

Messiah University – Office of Academic Accessibility

Animal Assist Policy (Service and Emotional Support Animals)

Messiah University Assist Animals Policy

While Messiah University (the “University”) maintains a no pet policy, the University complies with the Americans with Disabilities Act, as amended, in allowing use of service animals for visitors, students and employees. Messiah University also complies with the Fair Housing Act and allows approved emotional support animals for residential students.

Service Animals

The Americans with Disabilities Act, as amended (“ADA”), defines service animals as dogs that have been individually trained to do work or perform tasks for an individual with a disability. In addition, a service animal may include a miniature horse which has been individually trained to do work or perform tasks for the benefit of the individual with a disability, where the University determines it can reasonably accommodate the miniature horse in their facilities, based on an assessment of the following factors: (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner’s control; (3) whether the facility can accommodate the miniature horse’s type, size, and weight; and (4) whether the miniature horse’s presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

The task(s) performed by the service animal must be directly related to the person’s disability. Examples of such tasks include guiding people with impaired vision, alerting people who are hearing impaired, pulling a wheelchair, fetching dropped items, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder during an anxiety attack, or performing other duties.

This definition means that:

1. an individual must have a disability as defined by the ADA, and
2. the dog or miniature horse must be trained to do specific tasks directly related to the qualified individual’s disability.

If the animal meets this definition, it is considered a service animal regardless of whether it has been licensed, certified, or trained as a service animal. The University complies with the ADA in allowing use of service animals for both short-term visitors and longer-term students and employees.

Emotional Support Animals

Per the Fair Housing Act (FHA), the University provides reasonable accommodations for emotional support animals in residential housing. An emotional support animal is an animal that provides necessary therapeutic benefits to its owner through companionship. Unlike service animals, defined above, emotional support animals are only allowed in the student’s room/apartment and designated outside areas. Emotional support animals are not permitted in all areas of campus.

Handler

An individual with a disability being assisted by a service animal or emotional support animal. A personal care assistant may be considered a handler for a person with a disability. Removal of a Service Animal or Emotional Support Animal Assist animals may be removed from the University for the following reasons:

1. If the animal poses a direct threat to the health or safety of others (ie: bit or has bitten someone in the past).

2. The animal is not housebroken.
3. If the presence of the animal would fundamentally alter the nature of the goods, services, programs, or activities provided to the public.
4. If the animal does or is likely to do physical damage to the property of the University or other students that cannot be reduced by another reasonable accommodation.
5. If the presence of the animal would cause an undue financial or administrative burden or an alteration of the University's program(s).
6. Disruption:
 - a. If an animal that is unruly or disruptive (e.g., barking, running around unleashed, aggressive toward others, bringing attention to itself, excessive flatulence, etc.) the handler may be asked to remove the animal from University facilities. If the improper behavior happens repeatedly, the handler may be asked not to bring the animal into any University facility until the handler takes significant steps to mitigate the behavior. Mitigation may include muzzling a barking animal or refresher training for both the animal and the handler, as appropriate.
 - b. If the animal hinders other students from pursuing their role as a student to the best of their ability, the handler may be asked to remove the animal from University facilities. If the improper behavior happens repeatedly, the handler may be asked not to bring the animal into any University facility until the handler takes significant steps to mitigate the behavior. Mitigation may include muzzling a barking animal or refresher training for both the animal and the handler, as appropriate.

Responsibilities of the Handler

- Complete and submit the Special Housing Request Form online. All service animals and emotional support animals must be registered with Academic Accessibility.
- It is suggested, but not required, that service animals and emotional support animals be fitted with some identifying equipment such as a harness, cape or backpack as appropriate.
- Provide current clean health certificates. Current rabies and vaccination tags are required to be displayed on the animal's collar or harness.
- The care and supervision of a service animal or emotional support animal is the sole responsibility of the handler. The animal must be maintained and used at all times in ways that do not create safety hazards for other persons. Minimal equipment, such as a leash, is required by which the animal is kept under control, unless these devices interfere with the animal's work or the person's disability prevents use of these devices. Under such circumstance, the animals must still be under the control of the handler at all times.
- State specific plans for maintenance of the animal while on campus. The University will identify suitable areas where service animals can relieve themselves. Handlers should 1) always carry equipment and bags sufficient to clean up the animal's waste, and 2) properly dispose of the feces in an outside dumpster in a plastic bag that is securely tied shut. Persons who are not physically able to pick up and dispose of animal feces are responsible for making all necessary arrangements for assistance. The University is not responsible for these services.
- Sign an authorization form allowing Academic Accessibility to notify appropriate campus personnel/offices of the presence of the animal and any special circumstances relevant to the animal usage.

Conflicting Disabilities

Some students or employees may have allergies to animals that are severe enough to be considered a disability. If there is a conflict between a service or emotional support animal and a student or employee with a severe

allergy, the University will take into account the needs of both students/staff and make a quick and fair decision that reasonably accommodates both parties. Students requesting allergy accommodations should contact Academic Accessibility. Employees requesting allergy accommodations should contact Human Resources.

A. Appeals and Grievances

Any student who is dissatisfied with the outcome of their request for a service animal or emotional support animal may appeal the decision to the Associate Dean of Students. The appeal must be made within 5 days of the original decision.

B. Requirements for Faculty, Staff, and Students Related to Service Animals

- Allow a service animal to accompany the handler at all times and everywhere on campus. Courts have upheld the rights of service animal handlers to take service animals into food-service locations.
- Do not pet a service animal; petting a service animal when the animal is working distracts the animal from required tasks.
- Do not feed a service animal. The service animal may have specific dietary requirements. Unusual food or food at an unexpected time may cause the animal to become ill.
- Do not deliberately startle a service animal.
- Do not separate or attempt to separate a handler from his or her service animal.