

# Service and Emotional Support Animals Policy

## ROWAN UNIVERSITY POLICY

**Title:** Service and Emotional Support Animals Policy

**Subject:** Student Affairs

**Policy No:** SL:2020-02

**Applies:** University Wide

**Issuing Authority:** President

**Responsible Officer:** Vice President for Student Life and Dean of Students

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### I. PURPOSE

Animals/pets are not permitted in Rowan University's campuses buildings, except in certain limited circumstances such as Service Animals, Emotional Support Animals, Shreiber Family Pet Therapy Programs and vivariums. This policy provides the procedures for the use of Service Animals by students and employees; and Emotional Support Animals by students, on Rowan University's campuses. This policy may be amended from time to time as circumstances require.

Rowan University complies with the Americans with Disabilities Act ("ADA") in allowing the use of Service Animals for students, staff and visitors. In addition, Rowan University complies with the Fair Housing Act ("FHA") in allowing students the use of Emotional Support Animals in housing, when they are an approved accommodation.

### II. ACCOUNTABILITY

At the direction of the Associate Vice President for Student Affairs and Dean of Students, the Director for Academic Success Center & Disability Services and the Assistant Vice President for Residential Learning and Inclusion Programs, as well as other managers responsible for disability services and student housing, shall implement and ensure compliance with this policy.

### III. APPLICABILITY

This policy is applicable to individuals requiring the use of a Service Animal. In addition, this policy is applicable to all undergraduate and graduate students occupying housing facilities owned or leased and operated by the University, as well as student housing provided by third parties, affiliated with the University (collectively, "University housing"), requiring the use of an Emotional Support Animal.

### IV. DEFINITIONS

1. "Service Animal" is a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability (this will include a physical, sensory, psychiatric, intellectual, or other mental disability). In some cases, a miniature horse may be permitted as a Service Animal; however, other species of animals, whether wild or domestic, trained or untrained, are not Service Animals. The work or tasks performed by a Service Animal must be directly related to the Owner's disability.
2. "Emotional Support Animal" is an animal that can be kept lawfully and is required by a student with a disability as a reasonable accommodation to afford them an equal opportunity to use and enjoy University housing. Such a requirement must be documented by an appropriate healthcare or mental health professional, and approved by Academic Success Center & Disability Services. 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.

3. "Owner" is an individual with a disability who owns a Service Animal or an Emotional Support Animal.
4. "Residential Owner" is an individual student who owns a Service Animal or Emotional Support Animal and lives in University housing.
5. "Non-residential Owner" is an individual who owns a Service Animal and does not live in University housing.
6. "Trainee" is a Service Animal in training, including puppies in training once they are old enough to remain under the control of the Trainer. The Service Animal in training (Trainee) must be accompanied by a person who is training the animal (Trainer) and the animal must wear a leash, harness, or cape that identifies the animal as a Service Animal in training. Trainees are not permitted to reside in University housing. See the Responsibilities/Requirements sections of this policy.
7. "RLUH" is the Department of Residential Learning and University Housing.

## **V. REFERENCES**

1. Americans with Disabilities Act (<https://www.ada.gov/>)
2. Fair Housing Act ([https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/fair\\_housing\\_and\\_related\\_law](https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_and_related_law); [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/assistance\\_animals](https://www.hud.gov/program_offices/fair_housing_equal_opp/assistance_animals))
3. Glassboro Animal Control Ordinance (<https://ecode360.com/8192788>)
4. J.A.C. 7:25-4.1, et seq. (Department of Environmental Protection, Division of Fish and Wildlife Rules, Endangered, Nongame and Exotic Wildlife) (<https://casetext.com/regulation/new-jersey-administrative-code/title-7-environmental-protection/chapter-25-division-of-fish-and-wildlife-rules/subchapter-4-endangered-nongame-and-exotic-wildlife>)

## **VI. POLICY**

### **1. Employees**

Employee requests for disability accommodations, including requests to have a Service Animal at work, are handled through the appropriate disability accommodation policy and procedures. Employees can view these policies at <https://sites.rowan.edu/equity/index.html>, and may contact the Office of Employee Equity and Labor Relations at (856) 256-5494 for information and assistance.

### **2. Service Animals**

A Service Animal is permitted to accompany its Owner at all times and in all places on campus except where animals are specifically prohibited because of health and safety restrictions (see Exclusions below).

Residential Owners are required to register their Service Animal with the Academic Success Center & Disability Services. Non-residential Owners are not required to register their Service Animal; however, it is highly recommended that Non-residential Owners, who are also students, register with the Academic Success Center & Disability Services.

Links to the registration and verification forms can be found below, under Registration Process.

### **3. Emotional Support Animals**

Determining whether an Emotional Support Animal is permitted in University housing is made on an individual basis, through an interactive process between the student requesting the accommodation and relevant campus personnel. The student's needs will be balanced with the impact of an animal on other campus residents.

In order for an Emotional Support Animal to be considered a reasonable accommodation in University housing, the individual must register with the Academic Success Center & Disability Resources by providing current verification of their need for an Emotional Support Animal from a physician, psychiatrist, licensed clinical social worker, or licensed psychologist which:

- a. verifies that the student has a disability;

- b. describes the need for the Emotional Support Animal to enable the student an equal opportunity to use and enjoy University housing; and
- c. identifies the relationship between the disability and the assistance the Emotional Support Animal provides.

Links to the registration and medical verification forms can be found below, under Registration Process. Absent extenuating circumstances, the request for an Emotional Support Animal must be made no less than 30 days prior to the date to move into University housing.

All requests for Emotional Support Animals in University housing are subject to annual review.

#### 4. **Registration Process**

- a. **Service Animal – Non-Residential Owners:** The following tasks comprise the recommended process for a Non-residential Owner to register a Service Animal under this policy:

\_\_\_\_\_ *Register.* The Non-residential Owner should register with the Academic Success Center & Disability Resources and provide their current verification using the [Service Animal and Emotional Support Animal Registration and Emergency Contact Form](#). .

\_\_\_\_\_ *Review and sign the* [Service and Emotional Support Animals Policy Acknowledgment Form](#) . The Non-residential Owner must sign the [form](#) acknowledging receipt of the policy and indicating understanding and compliance with this policy.

- b. **Service Animal – Residential Owners:** The following tasks comprise the mandatory process for a Residential Owner to register a Service Animal under this policy:

\_\_\_\_\_ *Register.* The Residential Owner must register with the Academic Success Center & Disability Resources and provide their current verification using the [Service Animal and Emotional Support Animal Registration and Emergency Contact Form](#).

\_\_\_\_\_ *Provide information about the animal.* The Residential Owner must fill out the [Information About the Service Animal or Emotional Support Animal Form](#), to provide evidence that the animal is: in good health; over six months old; if required, licensed with the Borough of Glassboro or the municipality/county in New Jersey where the student maintains permanent residency; and has been vaccinated against diseases common to that breed of animal, as required by the Borough of Glassboro or the New Jersey municipality/county where the student maintains permanent residency, and as recommended by the American Veterinary Medical Association. Veterinary records must also be provided attesting that the animal is not dangerous or aggressive.

\_\_\_\_\_ *Review and sign the* [Service and Emotional Support Animals Policy Acknowledgment Form](#) . The Residential Owner must sign the [form](#) acknowledging receipt of the policy and indicating understanding and compliance with this policy.

\_\_\_\_\_ *Notification to RLUH Staff.* Once approved, the Academic Success Center & Disability Resources will notify appropriate RLUH staff.

- c. **Emotional Support Animals:** The following tasks comprise the mandatory process for approval of an Emotional Support Animal under this policy:

\_\_\_\_\_ *Register.* The Residential Owner must register with the Academic Success Center & Disability Resources and provide their verification, including medical verification, using (1) the [Service Animal and Emotional Support Animal Registration and Emergency Contact Form](#); and (2) the [Medical Verification Form](#).

\_\_\_\_\_ *Meet with the Academic Success Center & Disability Resources.* Upon submission of the registration documentation, if the Residential Owner meets all criteria to establish the need for the Emotional Support Animal, as set forth above, a meeting will be arranged with the Academic

Success Center & Disability Resources to discuss how to best accommodate the Residential Owner and the campus community.

\_\_\_\_\_ *Provide information about the animal.* The Residential Owner must fill out the [Information About the Service Animal or Emotional Support Animal Form](#), to provide evidence that the animal is: in good health; over six months old (if a cat or dog); if required, licensed with the Borough of Glassboro or the municipality/county in New Jersey where the student maintains permanent residency; and has been vaccinated against diseases common to that breed of animal, as required by the Borough of Glassboro or the New Jersey municipality/county where the student maintains permanent residency, and as recommended by the American Veterinary Medical Association. Veterinary records must also be provided attesting that the animal is not dangerous or aggressive.

\_\_\_\_\_ *Review and sign the [Service and Emotional Support Animals Policy Acknowledgment Form](#).* The Residential Owner must sign the [form](#) acknowledging receipt of the policy and indicating understanding and compliance with this policy.

\_\_\_\_\_ *Notification to RLUH Staff.* Once approved, the Academic Success Center & Disability Resources will notify appropriate RLUH staff.

## **5. Responsibilities/Requirements**

### **a. Service Animals**

#### **i. Owner**

1. Is responsible to attend to and be in full control of the Service Animal at all times. A Service Animal shall have a harness, leash, or other tether unless (1) the owner is unable to use a harness, leash or tether, or (2) using a harness, leash, or tether will interfere with the animal's ability to safely and effectively perform its duties.
2. Is responsible for the costs of care necessary for the Service Animal's well-being. The arrangements and responsibilities with the care of a Service Animal is the sole responsibility of the Owner at all times, including regular bathing and grooming, as needed.
3. Is responsible for independently removing or arranging for the removal of the Service Animal's waste. Waste must be disposed in a sealed bag in appropriate trash areas.
4. Is responsible for complying with local and state licensing laws for animal rights and Owner responsibilities. Service Animals should be current with immunizations and wear a rabies vaccination tag.
5. Is responsible for paying for any damage to University property caused by the Service Animal.
6. Service Animals must leave campus with the Owner anytime the Owner leaves overnight and/or during University breaks.
7. The Owner is strongly encouraged to maintain liability insurance coverage for the Service Animal, in order to protect the Owner and family from risk of significant legal and financial liability. The Owner will in all cases be held financially responsible for the actions of the Service Animal, including any incident where the Service Animal causes bodily injury to another person, regardless of whether the Owner has obtained insurance coverage. A Residential Owner's responsibility further includes (without limitation) replacement of furniture, carpet, window, wall covering, etc. A Residential Owner is expected to cover these costs at the time of repair and/or move-out. The Owner shall have no claim against the University for any financial obligations resulting from the actions of the Service Animal.

#### **ii. University Community:**

1. Must allow Service Animals to accompany their Owners at all times and everywhere on campus where the general public (if accompanying a visitor) or other students (if accompanying a student) are allowed, except for places where there is a health, environmental, or safety hazard (see Exclusions below).

2. Contact the Academic Success Center & Disability Resources if any questions or concerns arise relating to a Service Animal, or if you have any additional questions regarding visitors to campus who have Service Animals.
3. Only two questions can be asked about Service Animals:
4. Is the Service Animal required because of a disability?
5. What work or task is the Service Animal trained to perform?
6. Do not ask questions about the Owner's disability.
7. Do not pet or feed a Service Animal.
8. Do not attempt to separate a Service Animal from the Owner.
9. Do not startle or tease a Service Animal.
10. Report any Service Animals who misbehave or any Owners (or other individuals) who mistreat their Service Animals to the Academic Success Center & Disability Resources.

iii. The Academic Success Center & Disability Resources:

1. Is responsible for developing the necessary procedures for the University and facilitating the use of Service Animals by students on campus.
2. Assists Owners and the University community when questions or concerns arise relating to Service Animals on campus and seeks legal advice when necessary.

iv. Trainers/Trainees:

1. Service Animals in training and their trainers are expected to adhere to the responsibilities and requirements of trained Service Animals and their Owners (please see above).
2. If the Trainer is a student, they must register the animal with the Academic Success Center & Disability Resources, showing documentation of licensing and vaccination and providing information about the overseeing training agency, if not pre-approved.
3. Trainees (Service Animals in training) are not permitted to reside in University housing.
4. There is no comprehensive list of approved Service Animal training agencies. Therefore, the Academic Success Center & Disability Resources will determine on a case-by-case basis whether a specific program provides the proper training, supervision and oversight of Trainees and their Trainers.

b. Emotional Support Animals in University Housing

i. Residential Owner:

1. Is responsible to attend to and be in full control of the Emotional Support Animal at all times. The Emotional Support Animal shall have a harness, leash, tether or be transported in an appropriate enclosure whenever it is outside of the University housing building where it will be housed.
2. In shared living spaces, the Emotional Support Animal should be crated or in an appropriate container if the Residential Owner is not in the room with the animal.
3. Is responsible for following all rules related to the restrictions of animals from buildings on the campus other than their assigned University housing.
4. Is responsible for the costs of care necessary for the Emotional Support Animal's well-being. The arrangements and responsibilities for the care of an Emotional Support Animal are the sole responsibility of the Residential Owner at all times, including regular bathing and grooming, as needed.
5. Is responsible for not leaving the Emotional Support Animal unattended for an unreasonable length of time.
6. Is responsible for independently removing or arranging for the removal of the Emotional Support Animal's waste. Waste must be disposed in a sealed bag in appropriate trash areas.
7. If the Emotional Support Animal voids on the floor or carpet anywhere inside University housing, the student is responsible to clean up promptly to the best of their own ability, as well as submit a work order request with [Rowan Facilities](#) or [Nexus Properties](#), as applicable, for the area to be properly disinfected. The student must pay all costs associated with such clean up. Dogs must be housebroken and accidents should be infrequent.

8. Is responsible for complying with local and state licensing laws for animal rights and Owner responsibilities. Emotional Support Animals should be current with immunizations and wear a rabies vaccination tag if appropriate.
9. Is responsible for paying for any damage to University property or pest treatment caused by the Emotional Support Animal.
10. Emotional Support Animals must leave campus with the student anytime the student leaves overnight and/or during University breaks.
11. Must abide by all applicable residential policies, including room inspections.
12. Is responsible for notifying the Academic Success Center & Disability Services and Residential Life if the Emotional Support Animal is no longer needed.
13. Is responsible for renewing Emotional Support Animal requests every academic year.
14. The Residential Owner is strongly encouraged to maintain liability insurance coverage for the Emotional Support Animal, in order to protect the Residential Owner and family from risk of significant legal and financial liability. The Residential Owner will in all cases be held financially responsible for the actions of the Emotional Support Animal, including any incident where the Emotional Support Animal causes bodily injury to another person, regardless of whether the Residential Owner has obtained insurance coverage. The Residential Owner's responsibility further includes (without limitation) replacement of furniture, carpet, window, wall covering, etc. The Residential Owner is expected to cover these costs at the time of repair and/or move-out. The Residential Owner shall have no claim against the University for any financial obligations resulting from the actions of the Emotional Support Animal.

ii. University Community:

1. Must allow Emotional Support Animals to reside with their Residential Owners in their University housing once they are approved as a disability-related accommodation.
2. Contact the Academic Success Center & Disability Services if any questions or concerns arise relating to Emotional Support Animals.
3. Report any Emotional Support Animals who misbehave or any Residential Owners (or other individuals) who mistreat their Emotional Support Animals to the Academic Success Center & Disability Services.

iii. The Academic Success Center & Disability Resources:

1. Is responsible for developing the necessary procedures for the University and facilitating the use of Emotional Support Animals by students on campus.
2. Will contact potential roommates and suitemates to determine if the other residents have any allergies or health-related concerns about potentially living with an animal.
3. Assists Residential Owners and the University community when questions or concerns arise relating to Emotional Support Animals on campus and seeks legal advice when necessary.
4. If other residents raise legitimate concerns about an Emotional Support Animal and attempts at mediation are unsuccessful, the Residential Owner of the Emotional Support Animal will be provided with an alternate living space on campus and expected to move within a reasonable period of time.

## 6. **Exclusions**

- a. **Service Animals:** A Service Animal is permitted to accompany its Owner at all times and in all places on campus except where animals are specifically prohibited because of health and safety restrictions. For example, restricted areas may include, but are not limited to, food preparation areas, research laboratories, boiler rooms, classrooms with research/demonstration animals, areas where protective clothing is necessary, rooms with heavy machinery, and other areas required by state or local law.
- b. **Emotional Support Animals:** Emotional Support Animals are only allowed within the Residential Owner's dwelling in University housing and in public campus areas where domesticated animals are permitted. All University buildings, other than the Residential Owner's assigned University housing, are off limits to Emotional Support Animals. When transported outside the Residential Owner's University housing, the Emotional Support Animal must be in an animal carrier or



controlled by a leash/harness in public or common areas.

## **7. Removal of Animals**

The University may exclude/remove a Service Animal or Emotional Support Animal when any of the following occur:

- a. The animal poses an unreasonable threat to the health or safety of others, including aggressive behavior. This behavior includes but is not limited to excessive noise, running around unrestrained, making unwanted contact with others, or growling, biting or threatening others. For example, an Emotional Support Animal that makes excessive noise in a dwelling can be very disruptive to other residents. 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 behavior problems and presents such evidence to the Academic Success Center & Disability Services.
- b. The animal's presence results in a fundamental alteration of the University's program or activity.
- c. The animal causes substantial physical damage to the property of others.
- d. The animal is disruptive.
- e. The animal substantially interferes with the reasonable enjoyment of the area by others.
- f. The Residential Owner does not comply with the Owner's Responsibilities in University Housing (see above).
- g. If the Residential Owner fails to clean the cage, box or any enclosed dwelling of a small animal such that the cleanliness of the room is not maintained.

## **8. Permits and Legal Restrictions**

Owners must meet the requirements of Glassboro's Animal Control Ordinance, as set forth in Part II, Chapter 156 of the municipality's local laws, or the similar requirements of the New Jersey municipality or county where the student maintains permanent residency.

All potential Emotional Support Animals must meet New Jersey state regulations regarding the Possession of Nongame and Exotic Wildlife, as set forth at N.J.A.C. 7:25-4.1, et seq. These requirements include obtaining appropriate state, municipal, or Federal permits and/or licenses for certain Nongame or exotic species of any mammal, bird, reptile, or amphibian (see N.J.A.C. 7:25-4.2). Additionally, no Emotional Support Animal may be any "potentially dangerous species" as defined by N.J.A.C. 7:25-4.8.

## **9. Visitors**

A visitor's Service Animal is permitted to accompany its Owner at all times and in all places on campus except where animals are specifically prohibited because of health and safety restrictions (see Exclusions above). A visitor's Emotional Support Animal is only permitted in outdoor public areas on campus where domesticated animals are allowed.

## **10. Appeals and Grievances**

Any student Owner dissatisfied with a decision concerning a Service Animal or an Emotional Support Animal may file an appeal with the Vice President for Student Life and Dean of Students, by sending an email to [deanofstudents@rowan.edu](mailto:deanofstudents@rowan.edu) with either "Service Animal Appeal" or "Emotional Support Animal Appeal," whichever is applicable, in the subject line. The Vice President for Student Life and Dean of Students' decision shall be a final determination.

## **11. Complaints and Concerns**

- a. Complaints or concerns about a Service Animal or Emotional Support Animal may be reported to the following:
  - i. Director for Academic Success Center & Disability Services (856) 256-4259
  - ii. Assistant Vice President for Residential Learning and Inclusion Programs (856) 256-4266 (for those that reside in University housing)

- iii. Rowan University Department of Public Safety (856) 256-4922 or for emergencies (856) 256-4911
- iv. Gloucester County Animal Control Division (856) 881-2828
- b. Any animal neglect or abuse will be referred to appropriate law enforcement and animal welfare authorities.

## 12. **Emergencies**

In cases of immediate danger, which may occur when a Service Animal or Emotional Support Animal is out of control or poses a threat of serious injury, observers should contact Rowan University Department of Public Safety (856) 256-4922, or for emergencies (856) 256-4911.

In the event of emergency situations, the University will contact the Owner. If the Owner cannot be reached, the University will contact the person listed as the Emergency Contact. If the Owner and the Emergency Contact are unreachable, the University reserves the right to remove (or have emergency personnel remove) the animal from the Owner's University housing, to an appropriate location (i.e., shelter), at the Owner's expense.

## 13. **Violations**

Should the conditions of this policy not be met, the Service Animal or Emotional Support Animal's Owner will receive written notice from the Academic Success Center & Disability Services and/or Residential Learning & University Housing requiring the Owner to immediately comply. In the event the Owner fails to comply with the written notice, the University reserves the right to remove (or have emergency personnel remove) the animal from the Owner's University housing, to an appropriate location (i.e., shelter), at the Owner's expense.

Violations of this policy will be addressed through the appropriate disciplinary processes.