



SERVICE ANIMAL AND EMOTIONAL SUPPORT ANIMAL POLICY

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I. Policy Statement

Brandeis University is committed to providing students and employees with disabilities equal access to the University’s programs, services, and activities. Animals are generally not permitted on campus or in residential housing. Under certain circumstances, Service Animals or approved Emotional Support Animals (ESA) may be on campus and may be permitted in campus buildings and/or residential housing as a reasonable accommodation for individuals with a disability (as discussed below).

A Service Animal is a dog who is trained to perform tasks for an individual with a disability.¹ A student’s Service Animal can be anywhere on campus where its Handler is and is generally not required to register with the University unless they will be entering University housing. A Service Animal entering into University housing will be required to register with Community Living. An employee Service Animal must be registered with Human Resources and the animal must be approved as a reasonable accommodation prior to bringing the Animal to campus. An Emotional Support/Assistance Animal (ESA) is an animal who is medically needed to alleviate one or more identified symptoms or effects of an individual’s disability. An ESA is generally only allowed in University housing, and not elsewhere on campus for students, and in only allowed in previously approved locations for employees.

¹ Under certain limited circumstances miniature horses may also be considered Service Animals. Other animals, whether wild or domestic, trained or untrained, cannot be considered Service Animals for the purposes of this Policy and under the applicable laws.

II. Service Animals

A Service Animal is defined as a dog that is individually trained to do work or perform tasks for an individual with a disability.¹ The work or tasks performed by a Service Animal must be directly related to the individual's disability. The individual with the disability and who is in need of the Service Animal is known as the "Handler." Service Animals are permitted to accompany their Handlers in all areas of campus, including classrooms and all University buildings in accordance with the Handler Responsibilities outlined in this Policy. If a Handler is living in University housing, they must register their Service Animal with Community Living in order to have the Service Animal in residence with them. An employee Service Animal must be registered and approved by Human Resources as a reasonable accommodation. An employee (faculty or staff) requesting to bring a Service Animal into the workplace will need to provide documentation regarding the need for the Animal and information about the Animal's training in relation that need.

The expectation is that a Service Animal will be with the Handler at almost all times. At no time should the Service Animals be left on campus unattended or with someone who is not the Handler.

Service Animals may be restricted from certain spaces on campus when their presence would fundamentally alter the nature of the service, program or activity; or where the animal's presence poses a threat to the health or safety of others or the animal. The Director of Student Accessibility Support (SAS) or Human Resources (HR) will make the determination, on a case-by-case basis, regarding whether the Service Animal should be restricted from an area on campus for these reasons. If a location is restricted to the Service Animal, SAS or HR will initiate an interactive process to explore alternate reasonable accommodations.

All Service Animals must be housebroken and must remain under the care, control and supervision of their Handler at all times. The Service Animal must be under the Handler's control at all times, on a leash, harness or other tether and must not be disruptive. Handlers are encouraged to have their Service Animals wear an identifying vest or other indication of their role as a Service Animal. A Service Animal who is out of the Handler's control or who is otherwise in violation of the Handler Responsibilities (see below) may be removed from campus.

In situations where it is not obvious that the animal is a Service Animal, Brandeis staff or faculty (outside of SAS, Community Living or HR) may only ask two questions: (1) is the animal a Service Animal required because of a disability and; (2) is this a Service Animal trained to perform a task related to that disability. Brandeis staff or faculty, with the exception of inquiries by SAS (access@brandeis.edu; 781-736-3470) or HR (humanresources@brandeis.edu; 781-736-4474), will not request any documentation for the Service Animal, request that the Service Animal demonstrate its task, or inquire about the nature of the person's disability. However, in cases where the Service Animal is being disruptive, appears to be out of control, is causing damage, or is otherwise out of compliance with the behavior expectations outlined in this Policy, Brandeis staff or faculty may demand that the Service Animal be removed from the area.

A student Handler who needs to bring a Service Animal to reside with them in residential housing will be required to register the Service Animal with Community Living and may be required to provide additional information about the animal.

III. Emotional Support/Assistance Animals (ESA)

An Emotional Support/Assistance Animal (ESA) is defined as an assistance animal which offers support to alleviate one or more identified symptoms or effects of a Handler's disability. There must be an identifiable and medically indicated relationship between the individual's disability and the assistance that the ESA provides. An ESA is considered a reasonable accommodation that must be approved by SAS and Community Living for students prior to being brought to campus. An employee seeking to have an ESA on campus must register with Human Resources and have that animal approved as a reasonable accommodation prior to bringing the ESA to campus. The person for whom the ESA has been approved as a reasonable accommodation is known as the "Handler." Dangerous, poisonous, wild, and illegal animals are not permitted as an ESA. Visitors to Brandeis, who are not students or employees, are not allowed to bring ESAs to campus or into residential housing without prior permission from Brandeis.

Unlike Service Animals, an approved student ESA will only be permitted in a student's room in residential housing and outdoor areas of campus. An ESA should not be in the hallways in residential housing except when being taken outside. An ESA who is out of the Handler's control or who is otherwise in violation of the Handler Responsibilities (see below) may be removed from campus. Approved student ESAs are not allowed in any other building or facility on the Brandeis campus, including classrooms. A Handler who wants to bring an ESA somewhere on campus outside of residential housing must request an additional reasonable accommodation through SAS, which would be a separate process from the approval of the ESA to be brought into residential housing.

The locations where an approved employee ESA will be allowed will be decided as part of the process to approve the Animal as a reasonable accommodation. An employee ESA who is present outside of those approved areas may be removed from campus (temporarily or permanently).

IV. Bringing An Animal To Campus

A. Service Animals

A student who needs to bring a Service Animal onto Brandeis property need not request prior permission to do so. The University does, however, request that student Handlers notify Student Accessibility Support (SAS) (access@brandeis.edu; 781-736-3470) of their need for a Service Animal in advance of coming to campus. An employee who wants to bring a Service Animal to campus must register with Human Resources (humanresources@brandeis.edu; 781-736-4474) and have the animal approved as a reasonable accommodation. An employee (faculty or staff) requesting to bring a Service Animal into the workplace will need to provide documentation regarding the need for the Animal and information about the Animal's training in relation that need. As part of the accommodation process, HR may need to assess the needs of other employees in spaces surrounding the Service Animal to ensure that others are not allergic or have other concerns regarding the animal.

A Service Animal is generally allowed to go anywhere on campus where its Handler will be present. However, if the Handler wants to bring a Service Animal to live with them in residential housing, the Handler must register the animal with Community Living (dclaccommodations@brandeis.edu). Community Living, with SAS, will work with the Handler to ensure the University can properly meet

the needs of the Handler and other students with whom the Service Animal may interact. For example, in the residence halls, the University may need to assess the needs of the students in spaces surrounding the Service Animal to ensure that other students are not allergic or have other concerns regarding the animal. Absent extenuating circumstances, the University will typically be able to accommodate a Service Animal in residential housing. If an extenuating circumstance does occur with regard to a Service Animal, SAS will initiate an interactive process with the student to explore alternate reasonable accommodations.

Students who will need a Service Animal on campus are encouraged to meet with SAS to discuss any other accommodations that might be needed regarding their disability. They can also receive, upon request, a written letter from SAS that confirms that the Service Animal is allowed on campus and any reasonable restrictions that may apply regarding the Animal for health or safety purposes.

B. Emotional Support Animals (ESA)

An employee seeking to have an ESA on campus must register with Human Resources (humanresources@brandeis.edu; 781-736-4474) who will determine whether the Animal will be approved as a reasonable accommodation. An employee (faculty or staff) requesting to bring an ESA into the workplace will need to provide documentation regarding the need for the Animal and engage in the interactive process regarding whether the Animal is a reasonable accommodation. The employee must have an ESA approved as a reasonable disability accommodation prior to bringing the animal to campus. Part of the determination regarding whether the ESA is a reasonable accommodation will include discussing where on campus the animal may be present.

Students requesting to keep an ESA in campus housing must register with Community Living before bringing the animal to campus (dclaccommodations@brandeis.edu). Students will need to complete an application through the [Housing Medical Accommodation Process](#), which includes submitting a [Housing Medical Accommodation Request Form](#) and a [Medical Care Provider Verification Form](#). As part of the accommodation process, students requesting an ESA will need to provide documentation regarding their medical need for the animal. While accommodation requests are accepted at any time, it is in the student's best interest to submit their request by January 31 for the next academic year to ensure there is appropriate housing space available.

After the required documentation is submitted, the request will be reviewed by the Housing Medical Accommodations Review Committee, which meets to review ESA and other housing accommodation requests.² ESAs may not be brought into residential housing unless and until written notice of approval from DCL has been received. As with Service Animals, the University may notify roommates or others residing in close proximity to the animal in housing about the presence of the ESA to ensure that everyone will be able to coexist with the animal without triggering allergies or other student concerns. Anyone with concerns about the ESA due a medical condition (e.g. allergies, asthma) or with other concerns about the presence of the ESA in housing should contact Community Living (dclaccommodations@brandeis.edu) or Student Accessibility Support (SAS) (access@brandeis.edu; 781-736-3470).

² The Housing Medical Accommodations Review Committee includes staff representatives from the Brandeis Health Center, the Brandeis Counseling Center, SAS, and DCL.

ESAs are only allowed in residential housing and are not to be in any other buildings on campus. A student who wants to bring an ESA into other spaces on campus, including classrooms or study spaces, must submit a separate accommodation request in writing to SAS (access@brandeis.edu; 781-736-3470). Requests to bring an ESA elsewhere on campus will be considered by SAS on a case-by-case basis as part of an interactive process regarding disability accommodations.

Each academic year, a student Handler must submit a renewed written request and receive a renewed approval for their ESA. Any approval of an animal under this Policy is only valid for the academic year in which it was issued and for the specific designated animal. Should the student wish to have another animal approved as an ESA, they need to submit a new request to SAS. Community Living may waive the requirement for an annual review as appropriate.

If the request to bring a student ESA into residential housing or an employee ESA request as a reasonable accommodation is denied, the Handler will be notified in writing. The Handler then has the right to file a grievance regarding that denial. Any grievance must be filed with the Office of Equal Opportunity (oeo@brandeis.edu; 781-736-4806), within five (5) business days after the written denial and will proceed under the grievance process relating to disability accommodations.

V. Handler Responsibilities for Animals on Campus

The “Handler” of a Service Animal or ESA is defined as the student or employee with the disability who is the person in need of the animal. In order to maintain a Service Animal or ESA (“Animal”) on campus, the Handler must comply with all of the following conditions, as applicable. Failure to comply with these requirements may result in the removal of the Animal from campus.

1. The Handler will be responsible for the conduct of the Animal at all times.
2. The Animal must be under the control of the Handler at all times, and must be either on a leash, harness or other tether. Examples of an Animal being out of control include, but are not limited to, barking, jumping on others, growling, any intimidating behaviors or behaviors that make others feel uncomfortable or make it seem like the Handler may not be in control of the Animal.
3. Regardless of the age of the Animal, they are required to meet all of the behavior expectations outlined herein.
4. When a student Handler must leave the Animal alone in their residence on campus, the Animal must be placed in an appropriate crate or carrier. For Service Animals, the expectation is that the Animal will be with the Handler all almost all times and the Animal will not be without the Handler. Outside of the residential housing, a Service Animal should never be present without the Handler (student or employee).
5. The Animal must not adversely affect routine activities on campus nor be disruptive to the environment. If disruptive behavior occurs, the Handler is expected to utilize appropriate humane techniques to deal with the behavior immediately. Examples of disruptive behavior, include but are not limited to, barking, meowing, scratching, screeching, growling

or making other noises.

6. The Animal cannot pose a threat to the health or safety of others. The Handler is responsible for any injury to others or damage to property caused by the Animal.
7. The Animal must be well cared for, clean, well-groomed and be in good health. The care of the Animal is the sole responsibility of the Handler. The University reserves the right to inspect my residence to ensure that the Animal is being well cared for.
8. The Animal's vaccinations must be kept current and rabies vaccination tags (if applicable) must be displayed at all times. The Animal must be licensed as required by the City of Waltham, or the Handler's city or town of residence. The Handler may be required to provide proof of vaccination and licensing to the University.
9. The student Handler must maintain their residence with the Animal in a clean and sanitary condition and control odors. The University reserves the right to inspect the Handler's residence to ensure that sanitary and safe conditions are being maintained. The Handler will be financially responsible for any expenses required for cleaning beyond routine maintenance. The University shall have the right to bill the Handler's account for unmet obligations under this provision.
10. The Animal must be housebroken, or maintained in a cage or other container appropriate for the Animal where waste can be contained and cleaned up. All waste must be disposed of properly. The proper place for the disposal of Animal waste will be determined by Community Living and/or Facility Services.
11. The Handler must provide flea and tick control for the Animal at all times (as applicable). If fleas, ticks or other pests are detected through routine inspection, they will be addressed by a University-approved pest control service. If the pest infestation can be tied to the Handler's Animal, the Handler may be billed for the expense of any pest treatment beyond standard pest management. The University shall have the right to bill the Handler's account, for unmet obligations under this provision.
12. The University uses pesticides, fertilizers, pest control devices, de-icing materials, cleaning supplies, and other substances and materials for the maintenance and operation of the campus and University housing. Some of these materials and substances may not be safe for animals. The University is not responsible for any harm to the Animal caused by the University's use of such substances and materials.
13. The student Handler may not leave the Animal for extended periods or overnight. If the Handler is leaving campus for more than a few hours, the Animal must accompany the Handler. The Animal must be kept in an appropriate crate or carrier when the Handler is not present. For Service Animals, the expectation is that the Animal will be with the Handler at almost all times. The Handler (student or employee) may not leave the Animal in the care of others while on campus.

14. The Handler will identify a handler proxy who can take care of the Animals in the case of an emergency where the Handler is unable to take the Animal with them.³ The Handler will need to notify the University when there is an emergency that will require the use of the proxy. The identified handler proxy will then be responsible for the care of the Animal. The University will give the handler proxy access to the Handler's room in residential housing as necessary to access the Animal and any supplies needed to care for the Animal. The University reserves the right to arrange for alternate care for the Animal, at the Handler's expense, should the handler proxy not be available or refuses to take care of the Animal.
15. The Animal may not pose an undue financial or administrative burden to the University.
16. The student Handler must notify Community Living and Student Accessibility Support (SAS), in writing if the approved Animal is no longer needed or is no longer in residence. To replace an approved Animal with a different animal, the Handler must file a new request in writing to Community Living, SAS, or Human Resources
17. The Handler agrees to continue to abide by all other residential and University policies.
18. The Handler understands that the Animal is their personal property and the University is not liable for any theft, loss, or injury to the animal.

The University reserves the right to remove an Animal from campus and/or from residential housing and to revoke any prior approval if the Handler fails to comply with any of these responsibilities or if the University discovers that false or misleading information was provided by the Handler in support of the approval of the Animal. This discovery of false information may lead to disciplinary action in the appropriate conduct process.

VI. Complaint Process for Animals

Any member of the Brandeis community may submit concerns about a Service Animal or ESA believed to be in violation of the requirements of this Policy. Reports can be submitted to Community Living (dcl@brandeis.edu; 781-736-5060), Student Accessibility Support (access@brandeis.edu; 781-736-3470) or Human Resources (humanresources@brandeis.edu, 781-736-4474). Community Living will be responsible for addressing complaints regarding student Service Animals or ESAs in residential housing, which may involve the appropriate student conduct process. The Dean of Student's Office will be responsible for addressing complaints regarding student Service Animals or ESAs outside of housing. Human Resources will be responsible for addressing complaints regarding employee Service Animals or ESAs. Retaliation against anyone submitting a complaint or reporting concerns under this Policy or otherwise participating in a University inquiry or investigation is prohibited.

At the University's discretion, the Handler may be given notice of the concern or failure to comply with the Policy and a may be given a reasonable time to correct the violation. The University may also immediately remove an Animal from campus, while a conduct process is pending, when the

³ An emergency is defined as a serious, unexpected, and/or dangerous situation requiring immediate action.

Animal poses a risk of harm to others or to property, is not being properly cared for, or is continually disruptive to the environment. If an Animal is removed pending a conduct process, the care and relocation of that Animal is the sole responsibility of the Handler.

A determination regarding whether this Policy has been violated and the appropriate sanction, including but not limited to the removal of an animal from campus, will be made through the appropriate conduct process for students under Rights and Responsibilities, or through the HR Confidential Complaint Procedure for employees. If the student Handler is found to be violation of this Policy, and the violation is not/cannot be remedied, the University can (1) remove the Animal from residential housing, (2) relocate the Handler and Animal within residential housing, and/or (3) remove the Animal from campus completely. An employee Handler in violation of this Policy may have their Animal removed from campus. The student or employee will receive written notification when an Animal is to be removed from campus/housing or relocated or when the approval for that Animal has been revoked. If a previously approved Animal is removed from residential housing by the University for any reason, the student is expected to fulfill their housing obligations for the remainder of the housing contract.

The Handler has the right to file a grievance regarding the University's decision to remove an Animal from campus or residential housing. Any grievance must be filed with the Office of Equal Opportunity (oeo@brandeis.edu; 781-736-4806), within five (5) business days after the written notification of removal, relocation or revocation, and will proceed under the ADA/Section 504 Grievance Process relating to disability accommodations.