



POLICY STATEMENT

NO. 3.35.00

COORDINATED BY: Office of Business Affairs and Office of Student Development

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SUBJECT: UNIVERSITY ANIMAL POLICY

I. PURPOSE

The purpose of this policy is to provide the Louisiana State University Shreveport community with guidelines for use of service animals and emotional support animals on campus to ensure the protection of the rights of persons with disabilities, the protection of persons from animals, and the proper care for animals while on campus. The University allows individuals with disabilities to bring service animals or emotional support animals on University property, as provided by this policy and in compliance with the Americans with Disabilities Act (ADA), as amended. Sections 503 and 504 of the Rehabilitation Act of 1973, as amended, the Fair Housing Act of 1968, and other relevant laws and regulations (collectively, applicable laws). As such, this policy establishes and enforces responsibilities, rules, exclusions, accommodation processes, and procedures necessary in order for individuals to bring service animals and emotional support animals on University property.

II. APPLICABILITY

This policy applies to and is enforceable against all students, faculty, staff, administrators, student employees, individuals affiliated with the University by contract or otherwise (including, but not limited to, non-employees, such as vendors and independent contractors, volunteers, student organization advisors), affiliates, alumni, donors, and visitors. This policy applies to all areas of the University campus and all real property and vehicles owned or controlled by the University. Further, this policy applies to all animals owned or controlled by individuals who request to bring service animals or Emotional Support Animal upon University property.

III. DEFINITIONS

Service Animal: any dog, or in certain circumstances, a miniature horse, specifically 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. A service animal is a working animal, not a pet. For example, tasks performed include, but are not limited to, pulling a wheel chair, retrieving items such as medicine or telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities; assisting individuals who are blind or have low vision with navigation and other tasks (Guide Dog or Seeing Eye® Dog); alerting individuals who are deaf or hard of hearing to the presence of people or sounds (Hearing or Signal Dog); assisting an individual during a seizure (Seizure Response Dog); helping persons with psychiatric (Psychiatric Service Dog) and neurological disabilities (SSigDOG) to lessen the impact of impulsive or destructive behaviors. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purpose of this definition.

Emotional Support Animal (ESA): any animal that is specifically designated by a qualified medical provider (i.e., either licensed in the state of Louisiana or the state where the student resides) that provides emotional support, well-being, or companionship which alleviates or mitigates symptoms of a disability; the animal is not individually trained. ESA or comfort animals are restricted to University Housing.

Handler: a person with a disability who is the owner and user of a service animal or an ESA.

Pet: any animal that is kept for ordinary use and companionship and is not trained or employed as a service animal or designated as an ESA by Disability Services. Pets are prohibited in University Housing and other University facilities/buildings.

University Property: University land including, but not limited to, all physical spaces, facilities, buildings, and acreage that the University owns, leases, controls, or uses in the execution of its mission.

IV. REQUIREMENTS

Service Animals: Service animals are permitted in all areas of the University's facilities and programs where the service animal's handler is permitted. However, service animals are prohibited from certain, specific locations and activities on University property in order to preserve the safety and health of the service animal and the University community. These prohibited areas include, but are not limited to, the following:

- Mechanical rooms/custodial closets/boiler rooms;
- Food service preparation areas;
- Research laboratories; and
- Areas where there is a danger to the service animal or as prohibited by law.

A service animal shall have a harness, leash, or other tether unless (1) the handler is unable to use a harness, leash, or tether, or (2) using a harness, leash, or tether will interfere with the service animal's ability to perform its duties safely and effectively. In such cases, the handler must maintain control of the animal through voice, signal, or other effective controls.

The work or tasks performed by a service animal must be directly related to the handler's disability. University personnel may not ask about the handler's disability, require medical documentation, require a special identification care or training documentation for the service animal, or ask that the service animal demonstrate its ability to perform the work or task. However, when the service provided is not obvious, University personnel are permitted to make on the following inquiries from the handler:

- Is the service animal required because of a disability, and
- What work or task has the service animal been trained to perform?

Further, member of the University community and visitors are not permitted to interfere in any way with a service animal, or the duties it performs. The University community must allow service animals to accompany their handlers at all times and everywhere on campus where the general public (if accompanying a visitor) or other students or employees (if accompanying a student or employee) are allowed, except for place where there is a health, environmental, or safety hazard as detailed above.

Emotional Support Animals: An ESA owned by a handler is only permitted in an individual's unit of campus housing and in those outdoor areas on University property designated for such use by University Housing. An ESA is not allowed in any other University buildings, facilities, or in other programs on University property.

When outside of the handler's residence, the ESA will be harnessed, leashed, tethered, or transported in an appropriate enclosure. In shared living spaces, the ESA will be in an appropriate container if the handler is not present. If the unit is occupied by more than one resident, a Roommate Agreement Form must be on file with University Housing. The owner of the ESA is responsible for disposing of all animal waste in a sturdy bag tied securely before being disposed of in a trash receptacle.

Damage to housing on University property caused by an ESA shall be assessed and apportioned in accordance with University Housing policies found in the lease.

Handlers: Handlers are responsible for the care and supervision of his or her service or emotional support animal at all times. All handlers are responsible for (1) compliance with applicable laws concerning the service animal or ESA (including, but not limited to, registration, flea and tick prevention and deworming, vaccinations, and identification/contact tags), (2) controlling the service animal or ESA, (3) cleaning up any waste created by the service animal or ESA, (4) the costs of care necessary for a service animal's or ESA's well-being, and (5) for any damage caused by the service animal or ESA to persons or property while on University property (including, but not limited to, replacement and repair of University or other persons' assets, including grounds, personal property, and improvements).

No animal may be left unattended except for reasonable periods of time based on the breed and totality of the circumstances. The service animal and ESA may not be left overnight in University Housing to be cared for by anyone other than the handler unless reflected in the Roommate Agreement Form. If the owner leaves the service animal or ESA unattended for longer than a reasonable period of time and it places the animal's health or safety in jeopardy, University Housing

may contact the owner of the ESA, the University Police Department, and/or the Northwest Louisiana Humane Society. University Housing and, where appropriate, an animal control officer or humane society representative, may enter a residential unit to investigate or remove the ESA if, in the University's judgment, an emergency removal is required. In such an event, University Housing will notify the owner of the animal as soon as reasonably possible after removal. The handler will receive a warning. If the behavior occurs a second time, the handler will be required to remove the service animal or ESA from campus and will be prohibited from bringing the service animal or ESA back onto University property.

The service animal and ESA may not be confined to a vehicle. University Police may take responsible efforts to remove an animal confined in a vehicle when there appears to be imminent danger to the animal due to inadequate ventilation or temperature conditions.

No service animal or ESA may be tied or tethered to any University property including, but not limited to, buildings, railings, bike racks, fire hydrants, fences, signposts, benches, and trees. Furthermore, no service animal or ESA will be permitted to run unleashed anywhere on University property.

No service animal or ESA shall disrupt or interfere with University activities including, but not limited to, teaching, research, service, co-curricular, or administrative activities. If the service animal or ESA is unruly or disruptive, or if the handler fails to maintain control of the service animal or ESA, the handler must regain control immediately or remove the service animal or ESA from University property. If the improper behavior continues or happens more than once, the handler may be prohibited from bringing the service animal or ESA onto University property.

In the event a service animal or ESA is banned from the University, the University will engage in interactive dialogue with the handler to determine other alternatives that will effectively accommodate the handler without resulting in an undue hardship. These decisions are determined on a case-by-case basis by the Office of Human Resources, and/or the Office of Student Advocacy and Accountability, as appropriate.

V. PROCEDURE

Employees

Emotional support animals are prohibited in the workplace. However, employees with a disability as defined by the ADA may make an accommodation request for a service animal in the workplace. ADA requests are made directly with the ADA Coordinator in the Office of Human Resources.

Employees requesting a service animal in the workplace must submit a health care provider's medical certification of the related disability. When it is not obvious, individuals with a disability requesting to use a service animal at work will be required to provide documentation stating the work or task that the service animal has been trained to perform and a detailed description of how the service animal will help the individual in performing tasks and how the service animal is trained to behave in the workplace.

In some cases, the University may grant the employee a trial period, not to exceed six months, to determine if the service animal is capable of functioning effectively and appropriately in the workplace.

Students

The University allows students with disabilities to bring service animals and ESAs to campus. While service animals are allowed into all areas of campus as defined above, ESAs are restricted to University Housing. Students are prohibited from taking the ESA into any other buildings on campus, including classrooms, libraries, administrative buildings, dining facilities, or any controlled spaces. Students residing in University Housing, and who wish to bring either a service animal or an ESA onto University property to accommodate a disability, must inform the Office of Disability Services prior to bringing the animal onto University property. The Office of Disability Services will make an individualized assessment of each proposed ESA based upon this policy and documentation from a qualified medical provider. The Office of Disability Services will coordinate with University Housing. Once an ESA accommodation has been approved, University Housing and the student will complete:

- Emotional Support Animal and Service Animal Registration Form;
- Veterinarian Verification Form; and

- Emotional Support Animal/Service Animal Roommate Agreement Form (in the case of roommates).

Visitors

Visitors, including alumni, event attendees, seminar participants, potential students and families on campus tours, vendors, and other business visitors to the University, and any and all other University guests, are not required to receive permission from the University prior to bringing a service animal onto University property. However, visitors are prohibited from bringing ESAs or pets onto University property.

Visitors can contact the department or office the visitor wishes to visit, or the office sponsoring the event the visitor wishes to attend, with any questions about the rules concerning the presence of a service animal at a specific event or in a specific location on campus. Visitors may also address questions to the Office of Risk Management.

A visitor to the University who is accompanied by a service animal may be denied entrance to a specific event or location if the presence of the service animal would interfere with the safe and normal operation of the University, would pose a risk to the service animal, or is otherwise not allowed.

Grievance

Any faculty, staff, administrator, employee, or student employee who feels that he or she has been subjected to discrimination or harassment because of his or her disability may file a grievance under the University's Grievance Policy through the Office of Human Resources.


Any student who feels that he or she has been unfairly denied the ability to bring a service animal onto University property, or who feels that he or she has been unfairly denied the ability to have an ESA in a University residence, may file a grievance with the Dean of Students.

Grievances can also be filed external to the University:


- Title I of the ADA and Section 504 of the Rehabilitation Act prohibit discrimination in employment. Employees can file a charge with the Equal Employment Opportunity Commission (EEOC). For more information: <http://www.eeoc.gov/contact/index.cfm> (link is external)

- 800/669.4000 (voice)
800/669.6820 (TTY)
- Housing complaints may be filed with the Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity:
<http://www.hud.gov/fairhousing> (link is external)
800/669.9777 (voice)
800/927.9275 (TTY)
 - The Office for Civil Rights in the Department of Education enforces Title II of the ADA and Section 504 as they apply to education. For information:
U.S. Department of Education
Office of Civil Rights
400 Maryland Avenue, SW
Washington, DC 20202-1100
800/421.3481 (voice)
800/877.8339 (TTY)
Email: OCR@ed.gov
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>
 - Title III complaints are filed with the Department of Justice:
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Section – NYA
Washington, DC 20530
<http://www.ada.gov> (link is external)
800/514.0301 (voice)
800/514.0383 (TTY)

AUTHORIZED BY:


DocuSigned by:

191E7FA191414F6...
Barbie Cannon
Vice Chancellor for Business Affairs

07/20/2022
Date Signed

DocuSigned by:

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Paula Atkins
Associate Vice Chancellor for Student Development

07/20/2022
Date Signed

APPROVED BY:

DocuSigned by:

19F4092C379E478...
Lawrence Clark
Chancellor

07/20/2022
Date Signed