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Programs
Area Academic and
Student Affairs

Policy on Service and Emotional Support Animals on Campus

I. Policy

The California State University (CSU) complies with the Americans with Disabilities Act (ADA) which allows students, faculty and staff to bring service animals on campus. In addition, the CSU complies with the Fair Employment and Housing Act (FEHA) which allows students with disabilities to have approved emotional support animals in CSU housing and at places of employment as part of their accommodations. This document describes the policy for the use of service and emotional support animals by students at the system's 23 universities. It is intended to address the use of service and emotional support animals by eligible students who meet the criteria for services for students with disabilities, with a special emphasis on university housing. Students with disabilities who request emotional support animals to accompany them at their on-campus jobs should be directed to Human Resources Management for additional information. Emotional support animals must be approved by the office on campus tasked with approving services for students with disabilities or designated campus personnel. Students living in university housing (and, if separately approved by Human Resources Management, limited to campus areas where the student is employed) have rights to emotional support animals (ESAs) under the Fair Employment and Housing Act (FHA).

II. Definitions

Assistance Animal – See emotional support animal.

Comfort Animal – See emotional support animal.

Emotional Support Animal (ESA) – An ESA is an animal that is not trained to perform specific tasks directly related to an individual's disability but does provide emotional support which alleviates one or more identified symptoms or effects of a person's disability. An emotional support animal may also be referred to as an assistance animal, a comfort animal or a therapy animal. An emotional support animal is not restricted by species like a service animal. An emotional support animal must have current

vaccinations, be under control and be maintained in a manner that considers the health and hygiene of the animal and those who come in contact with the animal. Dogs and cats, for example, must be housebroken and well-groomed. Emotional support animals must also meet additional requirements as specified in an approval allowing the emotional support animal in university housing. Emotional support animals are not protected by the ADA.

Housing – Housing refers to on-campus university housing and residential life programs.

Pets – A pet is not considered a service or an emotional support animal. Policies and procedures for service and emotional support animals are separate from animals on-campus or pet policies.

Resident – A resident is a student living in on-campus university housing requesting an emotional support animal or a service animal.

Service Animal – A service animal is a dog (or miniature horse) that is individually trained to do work or perform tasks for the benefit of a person with a disability, including physical, sensory, psychiatric, intellectual or other mental disabilities. A service animal may also be referred to as a guide dog or a signal dog. Service animals are trained to recognize and respond to a handler's need for specific service. Service animals are allowed on campus grounds, including university housing, classrooms and campus libraries. The service animal must have current vaccinations, be well-groomed, trained, housebroken and under control. Service animals are protected by the ADA.

Services to Students with Disabilities (SSD) – SSD is the department charged with providing accommodations and support services to qualified students with disabilities.

Therapy Animal – See emotional support animal.

Requests for the Use of Service Animals and Emotional Support Animals in On-Campus Housing

Universities must identify processes by which residents request the use of service animals and emotional support animals in on-campus housing. Student employees must make requests through Human Resources Management. Residents must specify whether the animal is a service animal or an emotional support animal. University housing, in collaboration with SSD, must verify the resident's need for the animal. In addition, the resident is solely responsible for complying with current city, county and state ordinances, laws and regulations pertaining to licensing, vaccinations and other animal requirements. It is the resident's responsibility to know and understand campus policy, ordinances, laws and regulations regarding animal ownership on-campus.

III. Request for a Service Animal

If a service animal is requested, **and it is not obvious what service the animal provides**, there are only two questions that university housing staff may ask:

- Is the animal required because of a disability; and
- What work or task has the animal been trained to perform.

If a service animal is requested, university housing staff **cannot**:

- Ask about the person's disability;

- Require medical documentation justifying the need for the animal;
- Require training documentation for the animal;
- Ask that the animal demonstrate its ability to perform work or a task; or
- Require that the animal wear a service vest or have a certificate of any sort.

The answers to the first two questions verify the need for a service animal. If the animal is not required because of the resident's disability, or is not trained to do specific work or tasks for the resident, then it is most likely not a service animal. Consultation with SSD may help clarify whether an animal meets the service criteria. SSD may require medical documentation and ask additional questions to clarify whether the dog qualifies as a service dog.

IV. Request for an Emotional Support Animal

The verification process for an emotional support animal in university housing is markedly different than the verification process for a service animal. A resident must show that they meet the definition of a qualified person with a disability (defined by [CSU Coded Memorandum AA 2014-08](#)) and for the student to have a [reasonable accommodation](#).

A resident requesting an emotional support animal in university housing must complete an application for their campus SSD and meet with the appropriate SSD representative.

The request for an emotional support animal must be approved through SSD as an official accommodation, in conjunction with other offices as needed. Requests are evaluated on a case-by-case basis. When reviewing the request, many factors will be considered, such as whether the animal could pose a direct threat, inflict harm or cause substantial property damage. The resident must demonstrate an established, ongoing personal relationship with an appropriate treating licensed medical or mental health professional and an established relationship with the animal verifying that the animal has mitigated the condition of the resident's disability. Residents must demonstrate the ability to responsibly care for the animal's health and welfare, including the provision of an appropriate habitat or environment for the animal and ensuring that the animal will not be left unattended for extended periods of time, such as overnight or over the weekend.

Emotional support animals must not be brought to campus prior to approval. A request must be submitted each academic year with recent medical documentation. If the animal will be replaced, the resident must submit a new request. If the animal is no longer required or residing in university housing, the resident must notify the university.

Because emotional support animals are considered accommodations, residents must provide a written request for a reasonable accommodation, along with appropriate supporting documentation from the student's treating licensed medical or mental health professional to SSD. Documentation will be evaluated by SSD and not by university housing. University housing must develop procedures to coordinate the approval process.

Documentation shall include an original letter that must be submitted on official letterhead from a licensed medical or mental health professional dated within the last 30 days, and must include:

1. The provider's professional opinion that the condition qualifies as a disability (i.e., a physical or

- mental impairment which limits a major life activity).
2. The provider's opinion is that the emotional support animal has been prescribed for treatment purposes and is necessary to mitigate symptoms associated with the condition in order to have a [reasonable accommodation](#) to use and enjoy housing services.
 3. Any other information that would provide SSD the ability to determine the appropriateness and need for the emotional support animal. SSD may require additional information or documentation.

Unacceptable forms of documentation include, but are not limited to, notes written on prescription pads, vague statements that a licensed medical or mental health professional is "prescribing" an emotional support animal, letters written by online agencies or letters by professionals having no therapeutic relationship with the resident.

Through the request process, an emotional support animal is approved to be in university housing and must be contained within the housing accommodations (e.g., room, suite, apartment) to which the student is assigned. The approval does NOT extend to other buildings on campus.

Approval by university housing for an emotional support animal does not permit the animal to be taken to classes. A student may separately request, through the normal accommodation process in SSD, an emotional support animal as a necessary accommodation in a classroom under the Rehabilitation Act of 1973, [Section 504](#). The act specifies not only whether such an accommodation can furnish some emotional support, but whether it is essential for the student to be able to attend the class. The approval process requires an interactive process to assess an individual's need for the animal and if the animal is appropriate and trained for the classroom setting. After that is completed, the director will assess whether the requested accommodation should be granted or if another accommodation can be provided to the student in lieu of having an animal in the classroom. In the case of a Section 504 request for an animal in a classroom, the appeal process differs from the process for an approval of an emotional support animal in university housing. It should be submitted through the campus appeal process, with the final decision coming from the Vice President for Student Affairs or designee. At this stage, the decision on the appeal is final.

Only in consultation with the SSD can University Housing deny a specific emotional support animal (not an entire species of animal) if 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/or administrative burden or would fundamentally alter the nature of the housing provider's operation and/or is out of control (e.g., excessive barking).

University Housing has the discretion as to where the student will be housed and may require students seeking to live with an emotional support animal to provide reasonable advance notice of their intent, so residents living nearby will be informed that an animal will be present.

V. Appealing a Decision for Emotional Support Animals

Should a resident's request for an emotional support animal in university housing be denied, the resident

may appeal the decision by submitting a written notice of appeal with any additional documentation to the Vice President for Student Affairs or designee within 10 business days of a denial. The final decision will come from the Vice President for Student Affairs (or designee). At this stage, the decision on the appeal will be final.

For requests that require further consideration or expertise to reach a decision, each campus may form a committee consisting of representatives from the SSD office, University Housing, Counseling and/or other departments that may have insight into the particular situation being reviewed. This committee should convene, multiple times if necessary, to consider the appeal and make a final written recommendation. The Vice President for Student Affairs, or designee, must consider the recommendation before making a final campus decision.

Select students and outside experts may be members of this committee if they have the background to be helpful to the committee and as long as the student is made aware of, and agrees to, their participation. The final campus decision will be carried out without further right to appeal within the CSU.

VI. Creating License Addendums

Once the service animal is verified, or the emotional support animal is approved, the resident will be asked to complete and sign a Housing License Addendum within five business days that outlines the guidelines for animal care and behavior and establishes the resident's responsibility for the animal.

Service and approved emotional support animals may not be left overnight in university housing without the resident being present.

The resident must make proper arrangements for the removal and care of an approved emotional support animal while the residence halls are closed for breaks. The need to care for an approved emotional support animal is not on its own a valid reason for permission to stay on campus over a break or any other period when university housing is closed.

The policy regarding Service and Emotional Support Animals on Campus only applies to currently enrolled residents. No other personnel or individuals (e.g., guests) are permitted to bring animals into university housing, with the exception of service animals. This includes day visitations, overnight stays, and/or weekend visits, despite receiving approval from roommates.

VII. Establishing Guidelines for Animal Care and Behavior in University Housing

It is the responsibility of the resident with a disability to control the animal. Neither the university nor University Housing is responsible for the care or supervision of the animal. University Housing should establish procedures that outline expectations for animal behavior, animal health and well-being, animal cleanliness and general responsibilities for the owner.

VIII. Removal of an Emotional Support or Service Animal from University Facilities or

Programs

An animal that is determined to be out of control may be excluded from a university program or facility. This may include, but is not limited to:

- Vicious behavior (e.g., growling, snarling, biting, attacking)
- Disruptions (e.g., barking, running around, nipping, bringing attention to itself)
- Not being housebroken
- Not being sufficiently cleaned or groomed (e.g., the animal smells or has fleas or ticks)
- Not being appropriately restrained

Reported behavior will be treated on an individual basis through the [Office of Student Rights and Responsibilities](#), with support or input as appropriate from University Housing, Dean of Students Office, Campus Police, Human Resources Management or other offices. If the animal poses a threat to the safety of others, Campus Police and/or Human Resources Management will be part of a collaborative team to determine the consequences of the behavior, which may include, but are not limited to, required training for the animal and/or student, or exclusion of the animal from university facilities entirely.

A resident may receive a written warning if a complaint(s) is received regarding the service and emotional support animal. Additional actions are outlined below.

- Following the first warning, the resident will have the opportunity to rectify the situation and correct the behavior.
- If a second complaint is received, University Housing will conduct a further assessment of the situation and determine the extent of impact to the community to explore possible solutions, including but not limited to relocating a resident or residents.
- Following a third complaint or incident, the animal may need to be removed from campus. Students must remove the animal or identify a person who could come to campus to remove the animal if needed within a reasonable amount of time.
- The individualized assessment of each incident may lead to escalation of this process, up to and including removal of an animal from campus after a first complaint, depending on the severity of any incident involving any service or support animal.

University Housing may not:

1. Restrict a resident with a service animal from entering residential dining halls with the service animal.
2. The CSU will not ask or require an individual with a disability to pay a fee or surcharge for an approved emotional support animal or service animal. An individual with a disability may be charged for any damage caused by their animal beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear. The resident's living accommodations may also be inspected for fleas, ticks or other pests if necessary, as part of the university's standard or routine inspections. If fleas, ticks, or other pests are detected through inspection, the residence will be treated appropriately. The owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls. The university shall have the right to bill the resident's

account for unmet obligations under this provision.

3. Assess a cleaning fee/deposit prior to move-in.
4. Issue a general notice to residents about the presence of a verified service or approved emotional support animal in their community.
5. Require residents with service or emotional support animals to live in restricted rooms or buildings (no "animals only" or "no animal" housing area(s)). Residents with service or emotional support animals generally must have the same choice of university housing as others.
6. Restrict residents with service or emotional support animals from areas in the residential building. An animal under the control of its owner will have access to all areas of the residential building accessible to residents without service or emotional support animals, such as lounges and lobbies.

IX. Resources

Once it is clear a person with a service or emotional support animal will be in residence, the university should notify staff that may come in contact with the animal. This may include residential life staff, administrative systems staff, custodians and maintenance staff who may enter the residence to handle work.

It is advised that:

- University Housing establishes and enforces policies or procedures consistently. If a procedure is not uniformly enforced, there may be claims of inequitable treatment.
- University Housing educates all residents about the process to verify service animals and to approve emotional support animals, so they understand that animals in residence are not pets but are allowed as accommodation for a disability.
- Residents are informed that a service or emotional support animal should not be fed or handled without the owner's permission.
- Residents are informed they occasionally may assist, if they wish to do so, an owner in caring or attending to animal needs, such as assisting a disabled student pick up pet waste. However, the owner has the primary responsibility for disposing and cleaning up the animal's waste.
- While there is no accommodation obligation under the ADA for service animals in training, California law (CA Civil Code Section 54-55.32) indicates that service animals in training, if being trained by a person actually licensed or authorized to train service dogs for individuals with a disability, shall be accommodated the same as service animals.
- University Housing should not post signs or notices on doors of students with service animals or ESA animals notifying others of the presence of the animals. Such notations should be kept in a private database accessed only by university housing staff and those with a need to know. An owner has the right to choose whether to post a sign or notice alerting others about the presence of the animal.
- The resident will provide emergency contact information for an individual should the owner be unable to care for the emotional support animal at any time. A current student, faculty or staff member generally are not permitted to act as emergency contacts.

A. Campus Resources

For additional information, please contact:

Services to Student with Disabilities

Phone Number/Location

Human Resources

Phone Number/Location

If you need immediate assistance, you may contact:

Campus Safety

Phone Number/Location

***Please fill in blank spaces on documents with appropriate point of contact from your campus.**

X. Authority

This policy is issued pursuant to [Section II of the Standing Orders of the Board of Trustees of the California State University](#), and as further delegated by the [Standing Delegations of Administrative Authority](#).

All Revision Dates

7/7/2023

Approval Signatures

Step Description	Approver	Date
EVC	Sylvia Alva: EVC Acad/Stdnt Affairs [NE]	7/7/2023
Area Manager/Owner	Ray Murillo: Dir, Student Affairs Programs	6/27/2023
Area Manager/Owner	Christina Cruz: Comm Spclst, Acad & Sdnt Affrs	6/27/2023