



POLICY - EMOTIONAL SUPPORT ANIMAL (ESA) ACCOMMODATIONS and SERVICE ANIMALS

1. Statement of Policy:

St. Norbert College supports the use of service animals and emotional support animals (ESAs) on campus by individuals with disabilities in appropriate circumstances and in accordance with this policy. Those with questions about the use of service animals or emotional support animals should refer to this policy and/or contact the Office of Academic Success, Support and Accessibility.

2. Definitions:

- a. **Service Animals:** Service animals are defined under the Americans with Disabilities Act (“ADA”) as dogs that are individually trained to do work or perform tasks for people with disabilities. Service animals are working animals, not pets. The work or tasks performed must be directly related to the individual’s disability. 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.
 - i. **Examples:** Examples of work or tasks that service animals perform 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, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as books or the telephone, alerting a person to a sudden change in blood sugar levels, providing physical support and assistance with balance and stability to individuals with mobility disabilities, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.
 - ii. **Miniature Horses:** St. Norbert College may permit the use of a miniature horse on the same basis as a service animal if the horse has been trained to do work or perform tasks for the benefit of the individual with a disability and after an

assessment of the following factors: the type, size, and weight of the miniature horse and whether the facility can accommodate these features; whether the handler has sufficient control of the miniature horse; whether the miniature horse is housebroken; and whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

- b. Emotional Support Animals (“ESAs”): An ESA is a companion animal which provides therapeutic benefits, such as alleviating or mitigating symptoms of a person’s disability. ESAs are not service animals. However, an ESA may be permitted on campus as a reasonable accommodation. Prior approval must be obtained pursuant to the procedures and standards outlined below.
- c. Owner: A student who has an approved ESA on campus.
- d. Handler: A person with a disability that a service animal assists or a personal care attendant who handles the animal for a person with a disability.

3. Specific Procedures:

- a. Service Animals: Individuals who wish to bring a service animal to campus – including classrooms and St. Norbert College buildings open to the public – may do so without prior approval. However, students are *strongly encouraged* to reach out to the Office of Academic Success, Support and Accessibility to ensure that their experience bringing the animal to campus is smooth.
- b. Emotional Support Animals: Students who wish to bring an ESA onto campus must go through the reasonable accommodation process with the Office of Academic Success, Support and Accessibility. While accommodation requests will be accepted and considered at any time, requests should be filed at least 60 days before the student intends to bring the animal to campus in order to ensure timely consideration. An ESA will not be allowed on campus until formal approval has been received.

To ensure that the presence of an ESA is not an undue administrative burden or fundamental alteration of a St. Norbert College program or activity, the college will consider each request for an assistance animal on a case-by-case basis.

- i. Upon receipt of a request for an ESA, the Office of Academic Success, Support and Accessibility will engage in communication with the student to determine if the use of the animal is a reasonable accommodation.

- ii. In order for an ESA to be considered as a reasonable accommodation for a student with a disability, supportive documentation must be submitted, from a professional, licensed healthcare provider (on letterhead), and should include the following information:
 - A current diagnostic statement that identifies the disability, including date of initial and most current diagnosis, any evaluations/testing that support the diagnosis, and a description of the functional limitation of the disability
 - Information regarding the relationship between the disability and the relief the animal provides
 - Information that demonstrates the animal is necessary in order for the student to utilize and benefit from the St. Norbert College's programs, services, or activities

4. General Standards for the Removal of Service Animals or the Disapproval/Removal of Emotional Support Animals:

- a. Decisions to remove a service animal or disapprove/remove an ESA will be made on a case-by-case basis, considering all surrounding circumstances. However, the following general standards reflect reasons why an animal may be removed or disapproved:
 - i. The animal poses a direct threat to the health or safety of others. For example, the animal displays vicious behavior towards others or has a serious illness.
 - ii. The animal causes or would cause substantial physical damage to the property of others.
 - iii. The animal poses an undue financial and/or administrative burden.
 - iv. The animal would fundamentally alter the nature of the college's educational or business operations.
 - v. The animal is out of control and the handler/owner does not take effective action to control it. If the out of control behavior happens repeatedly, the handler/owner may be prohibited from bringing the animal into St. Norbert College facilities until the handler/owner can demonstrate that he/she has taken significant steps to mitigate the behavior.
 - vi. The animal is not housebroken.
 - vii. The handler/owner does not abide by his/her responsibilities as outlined in Section V of this policy.

- b. St. Norbert College considers the following factors in determining whether to approve the presence of an ESA in its facilities:
 - i. The size of the animal and whether it is too large for the relevant space

- ii. Whether the animal's presence would force another individual from using that space (e.g., serious allergies)
 - iii. Whether the animal's presence would be disruptive to the academic or work environment
 - iv. Whether the animal is housebroken
 - v. Whether the animal's vaccinations are up to date
 - vi. Whether the animal poses or has posed in the past a direct threat to the individual or others, such as injuring or acting aggressively
 - vii. Whether the animal causes or has caused excessive damage to St. Norbert College facilities
- c. When an animal has been properly removed pursuant to this policy, the college will work with the handler/owner to determine reasonable alternative opportunities to participate in the college's services, programs, and activities without having the animal on the premises.

5. Responsibilities of Handlers/Owners:

- a. Laws, Ordinances, and Policies: Handlers/owners are responsible for complying with all state laws and local animal ordinances and are subject to all St. Norbert College policies.
- b. Proper Identification: All animals are subject to local licensing and registration requirements.
- c. Health and Vaccination: Animals must be immunized against diseases common to that type of animal. All vaccinations must be current. These animals must wear a rabies vaccination tag and, in the case of ESAs, vaccination documentation must be provided to the Office of Academic Success, Support and Accessibility prior to the animal being allowed into any facilities.
- d. Caring for the Animal: The cost of care, arrangements, and responsibilities for the well-being of the animal are the sole responsibility of the handler/owner at all times. The college will accept no responsibility for the care of any animal covered by this policy.
 - i. Animals must be kept clean and well groomed. St. Norbert College facilities may not be used for this purpose
 - ii. Animals cannot be left unattended at any time. Animals cannot be confined to a vehicle, tethered, or abandoned at any time
- e. Keeping the Animal Under Control: The animal should be fully controlled by the handler/owner, including responding to voice and/or hand commands (if this can

reasonably be expected of the type of animal at issue). If an animal is found loose or unattended, the animal is subject to immediate removal.

- f. Being Responsible for Damage Caused by the Animal: Handlers/owners are personally responsible for any damage caused by their animals and must take appropriate precautions to prevent property damage. The handler/owner will be required to pay for any damages caused by the animal.
- g. Being Responsible for Waste: Cleaning up after the animal is the sole responsibility of the handler/owner and it must be done immediately. Waste must be bagged and discarded in designated outdoor receptacles. No waste may be flushed down toilets or discarded in interior waste bins. In the event that the handler/owner is not physically able to clean up after the animal, it is then the responsibility of the handler/owner to hire someone capable of cleaning up after the animal.
- h. Leash Requirements: Service animals should always be on a leash, unless the owner is unable to use a leash due to a disability or the use of the leash would interfere with the animal's ability to perform its duties. In that case, the owner must be able to control the service animal by other effective means such as voice controls or signals. ESAs must be on a leash or in a carrier while on St. Norbert College property.
- i. Observing Good Animal Etiquette: To the greatest extent possible, the handler/owner should ensure that the animal does not display behaviors or make noises that are disruptive or frightening to others, unless it is part of the service being provided to the handler (e.g., barking to alert the handler of danger). The animal must possess friendly and sociable characteristics.
- j. Emergency Situations: The handler/owner is expected to follow all St. Norbert College procedures for emergency evacuation and participate in emergency evacuation drills. Individual needs must be arranged in advance with appropriate St. Norbert College personnel.
 - i. Student must provide the College with the name and contact information for someone who does not reside in College housing and who can take responsibility for the animal within 12 hours should the owner be unable or unavailable to care for it.
- k. Other Conditions and Restrictions: In response to a particular situation, the college reserves the right to impose other reasonable conditions or restrictions on the use of service animals and ESAs as necessary to ensure the health, safety, and reasonable enjoyment of St. Norbert College programs and activities by others.

6. Other Information Specifically Related to Service Animals:

a. Permitted Inquiries

- i. In general, members of the St. Norbert College community should not ask about the nature or extent of a person's disability. However, as permitted by the ADA, if it is not obvious that the animal is required because of a disability, the handler may be asked:
 - If the animal is required because of a disability
 - What work or task the animal has been trained to perform
- ii. The handler should not be asked for documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, St. Norbert College community members should not make inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., if the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

b. Areas Off Limits to ESAs and Service Animals

- i. ESAs are permitted only in the building(s) or other areas of campus approved through the reasonable accommodation process.
- ii. While service animals are generally allowed to go anywhere on campus that the handler can go, there are certain areas where the presence of a service animal fundamentally alters the nature of a program or activity or is disruptive. Examples of the areas that are off limits to service animals include:

- **Research Laboratories:** The natural organisms carried by service animals may negatively affect the outcome of the research. At the same time, the chemicals and/or organisms used in the research may be harmful to service animals.
- **Mechanical Rooms/Custodial Closets:** Mechanical rooms, such as boiler rooms, facility equipment rooms, electric closets, elevator control rooms and custodial closets, are off-limits to service animals. The machinery and/or chemicals in these rooms may be harmful to animals.
- **Food Preparation Areas:** Food preparation areas are off limits to service animals per health codes.
- **Areas Where Protective Clothing is Necessary:** Any room where protective clothing is worn is off-limits to service animals. Examples include chemistry laboratories, wood shops, and metal/machine shops.

- Areas Where There is a Danger to the Service Animal: Any room, including a classroom, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface; where there is hot material on the floor (e.g., molten metal or glass); where there is a high level of dust; or where there is moving machinery is off-limits to service animals.
- iii. Questions regarding areas that are off limits to service animals should be directed to the Office of Academic Success, Support and Accessibility. Exceptions may be granted in some circumstances.
- c. Service Animals in Training: Service animals in training are permitted in all public facilities on the same basis as working service animals, provided that the dog is on a leash and is being led or accompanied by a trainer for the purpose of training the dog and the trainer has documentation confirming the trainer is affiliated with a recognized or certified service dog training organization. Service animals in training are not permitted in classrooms, offices, or other areas of campus buildings not open to the general public without prior approval obtained from the Office of Academic Success, Support and Accessibility through the reasonable accommodation process.

7. Additional Matters:

- a. Animal No Longer Necessary: The Office of Academic Success, Support and Accessibility should be notified when an animal covered by this policy will no longer be on campus or, in the case of ESAs, is no longer needed as an accommodation.
- b. Conflicting Disabilities: Some people may have allergic reactions, asthma, respiratory diseases, etc. to animals that are substantial enough to qualify as disabilities. The college will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities to resolve the problem as efficiently and expeditiously as possible. Students requesting allergy accommodations should contact the Office of Academic Success, Support and Accessibility.
- c. Concerns: Concerns regarding an animal covered by this policy can be brought to the attention of the Office of Academic Success, Support and Accessibility.

8. Grievance Procedure Related to Service Animals and Emotional Support Animals:

If the decision is made to deny a request for or remove an animal covered by this policy, the affected individual may file a formal written grievance with the Director of the Office of Academic Success, Support and Accessibility pursuant to the Anti-Harassment, Anti-Discrimination Grievance Procedures.

9. Reasonable Modifications to this Policy:

Individuals wishing to request a modification or exception to this policy, as a reasonable accommodation, should contact the Office of Academic Success, Support and Accessibility.

It is important to remember not all accommodation requests will be granted, and the College will not have to fundamentally alter its programs in order to accommodate a student. In some cases, the institution may provide an alternative reasonable accommodation rather than the specific accommodation requested.

All applications for academic accommodations will follow the procedure below and require supporting documentation to be submitted for review. Types of documentation required may vary depending on the reported disability and/or medical condition and requested accommodations. The institution may request additional documentation even when some supporting documentation has been provided. In some circumstances, documentation of past accommodations will be considered (i.e. IEP's, Section 504 plans, etc.).

A student can request additions and/or modifications to their already-granted accommodations at any time with the understanding that the student may be asked by the College to provide additional documentation to support the requested additions or modifications.

Student Process and Documentation - Procedural Overview

1. Students will contact the Office of Academic Success, Support and Accessibility to request accommodations. Students will be asked to self-identify medical condition/disability and make a formal request using the *Accommodation Request Form*. On this form Student will indicate specific needs and types of accommodations being requested (i.e. Academic, Housing, Dietary, Emotional Support Animal or a combination of these). Once completed, students will receive an email containing a response receipt from the Office of Academic Success, Support and Accessibility.
2. The student will then receive an email from the Office of Academic Success, Support and Accessibility describing “Next Steps”. This email may also include links to necessary forms and/or follow up questions and instructions.
3. The student will submit documentation from a licensed professional. This should be the most recent and thorough medical/psychological diagnostic documentation available.
 - All documentation should include diagnosis and recommended legal and reasonable accommodations.
 - Documentation can be submitted through any of the following options:
 - Secure link included in the *Accommodation Request Form*
 - Secure link provided on the website
<https://www.snc.edu/academicsupport/accommodation/>
 - Email to phyllis.eagle@snc.edu
 - Fax 920.403.4021
 - Hardcopy delivered to our office located in Todd Wehr Hall Room 243
4. The College will determine appropriate accommodations and send Student relevant paperwork.

Some forms of documentation that we can accept:

- Individualized Education Plans (IEP’s)/504 Plans with diagnosis and recommended accommodations
- A written diagnosis letter, on professional letterhead, signed by an appropriate licensed professional with recommended accommodations
- The names and scores of psychological and psycho-educational instruments used in arriving at diagnosis, if appropriate