

## Service and Assistance Animal Procedure for Housing

### **PROCEDURE STATEMENT**

Wayne State University (“WSU” or the “University”) is committed to providing reasonable accommodations to persons with disabilities, fulfilling its obligations under state and federal law. This procedure governs the use of assistance animals as reasonable accommodations for persons with disabilities in campus housing. The Fair Housing Act (FHA) identifies two types of assistance animals:

1. Service animal, and
2. Other trained or untrained animals that do work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities.

The health and safety of WSU students, faculty, staff, and assistance animals are paramount. Therefore, each request for such an assistance animal accommodation will be carefully considered and decisions will be made on a case-by-case basis. Requests for an accommodation regarding an assistance animal must be supported by sufficient medical documentation for proper consideration of the request.

WSU will not allow in campus housing any animal that poses a threat to the health or safety of others, would cause substantial physical damage to the property of others, would pose an undue financial and administrative burden, or would fundamentally alter the nature of housing operations.

Students living with service/assistance animals are expected to adhere to the same housing policies as all other residents in addition to this procedure. In all cases, the owner of the service/assistance animal is responsible for its behavior. Costs associated with cleaning, repairs, and/or pest control required due to the presence of the service/assistance animal in any residence hall and/or apartment will be charged to the animal’s owner.

### **DEFINITIONS**

#### **Service Animals:**

- A service animal, as defined by the Americans with Disabilities Act Amendments Act (ADAAA), is a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition, however there is a special provision of the ADAAA that permits miniature horses in some cases. The work or task a service animal has been trained to provide must be directly related to the person’s disability. The provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. References to service animals herein refer to service animals as defined by the ADAAA.

#### **Assistance Animals (Other than Service Animals):**

- An assistance animal, as defined under the Fair Housing Act, is an animal that provides physical and/or emotional support to individuals with disabilities. An assistance animal is defined as an animal that may work, provide assistance, or perform physical tasks for an individual with a disability and/or provide necessary emotional support to an individual with a mental or psychiatric disability, but which is not considered a service animal under the ADAAA. References to assistance animals herein refer to assistance animals as defined by the FHA.

## SERVICE/ASSISTANCE ANIMALS IN HOUSING GENERALLY

### Service Animals:

- A person may reside with a service animal in campus housing if the person has a disability and the animal meets the definition of a service animal.
- The service animal is permitted to accompany the resident to all areas of campus housing where residents are normally permitted to go.
- Students with service animals are permitted to bring them to places of public accommodation (e.g., other campus housing locations, dining facilities, academic buildings, athletic facilities, classrooms, labs, libraries, etc.). The University may, however, prohibit the use of service animals in certain locations due to health or safety restrictions, where service animals may be in danger, or where their use may compromise the integrity of research. Exceptions to restricted areas may be granted on a case-by-case basis by contacting Student Disability Services.
- An individual with a disability who wishes to reside in housing with a service dog in training must be registered with Student Disability Services and approval through the reasonable accommodation process must be obtained for the service dog in training to live on campus.
  - Service dogs in training are highly recommended to be twelve (12) months of age or older.

### Assistance Animals (Other than Service Animals):

- Bringing an assistance animal into campus housing is a **two-step approval process**, a student must first obtain approval from Student Disability Services and then obtain approval from the Office of Housing & Residential Life. Refer to the approval section below for more information on the approval process. Generally, a person may reside with an assistance animal in campus housing if:
  - The person has a disability
  - The animal is necessary to afford the person with a disability an equal opportunity to use and enjoy a dwelling; and
  - There is an identifiable relationship or nexus between the disability and the assistance the animal provides.
- The assistance animal must be contained within the resident's privately assigned individual living quarters (room, suite, apartment) except to the extent the resident is taking the animal out for natural relief.
- When the assistance animal is outside the resident's private living quarters, the animal must be in an animal carrier or controlled by a leash or harness.
- The assistance animal is not permitted in other areas of the University (eg., other campus housing locations, dining facilities, academic buildings, athletic buildings and facilities, classrooms, labs, libraries, etc.).
- Assistance animals are required to be at least twelve (12) months of age unless an exception to this requirement has been approved by Student Disability Services.

## **APPROVAL PROCESS FOR SERVICE/ASSISTANCE ANIMAL IN HOUSING:**

### **Service Animals:**

- A resident who will utilize a service animal in housing is strongly encouraged but not required to identify and register with Student Disability Services Office (SDS). This will enable the University to appropriately plan for the animal's presence in housing and provide resident with information about the full range of disability services as provided by SDS.
- Once a resident with a service animal has moved into housing, the resident is encouraged to meet with the Community Director of the assigned housing building to discuss guidelines for residing in housing with an animal. During the meeting, the student and Community Director will discuss the responsibilities listed in this procedure.
- Although a service animal may sometimes be identified by an identification card, harness, cape, or backpack, such identifiers are not required and should not be requested or demanded for any service animal on campus.
- University employees should not question an individual about an accompanying service dog if the individual's disability is readily apparent and the function of the accompanying dog is clear.
- In situations where it is not obvious that a dog is a service animal, staff may use the following questions to help them determine if the animal is a service animal under the ADA:
  - ❖ Is it readily apparent that the dog is trained to do work or perform tasks for the benefit of an individual with a disability? It is readily apparent when the dog is observed:
    - Guiding an individual who is blind or has low vision
    - Pulling a wheelchair
    - Providing assistance with stability or balance to an individual with an observable mobility disability
  - If yes, further inquiries are unnecessary and inappropriate because the dog is a service animal.
  - If no, proceed to the next question.
- ❖ Is the dog required because of a disability?
- ❖ What work or task has the dog been trained to perform?

### **Assistance Animals (Other than Service Animals):**

**Bringing an assistance animal into campus housing requires a two-step approval process; a student must first obtain approval from Student Disability Services and then obtain approval from the Office of Housing & Residential Life.**

**Please note that it is strongly recommended that this entire process be completed at least 30 days prior to a student's move in date. Requests are processed on a first come first served basis and are subject to the availability of housing.**

#### **1. Student Disability Services (SDS) Process:**

- A student seeking to have an assistance animal in University housing must identify and register with Student Disability Services Office (SDS) as soon as possible, preferably at least thirty (30) days prior to move-in. Student must provide documentation of a disability to SDS if such documentation is requested.

- If a student is requesting permission to have a assistance animal in campus housing, the student must submit a Assistance Animal Request Form completed by the individual's health care provider OR a signed letter, on professional letterhead, from the individual's health care provider to SDS stating:
  - The nature of the disability condition or impairment
  - Description of the student's current functional limitations
  - The provider's professional opinion regarding the identifiable relationship or nexus between the disability and the assistance provided by the animal.

**\*\*SDS reserves the right to request additional information from the student to substantiate a disability and/or need for the accommodation.\*\***
- The student must register online at [https://wayne-accommodate.symplicity.com/public\\_accommodation/](https://wayne-accommodate.symplicity.com/public_accommodation/). Once the registration is complete, an SDS Specialist will contact the student for an in-person meeting to review the request.
- Each request will be reviewed on an individual basis by an SDS Specialist. The SDS Specialist will review all required documentation and may require additional documentation.
- If SDS approves the assistance animal as an appropriate accommodation, it will issue an approval letter to the student. ***Note that this approval is the first of two approvals that must be obtained to have an assistance animal in housing; it does not guarantee that the Office of Housing & Residential Life will approve the presence of the assistance animal in housing or that housing will be available.***
- The approval letter will also be sent along to the Office of Housing & Residential Life.

## 2. Housing & Residential Life Process:

- The student must have completed a housing license agreement to live on campus and agree to the terms. Housing license agreement terms can be found online at: <https://housing.wayne.edu/resident/license-agreements>
- After receiving the approval letter from SDS, a staff member in the Office of Housing & Residential Life will contact the student to provide the student with this procedure and related documents for housing, including forms for the student to complete.
- The student must review, complete and return the assistance animal housing documents included in the procedure. In addition to completing the forms, the student also must provide acknowledgement/approval of roommates/suitemates (if applicable), veterinarian & vaccination records for the animal, and licensing documentation (if applicable). These forms must be completed and returned as soon as possible.
- After the student submits the completed documents, a staff member in the Office of Housing & Residential Life will follow up to schedule a meeting time. The student will be provided with a meeting date & time.
- During the meeting with the Office of Housing & Residential Life staff member, the policies for assistance animals in housing will be reviewed and discussed.
- The Office of Housing & Residential Life will consider each request for a student to have a assistance animal in housing on an individual basis. If approved by the Office of Housing & Residential Life, the approved request and related documentation will be sent to the student and the Community Director of the building in which the student is assigned housing via email.

- Upon receipt of the approval email, the student is then permitted to bring the animal to campus and into campus housing.
- Approval of the assistance animal in housing is conditioned on the student's compliance with the terms of this procedure (including the submission of all required information), the Community Living Guide, and acknowledgement/approval of roommates/suitemates.
- Any approved request to have a assistance animal in housing is only valid for **one (1) academic year** (fall, winter, spring/summer) and must be sought annually by completing the process in place at that time. Failure to complete the process each year will result in immediate removal of the animal from campus housing.
- All accommodation requests for campus housing will be reviewed on a first come first served basis. Submitting a late request could jeopardize a student's ability to have his/her accommodation granted on the availability of housing.

### 3. Additional Notes:

- The University reserves the right to request additional clarification or documentation to ensure the animal is suitable for University housing including but not limited to animals that are considered unique (i.e. not a cat or dog) or animals that are suspected of being a health or safety risk to others. For unique animals (i.e. not a cat or dog), the resident has the substantial burden of demonstrating a disability-related therapeutic need for the specific animal or the specific type of animal and should be prepared to provide the following additional information from their treating professional:
  - The date of the last consultation with the individual;
  - Any unique circumstances justifying the individual's need for the particular animal (if already owned or identified by the individual) or particular type of animal; and
  - Whether the treating professional has reliable information about the animal or whether they specifically recommended this type of animal.
- The University may deny a request for an assistance animal in housing if the presence of the animal:
  - Poses a direct threat to the health and safety of others;
  - Would cause substantial physical damage to the property of others;
  - Would pose an undue financial and administrative burden; or
  - Would fundamentally alter the nature of housing operations.
- The factors considered by the University in determining whether an assistance animal is suitable for University housing includes but is not limited to:
  - Whether the animal's presence would otherwise violate individuals' right to peace and quiet enjoyment of their dwelling;
  - Whether the animal is housebroken and able to live with others in a reasonable manner;
  - Whether the animal's vaccinations are up to date;
  - Whether the animal poses or has posed in the past a direct threat to the individual or others, such as injuring or acting aggressively; and
  - Whether the animal is likely to cause or has caused excessive damage to housing beyond reasonable wear and tear.

## OWNER<sup>1</sup> RESPONSIBILITIES FOR ALL SERVICE/ASSISTANCE ANIMALS IN HOUSING

### Animal Health & Wellbeing:

- **Vaccinations:** The animal must be immunized in accord with applicable law. For example, dogs must have a current vaccination against rabies, as well as any other vaccinations required for general health, and cats should have the normal vaccinations required for a healthy animal.
- **Health:** The animal must have an annual clean bill of health from a licensed veterinarian. Documentation can be a vaccination certificate for the animal or a veterinarian's statement regarding the animal's health. The university has the authority to direct that the animal receive veterinary attention.
- **Licensing:** The owner must comply with state and local laws regarding licensing. For example, Michigan law requires that every dog be licensed but provides that service dogs are exempt from the license fee.
- **Behavior:** The animal must be properly trained, housed, restrained, and under the owner's control at all times. If an animal is found loose or unattended outside the owner's private living quarters, the animal is subject to immediate removal from University housing.
- **Damages:** The owner is financially responsible for any property damage caused by the animal beyond reasonable wear and tear.
- **Overnight Care:** The owner may not leave the animal overnight in University housing to be cared for by any individual other than the owner. If the owner is absent from University housing overnight, the animal must accompany the owner or other arrangements to board the animal outside of University housing must be made. Local animal control shelters will be notified and asked to remove any animal that is left overnight in housing without its owner present.

### Animal Waste Cleanup & Relief Areas:

- A student who uses a service/assistance animal is encouraged to meet with the Community Director before the start of each semester to discuss procedures for identifying proper waste disposal areas on campus. The student is ultimately responsible for the cleanliness, grooming and health of the animal and must take responsibility for the proper disposal of all waste. In the event that the student is not physically able to clean up after the animal, it is the responsibility of the student to hire someone capable of cleaning up after the animal.

### Conflicting Disabilities:

- Some people may have allergic reactions to animals that are substantial enough to qualify as disabilities. Housing personnel will make a reasonable effort to notify students in the residence hall/apartment building where the approved animal will be located. In such situations, SDS, in cooperation with the Office of Housing and Residential Life, will consider the needs of all affected persons requiring accommodations in order to resolve the problem as efficiently and timely as possible.
- Students with medical condition(s) that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) should contact Student Disability Services if they have concerns about

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<sup>1</sup> For the purposes of this policy, the term "owner" refers to the individual requiring the use of the service animal or, in the case of an assistance animal, the individual who has requested the accommodation and has received approval to have a service/assistance animal in housing.

exposure to a service/assistance animal. Staff members with such concerns should contact the Office of Equal Opportunity for information about possible accommodations.

#### **Removal of Service/Assistance Animal:**

Service/assistance animals can be ordered removed immediately from campus housing for the following reasons:

- **Out of Control Animal:** A student may be directed to remove an animal that is out of control. If the improper animal behavior happens repeatedly, the student may be prohibited from bringing the animal into any university facility, including campus housing, until the student can demonstrate that s/he has taken significant steps to mitigate the behavior.
- **Non-housebroken animal:** A student may be directed to remove an animal that is not housebroken.
- **Direct Threat:** A student may be directed to remove an animal that the University determines to be a substantial and direct threat to the health and safety of individuals. This may occur as a result of a very ill animal, a substantial lack of cleanliness of the animal, or the presence of an animal in a sensitive area like a medical facility or other laboratory.
- **Disruptive:** A service/assistance animal may be removed from University grounds or facilities if it is disruptive (e.g. barking, wandering, displaying aggressive behavior) and, in the case of service animals, the behavior is outside the duties of the service animal.

Where a service/assistance animal is properly removed pursuant to this procedure, SDS will work with the student to address any resultant disability-related need for accommodation.

Failure to comply with any of the items in this procedure or the Community Living Guide could result in the removal of the animal and revoking the student's use of the animal in housing.

## **DISPUTE RESOLUTION**

Disputes or disagreements about a disability determination, appropriateness of an accommodation, or an animal restriction should first be raised with the SDS Specialist that was involved. If the matter cannot be resolved, the issue should be raised with the Interim Director of Student Disability Services, Cherise Frost at [am4242@wayne.edu](mailto:am4242@wayne.edu). Individuals may also file a complaint with the University's Office of Equal Opportunity at (313) 577-2280 or [OEO@wayne.edu](mailto:OEO@wayne.edu).

Complaints about an animal in housing should first be directed to the owner of the animal, if possible. If not possible or the matter cannot be resolved, please contact the Community Director of the building, and finally, the Office of Housing & Residential Life at (313) 577-2116 or [housing@wayne.edu](mailto:housing@wayne.edu).

**HOUSING ANIMAL REGISTRATION FORM  
(REQUIRED FOR ASSISTANCE ANIMALS)**

**STUDENT CONTACT INFORMATION:**

<b>Student Last Name</b>				
<b>Student First Name</b>		<b>Middle Initial</b>		
<b>Banner ID #</b>	00	<b>WSU Access ID</b>		
<b>Cell Phone Number</b>				
<b>On Campus Address</b>				
<b>City</b>		<b>State</b>		<b>Zip</b>

**ANIMAL REGISTRATION INFORMATION:**

<b>Animal Name</b>	
<b>Animal Type/ Breed</b>	
<b>Animal Primary Veterinarian</b>	
<b>Veterinarian Phone</b>	
<b>Physical Description of Animal</b>	

**Vet Documents:** Please attach the Veterinarian’s verification that the animal has all Veterinary-recommended vaccinations to maintain the animal’s health and prevent contagious disease. Also include a copy of Detroit, Michigan required animal license (for dogs only).

**City of Detroit Dog Licenses:**

If you need a dog license for Detroit, you can purchase it at the Detroit Animal Control Center, City Hall, or the Michigan Humane Society. To renew the license by mail, send your dog’s rabies vaccination receipt, along with license fee to the Detroit Animal Control Center, 3511 W. Jefferson, Detroit, Michigan 48216. The license fee is \$15.00 for a non-neutered dog and \$10.00 for a neutered/spayed dog.

**By my signature below, I verify that I have read, understand and will abide by the terms of the Wayne State University Office of Housing and Residential Life Service and Assistance Animal Procedure for Housing and acknowledge and agree that failure to comply with any of the items in the procedure or the Community Living Guide could result in the removal of the animal and revoking the student’s use of the animal in housing.**

<b>Student Signature</b>		<b>Date</b>	
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<b>Office of Housing &amp; Residential Life Representative</b>		<b>Date</b>	
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**ROOMMATE/ SUITEMATE ACKNOWLEDGEMENT:**

By my signature below, I understand that I will share the common areas of my assigned residential space or apartment with the animal listed above.

Should I have any concerns regarding the care and control of the approved animal, I will discuss my concerns with the approved animal’s owner. If the approved animal owner and I cannot come to an agreement, I will then contact the Community Director of my building, and finally, the Office of Housing & Residential Life at 313-577-2116 or [housing@wayne.edu](mailto:housing@wayne.edu).

Roommate #1 Last Name			
Roommate #1 First Name		Banner ID #	00
Roommate #1 Signature		Date	

Roommate #2 Last Name			
Roommate #2 First Name		Banner ID #	00
Roommate #2 Signature		Date	

Roommate #3 Last Name			
Roommate #3 First Name		Banner ID #	00
Roommate #3 Signature		Date	

Roommate #4 Last Name			
Roommate #4 First Name		Banner ID #	00
Roommate #4 Signature		Date	

Roommate #5 Last Name			
Roommate #5 First Name		Banner ID #	00
Roommate #5 Signature		Date	