

Eastern Michigan University
Administrative Policy

Service Animals, Emotional Support Animals and Pets on Campus

Purpose

To clearly describe Eastern Michigan University's ("EMU") policy and practices related to animals on campus.

Scope

This administrative policy ("Policy") applies to all EMU employees, students, and visitors.

Policy

EMU welcomes animals on campus if the presence of such animals complies with this Policy. EMU prohibits animals from being on campus in violation of this Policy. For the purposes of this Policy, animals are separated into three distinct categories: (1) Service Animals, (2) Emotional Support Animals, and (3) Pets.

I. SERVICE ANIMALS

EMU defines Service Animal as a dog or miniature horse that is individually trained to do work or perform tasks for individuals with disabilities. Service animals are working animals, not pets. Dogs or miniature horses whose sole function is to provide comfort or emotional support do not qualify as a Service Animal. The work or task a Service Animal has been trained to provide must be directly related to the individual's disability. Examples of work or tasks Service Animals may perform include guiding individuals who are visually impaired, alerting individuals who are hearing impaired, pulling a wheelchair, alerting and protecting an individual who is having a seizure, reminding an individual with mental illness to take prescribed medications, calming an individual with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties.

EMU is not responsible for the care or supervision of a Service Animal. A Service Animal shall be under the control of the individual responsible for the ownership or handling of the animal ("Owner"). A Service Animal shall have a harness, leash, or other tether unless either the Owner is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the Service Animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the Owner's control (e.g., voice control, signals, or other effective means).

EMU may ask an individual to remove a Service Animal from the premises if: (a) the Service Animal is out of control and the Service Animal's Owner does not take effective action to control it; (b) the Service Animal is not housebroken; or (c) the Service Animal poses a direct threat to the health and safety of others (generally, another's allergies or a fear related to a

Service Animal is not a valid reason for denying an individual's right to have a Service Animal at EMU). EMU may impose reasonable time, place and manner restrictions where there is a direct threat to the health and safety of others.

A. Employees (including student employees) and Service Animals

EMU Employees, including student employees, may not use a Service Animal while acting as an EMU employee unless and until that Service Animal is approved as a reasonable employment accommodation pursuant to EMU's Reasonable Accommodation Policy and Procedures. All EMU employees, regardless of type (i.e., part-time, temporary, work-study, graduate assistant, teaching assistant, etc.), who would like to request the use of a Service Animal as a reasonable employment accommodation must follow EMU's Reasonable Accommodation Policy and Procedures, which is available here:

<https://www.emich.edu/hr/working/employment/ada-accommodations.php>

Student employees are required to follow EMU's Reasonable Accommodation Policy and Procedures at all times the student is acting as an EMU employee. All inquiries related to EMU's Reasonable Accommodation Policy and Procedures may be directed to EMU Human Resources at (734) 487-3430.

B. Students and Service Animals

A student with a disability is permitted to be accompanied by their Service Animal in all areas of EMU where program participants and members of the public are allowed to go. For example, (a) a member of the public may be permitted to walk in the common areas of the Student Center during business hours and thus a student with a disability may walk in the common areas of the Student Center with their Service Animal during business hours as well; (b) a student participating in the Geography program may be permitted to walk through the Geography Department area in Strong Hall in order to visit a faculty member during office hours and thus a student with a disability may walk with their Service Animal through the Geography Department area in Strong Hall in order to visit a faculty member during office hours as well; and (c) a student with a disability who is living in EMU housing may be accompanied by their Service Animal in the EMU housing facility where that student lives.

If it is not readily apparent that an animal accompanying a student on campus is a Service Animal, EMU may ask the student one or both of the following questions to determine whether the animal qualifies as a Service Animal: (1) If the animal is required because of a disability and (2) What work or task the animal has been trained to perform.

C. Visitors and Service Animals

A member of the public with a disability who visits EMU is permitted to be accompanied by their Service Animal in all areas of EMU where members of the public are allowed to go. For example, a member of the public may walk in the common areas of the Student Center during business hours and thus a visitor with a disability may walk in the common areas of the Student

Center with their Service Animal during business hours as well.

If it is not readily apparent that an animal accompanying a visitor on campus is a Service Animal, EMU may ask the visitor one or both of the following questions to determine whether the animal qualifies as a Service Animal: (1) If the animal is required because of a disability and (2) What work or task the animal has been trained to perform.

II. EMOTIONAL SUPPORT ANIMALS

EMU defines an Emotional Support Animal (“ESA”) as an animal, which is not a Service Animal, that provides emotional support or alleviates one or more identified disability-related symptoms or effects for an individual with a disability.

A. Employees (including student employees) and ESAs

EMU employees, including student employees, may not use an ESA while acting as an EMU employee unless and until that ESA is approved as a reasonable employment accommodation pursuant to EMU’s Reasonable Accommodation Policy and Procedures. Accordingly, all EMU employees, regardless of type (i.e., part-time, temporary, work-study, graduate assistant, teaching assistant, etc.), who would like to request the use of an ESA as a reasonable employment accommodation must follow EMU’s Reasonable Accommodation Policy and Procedures, which is available here:

<https://www.emich.edu/hr/working/employment/ada-accommodations.php>

Student employees are required to follow EMU’s Reasonable Accommodation Policy and Procedures at all times the student is acting as an EMU employee. All inquiries related to EMU’s Reasonable Accommodation Policy and Procedures may be directed to EMU Human Resources at (734) 487-3430.

B. Students and ESAs

A student is required to receive an educational “accommodation” from EMU’s Disability Resource Center (“DRC”) in order to use an ESA while participating in their educational program on campus. In order to submit a request for the use of an ESA as an educational “accommodation”, a student must (1) complete the DRC Initial Questionnaire, (2) complete the Emotional Support Animal Accommodation Request Form and (3) meet with a DRC Case Manager. The DRC Initial Questionnaire, the Emotional Support Animal Accommodation Request form and additional details related to the DRC’s practices and procedures are available here:

<https://www.emich.edu/drc>

All inquiries related to a student obtaining an educational “accommodation” for the use of an ESA may be directed to the Disability Resource Center at (734) 487-2470.

C. Resident Students and ESAs

A student who lives in EMU housing and who wishes to use an ESA while living there is required to follow EMU's Emotional Support Animals Residential Policy, which is available here:

<https://www.emich.edu/drc>

Determinations regarding whether a student will be permitted to use an ESA in EMU housing will be based on the necessity of providing accommodation(s) for individuals to enjoy equal access to EMU housing and the reasonableness of the presence of the ESA in EMU housing. Such determinations will be made on a case-by-case basis.

D. Visitors and ESAs

Members of the public who use an ESA and who visit EMU are required to follow the practice and procedures described in Section III (Pets) below unless the use of the ESA is approved through the DRC. All inquiries related to visitors' use of ESAs may be directed to the Disability Resource Center at (734) 487-2470.

III. PETS

All employees, students, and visitors are required to comply with this Policy related to Pets.

EMU defines a Pet as any animal that is not a Service Animal or an ESA that is kept for ordinary recreation and companionship.

Individuals with Pets are welcome to use public outdoor spaces on campus at EMU, subject to certain restrictions including the EMU athletic fields. Where Pets are permitted on campus, Owners are expected to clean up after them. Pets visiting campus must be kept on a leash at all times and may not be left unattended, including in vehicles, or tied to any objects. All damages (including, but not limited to, injury to person(s) or property) caused by a Pet are the responsibility of the Pet's Owner.

To maintain safety and avoid disruption, Pets are not allowed inside indoor spaces EMU owns or controls.

EMU Housing & Residence Life has additional requirements for students who wish to keep pets in EMU housing, which are available here:

<https://www.emich.edu/residencelife/campusliving/policies.php>

IV. ADDITIONAL RESPONSIBILITIES OF OWNERS

An Owner of an animal (including a Service Animal, ESA or Pet) at EMU must comply with the following provisions regarding the behavior and care of animals on campus:

- (1) Dangerous, poisonous, unauthorized or illegal animals are not permitted at EMU;
- (2) The behavior, noise, odor, and waste of an animal must not exceed reasonable standards and these factors must not create an unreasonable disruption for EMU community members (including employees, students and/or visitors);
- (3) An animal must be vaccinated in accordance with local law and must meet all other registration or licensing requirements under local law;
- (4) An animal must be in good health and maintain good hygiene. If fleas, ticks or other pests are detected, the Owner may be billed for the required pest treatment;
- (5) An Owner is financially responsible for their animal, including any bodily injury or property damage the animal may cause; and
- (6) An Owner is responsible for assuring that their animal does not unduly interfere or adversely affect the routine activities of others.

The EMU representatives authorized to enforce this Policy make all determinations regarding whether an Owner has complied with these responsibilities. From time to time, EMU may use pesticides, pest control devices, de-icing materials, cleaning supplies, and other materials for the maintenance and operation of EMU facilities. EMU is not responsible for any harm to animals on campus caused by such materials.

EMU reserves the right to impose additional restrictions on the presence of animals in certain locations or at particular events. For example, an Owner participating in a laboratory class may need to comply with additional departmental or classroom safety requirements before an animal is permitted in the laboratory class.

Exclusions

This Policy does not apply to animals used in approved EMU research.

This Policy does not apply to animals used for teaching purposes in classes or on campus, based on approved faculty requests for such use. Non-research animals used in classes should be approved through the EMU Institutional Animal Care and Use Committee.

This Policy does not apply to EMU-coordinated or -approved events.

Sanctions & Enforcement

EMU employees and students who violate this Policy may be subject to any applicable EMU disciplinary or conduct process for such a violation. Visitors who violate this Policy may be prohibited from using or keeping animals at EMU. EMU reserves the right to exercise any of its rights against any individual who violates this Policy in accordance with applicable law. In addition to and consistent with the enforcement processes described in the Policy or provided for by law, the following EMU representatives are authorized to enforce this Policy at EMU: (1) supervisors of employees in coordination with the University Advising and Career Development Center (as to student employees) or University Human Resources or Academic Human

Resources (as to non-student employees), (2) the Office of Student Affairs (as to students) and (3) the Department of Public Safety (as to visitors).

Source(s) of Authority and Other References:

Board Policy 3.1.3 [Civil Rights](#)

Board Policy 8.3 [Prohibition Against Discrimination on the Basis of Disability](#)

The Americans with Disabilities Act of 1990 (42 U.S.C. § 12101)

Section 504 of the Rehabilitation Act of 1973

The Fair Housing Act of 1968

Effective: February 25, 2020