

## SERVICE AND EMOTIONAL SUPPORT ANIMALS POLICY

This document describes the procedures for the use of service animals by students and employees and emotional support animals (ESA) by students on the Design Institute of San Diego (DI) campus. DI is committed to accommodating persons with disabilities who require the assistance of Service, Therapy/Emotional Support, and Assistance Animals in a reasonable manner; however, DI is also mindful of the health and safety concerns of the campus community. Thus, DI must balance the need of the individual with the disability with the potential impact of such animals on campus.

DI complies with the Americans with Disabilities Act (ADA) in allowing use of service animals for students, staff and visitors. DI complies with the Fair Housing Act in allowing students the use of ESA's that are approved as an accommodation. Employees may not bring an ESA to work.

### DEFINITIONS

#### ***Service Animal:***

A service animal as per the ADA is defined as: "Any dog that is individually 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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the owner's disability. Examples of work or tasks 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, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, . . . retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. 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."

#### ***Emotional Support Animal:***

The Fair Housing Act defines an emotional support animal as any animal that provides emotional support, well-being, or companionship that alleviates or mitigates symptoms of the disability; there is no requirement that the animal be individually trained or certified. An ESA is not limited to dogs and can be other species of animal. ESA's are not considered service animals. In order to bring an ESA to campus, the owner must contact Student Services with enough time to permit the opportunity to gather all necessary documentation. Animals should not be brought to campus prior to approval being granted.

DI will make an individualized assessment of each proposed ESA. Dogs must also be completely trained and housebroken. The use of "puppy pads" will not be permitted. An ESA must be able to be tethered or caged while on campus. Large animals such as a miniature horse will not be approved to be brought on the DI campus.

### QUALIFYING TO HAVE A SERVICE OR EMOTIONAL SUPPORT ANIMAL ON CAMPUS

For a student to qualify for having a **service animal** on campus:

- The student must have a disability as defined by the ADA
- The accompanying animal must be trained to do specific tasks for the qualified individual
- Students must register with the [Student Services](#) office. Information provided to Student Services is confidential and specific information about the disability will not be released without the consent of the student

**NOTE:** If the definition of a service animal is not met, then the use of the animal as emotional support may be allowed as a reasonable accommodation.

For a student to qualify to have an **emotional support animal**:

- The student must be registered with the Student Services office
- The student must have a disability as defined by the ADA
- The emotional support animal must be approved through the Student Services office as an official accommodation per the student's provided documentation
- The student must have an already established relationship with the animal
- ESA Requests must be renewed every academic year. If the animal is returned to campus without proper renewal, the animal may be removed from campus until approval is completed

## **RESPONSIBILITIES/REQUIREMENTS**

### ***SERVICE ANIMALS ON CAMPUS***

#### **Owner:**

- Is responsible to attend to and be in full control of the service animal at all times. A service animal shall have a harness, leash, or other tether unless a) the owner is unable to use a harness, leash or tether, or b) using a harness, leash, or tether will interfere with the animal's ability to safely and effectively perform its duties
- Is responsible for ensuring that the service animal is wearing a leash, harness or cape that identifies the animal as a service animal when on duty anywhere on campus
- Is responsible for the costs of care necessary for a service animal's well-being. The arrangements and responsibilities with the care of a service animal are the sole responsibility of the owner at all times, including regular bathing and grooming, as needed
- Is responsible for independently removing or arranging for the removal of the service animal's waste. Waste must be disposed in a sealed bag in the designated trash areas on campus
- Is responsible for complying with local and state licensing laws for animal rights and owner responsibilities. Service animals should be current with immunizations and wear a rabies vaccination tag. Please visit this link for more information <https://www.sddac.com/content/sdc/das/license-laws/laws.html>
- Is responsible for paying for any damage to DI property caused by the animal

#### ***DI Community:***

- Must allow service animals to accompany their owners at all times and everywhere on campus where the general public (if accompanying a visitor) or other students (if accompanying a student) are allowed, except for places where there is a health, environmental, or safety hazard. The appropriate way to ascertain that an animal is a service animal is to ask (only if it is not apparent) if the animal is required because of a disability and what tasks it has been trained to perform. Specific questions about the individual's disability may not be asked
- Contact Student Services if any questions or concerns arise relating to service animals
- Only two questions can be asked about service animals
  - Is the Service Animal required because of a disability?
  - What work or task is the dog trained to perform?
- Do not ask questions about the disability
- Do not pet or feed a service animal
- Do not attempt to separate the animal from the owner

- Do not startle or tease a service animal
- Contact Student Services if faculty/staff have any additional questions regarding students or visitors to campus who have service animals
- Report any service animals who misbehave or any owners (or other individuals) who mistreat their service animals to Student Services

### ***EMOTIONAL SUPPORT ANIMALS ON CAMPUS***

#### **Owner:**

- Is responsible to attend to and be in full control of the ESA at all times. An ESA shall have a harness, leash, other tether, or be caged at all times
- Is responsible for the costs of care necessary for an ESA's well-being. The arrangements and responsibilities with the care of an ESA are the sole responsibility of the owner at all times, including regular bathing and grooming, as needed
- Is responsible for independently removing or arranging for the removal of the ESA's waste. Waste must be disposed in a sealed bag in the designated trash areas on campus
- Is responsible for complying with local and state licensing laws for animal rights and owner responsibilities. ESA's should be current with immunizations and wear a rabies vaccination tag. Please visit this link for more information <https://www.sddac.com/content/sdc/das/license-laws/laws.html>
- Is responsible for paying for any damage to DI or damage to property owned by another person associated with DI caused by the animal
- Is responsible for any injury to any student, staff member, faculty member or any other person at DI caused by the animal
- ESA Requests must be renewed every academic year. If the animal is returned to campus without proper renewal, the animal may be removed from campus until approval is complete

#### ***DI Community:***

- The Director of Student Services will inform the instructors and administration of an approved ESA but will not disclose the nature of the disability other than to share the required and documented accommodation
- Must allow approved ESA's to accompany their owners at all times and everywhere on campus where other students are allowed, except for places where there is a health, environmental, or safety hazard
- Contact Student Services if any questions or concerns arise relating to ESA's
- Do not ask questions about the disability
- Do not pet or feed an ESA
- Do not attempt to separate the animal from the owner
- Do not startle or tease an ESA
- Report any ESA who misbehave or any owners (or other individuals) who mistreat their ESA to Student Services

#### ***Important Considerations:***

A service or emotional support animal can be asked to leave or may not be allowed participation on campus if:

- Found by DI to be out of control or disruptive and the animal's owner does not take immediate and effective action to control it
- Not housebroken or kept in a cage where waste can be managed effectively
- If found to be neglected or mistreated and prompt corrective action is not taken

- If the animal is physically ill
- If the animal is unreasonably dirty
- If the animal attempts to enter any place on campus where the animal's safety is compromised

The process for handling disruptions to the community is as follows:

A student will receive a written warning if a complaint(s) is received regarding the animal. Following the first warning, the student will have the opportunity to rectify the situation and correct the behavior. If a second complaint is received, Student Services will conduct a further assessment of the situation and the extent of impact to the community. Following a third complaint or incident, the animal will need to be removed from campus. 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.

All animal owners must abide by applicable local ordinances.