maintenance staff that may be entering for business purposes.
9. The user/owner is responsible for any property damage caused by the animal.
10. The user/owner must clean up after the animal, including the sanitary disposal of animal wastes daily.
11. Use of the animal shall not constitute a direct threat to the health and safety of others.



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12. The user/owner must ensure that dogs are licensed in accordance with local, county, and state laws.
13. The user/owner is responsible for the health of the animal and must provide verification from a qualified veterinarian that all vaccinations appropriate for that type of animal are current.
14. The user/owner of an emotional support animal must carry and be able to produce the Emory owner identification card while in any Emory University campus facility.
15. The animal must be house broken, well-groomed, odor free, and not infected with external parasites (i.e. ticks, fleas, or lice)
16. The animal will not be on campus if it is in estrus (heat).
17. The user/owner must take all reasonable precautions to insure the continuing health and humane treatment of their animal. Failure to maintain the well-being of the animal will be considered a violation of the agreement.
18. If an owner/user obtains a new/different support or therapy animal to be used under the provisions of this policy the new/different support or therapy animal a new request must be made. Any deviation from the approved accommodation without the permission from DAS, and the designated department may result in the Handler being subject to charges under the Emory University's appropriate Code of Conduct.

#### **Exclusion of Emotional Support Animals**

A support or therapy animal may be excluded from a campus facility if:

- that animal poses a direct threat to the health and safety of others, or conflicts with a service animal,
- that animal's behavior, such as barking or displaying aggressive behavior, is disruptive to the other participants within the facility,
- and the animal is prohibited due to safety or health restrictions, where the animal may be in danger, or where the animal's use will compromise the integrity of research or other program.



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## Office of Diversity, Equity, and Inclusion

### Handler and Animal Registration Form

*(Please PRINT)*

Handler/Owner Name: \_\_\_\_\_ ID#: \_\_\_\_\_

Local Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Residence Hall/Room: \_\_\_\_\_

Name of Animal: \_\_\_\_\_

#### Description of Service Animal:

Breed: \_\_\_\_\_ Color: \_\_\_\_\_ Weight: \_\_\_\_\_

Coat: \_\_\_\_\_ Other markings for identification: \_\_\_\_\_

County/State of license and registration:

#### If an Animal in Training:

Name of Training Organization: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email address: \_\_\_\_\_



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Office of Diversity, Equity,  
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Website (if available): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Dates of Training: \_\_\_\_\_



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### By Handler/Trainer

I have read and understand the Office of Accessibility Service's policy regarding Animals in Campus Facilities, and hereby agree to abide by each of the terms set forth in the Policy. Furthermore, I understand that the above animal shall be asked to leave under the following circumstances:

- If the animal is found to be out of control and I do not take immediate and effective action to control the service animal.
- If the animal is not housebroken.
- If the animal is ill or a campus official determines the service animal is unreasonably dirty or unhygienic.
- If the animal attempts to enter a place on campus where the presence of an animal causes danger to my safety or the safety of other students/members of campus.
- If an animal attempts to enter any place on campus where the animal's safety is compromised.

Further, I designate the following person to assist me in situations covered by Paragraph number 5 of the Policy.

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Relationship: \_\_\_\_\_

Handler/Trainer Name (Printed): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Received: \_\_\_\_\_