

SERVICE AND ASSISTANCE ANIMALS

POLICY STATEMENT

Northern Arizona University is committed to equal access for persons with disabilities in compliance with federal and state law. Students and visitors with disabilities may be accompanied by Service Animals in the University's public areas and where fellow participants in University programs or activities are allowed. Service Animals may be excluded from a limited number of areas under certain circumstances. Students or employees with disabilities wishing to have an Assistance Animal on campus may seek an accommodation from Disability Resources that may allow them to do so. Employees may seek an accommodation to have a Service Animal in the workplace. Proper documentation of an individual's disability may be required. With limited exceptions, animals other than Service Animals are not permitted in non-residential University buildings or facilities.

REASON FOR THIS POLICY

This policy supports the University's commitment to equal access for persons with disabilities who may benefit from the presence of a Service or Assistance Animal, including students, employees, and visitors.

ENTITIES AFFECTED BY THIS POLICY

- Disability Resources
- Equity and Access Office
- Housing and Residence Life

WHO SHOULD KNOW THIS POLICY

- Students, employees, and visitors who may benefit from a Service or Assistance Animal

DEFINITIONS

Assistance Animal: any 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 that alleviates one or more identified symptoms of an individual's disability. Assistance Animals are sometimes informally referred to as therapy or emotional support animals. The support provided by an Assistance Animal must directly relate to and alleviate one or more of the identified symptoms or effects of an individual's disability, as demonstrated by appropriate documentation when required. Assistance Animals may have but do not require formal training or certification, are not required to wear any type of identification, and are not considered to be Pets for purposes of University policy. Assistance Animals are not capable of serving as Service Animals, may not accompany a person with a disability at all times, and are generally not allowed in non-residential University spaces such as classrooms, libraries, or dining facilities.

Reliable Third-Party: a trained professional, including but not limited to a doctor, nurse practitioner, physician assistant, psychiatrist, psychologist, or social worker who provides medical care, therapy, or counseling services to persons with disabilities, who by virtue of their expertise and familiarity with a person with a disability is able to verify that their accommodation request is directly related to their disability, that it would alleviate one or more of the identified symptoms or effects of the disability, and that the accommodation is necessary to provide that individual with an equal opportunity to use and enjoy University housing or to perform essential job functions.

Service Animal: by law any dog individually trained to do work or perform tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a Service Animal must be directly related to the individual's disability. Animals other than dogs are not Service Animals, with the exception that on a case-by-case basis, the University may permit miniature horses on campus that have been individually trained to serve as Service Animals. Service Animals are not required to wear any type of identification and may accompany a person with a disability anywhere the individual is allowed to go, including work, class, eating establishments, and public transportation. The crime deterrent effects of an animal's presence or the provision of emotional support, comfort, or companionship do not constitute a Service Animal's work or tasks. A Service Animal may provide therapeutic support or may otherwise perform like an Assistance Animal. But a Service Animal, unlike an Assistance Animal, is individually trained to take specific action when recognizing the need to assist the individual with a disability.

POLICY

Section I. Service Animals

A. Students and Visitors

Students and visitors with disabilities may be accompanied by Service Animals in all public areas on all property owned, leased, or otherwise under the University's control. Students may be accompanied by Service Animals in all locations where fellow participants in University programs, activities, or services are allowed, except as described below where the presence of a Service Animal would fundamentally alter a program or activity. A Service Animal's work or task must be directly related to its owner's disability. Examples of Service Animal work or tasks include without limitation assisting individuals with low vision or hearing to navigate or become aware of the presence of objects or people; pulling a wheelchair; assisting with a person's stability or balance; performing medical alerts of various types such as the onset of seizures, high or low blood sugar, or the presence of an allergen; turning lights on or off; retrieving items; or opening and closing cabinets or drawers. Service Animals can also support persons with psychiatric and neurological disabilities by helping to prevent or interrupt impulsive or self-destructive behaviors.

1. Fundamental Alteration of a Program or Activity. The University may exclude a Service Animal if its presence would fundamentally alter the nature of a program or activity. For example, for safety reasons, Service Animals are excluded from some laboratories. In such situations, the University will collaborate with the individual with a disability to attempt to identify reasonable alternative ways or means to participate in the program or activity. Such determinations shall be made by an ad hoc committee of knowledgeable participants empaneled and chaired by the Director of Disability Resources.
2. Documentation, Identification, and Permitted Inquiries. An individual with a disability is not required to provide documentation that their dog (or in limited cases a miniature horse) has been individually trained as a Service Animal, which are not required to wear any type of identifying badge, cape, or vest. When it is not readily apparent that an animal is a Service Animal, only the following two questions may be asked: i) is the animal required because of a disability, and ii) what work or task has the animal been trained to perform? No other questions about the Service Animal are allowed.

B. Employee Service Animal Accommodation Requests

Northern Arizona University employees seeking to be accompanied by a Service Animal on an ongoing basis in their work environment must contact Disability Resources to submit a disability accommodation request. Consistent with Title I of the Americans with Disabilities Act (the "ADA") regarding employment, which does not address Service Animals in the workplace, the University will process the employee's request in the same manner as other requests for reasonable accommodation. In accordance with the ADA, the University may request reasonable documentation from the individual with a disability that the requested accommodation is needed because of the employee's disability. The University may also ask why the Service Animal is needed at work and what the Service Animal does for the employee. The work or tasks performed by the Service Animal must be directly related to the individual's disability. Supervisors or coworkers with questions regarding an employee's Service Animal accommodation should contact Disability Resources.

C. Miniature Horses

On a case-by-case basis the University may permit miniature horses that have been individually trained to do work or perform tasks for people with disabilities. In considering such requests, the University will assess i) whether the miniature horse is housebroken; ii) whether the miniature horse is under the owner's or handler's control; iii) whether the facilities the individual wishes to access can accommodate the miniature horse's type, size, and weight; and iv) whether the miniature horse's presence will compromise legitimate requirements for the safe operation of the facility. Additionally, all other Service Animal requirements will apply, including the requirement that the presence of the animal not fundamentally alter the University program or activity. Persons with disabilities may contact Disability Resources for more information about miniature horses as Service Animals on campus.

D. Service Animals in Training

A Service Animal trainer or an individual with a disability who is training an animal to perform as a Service Animal may take the animal into the same public spaces that Service Animals may access for the purpose of training. Section III of this policy applies to animals being trained as Service Animals and their owners, trainers, or handlers in the same manner as it applies to Service Animals and their owners or handlers.

E. Misrepresentation

Arizona law ([A.R.S §11-1024](#)) prohibits fraudulently misrepresenting a pet or other animal as a Service Animal or a Service Animal in training. Persons committing this violation may be subject to a civil fine of up to \$250.

Section II. Assistance Animals

A. Accommodation Requests

Assistance Animals may not enter University property without an official accommodation granted in advance. Students and employees with disabilities who wish to live with an Assistance Animal in University Housing or have an Assistance Animal in their work environment may contact Disability Resources to request an accommodation that will enable them to do so. Properly documenting the individual's disability and the directly related need for the Assistance Animal is required.

1. Students. Approved Assistance Animals may accompany a student everywhere within the student's University housing facility that the student is allowed to go. Student Assistance Animals are not permitted in other facilities on campus such as academic spaces or dining facilities. During a first term of occupancy, the University cannot guarantee that it will be possible to meet new student accommodation requests submitted less than 60 days prior to moving into University housing. New students are, therefore, strongly encouraged to submit their accommodation request as early as possible.
2. Employees. Approved Assistance Animals may accompany an employee in their normal work environment, but are generally not allowed in other workspaces, safety sensitive areas such as some laboratories or workshops, or other areas such as dining facilities.

B. Documentation and Criteria

When considering Assistance Animal accommodation requests, Disability Resources will only require information necessary to verify whether an individual has a disability and to evaluate whether the requested accommodation may be necessary to provide an equal opportunity to use and enjoy University housing or to perform essential job functions. When an individual's disability and need for an Assistance Animal accommodation is obvious, no further verification is necessary. When an individual's disability or the need for Assistance Animal accommodation is not apparent or obvious, Disability Resources may require documentation from a Reliable Third-Party able to verify that the request is necessary for providing an equal opportunity to use and enjoy University housing or to perform essential job functions. Assistance Animal accommodation requests may be denied if, in the opinion of Disability Resources, the documentation is inadequate, or the presence of the animal would impose an undue financial or administrative burden on the University, would fundamentally alter the residential or professional environment or related services or programs, would pose an undue threat to

personal or public health or safety, or would generate substantial risk to University property or the personal property of others. In addition to what may be other relevant factors, the University may also consider whether the animal is too large, whether its presence would violate other's rights to peaceful enjoyment of their living environment, whether the animal has a history of or undue potential for aggressive or threatening behavior.

C. Student University Housing Restrictions

To facilitate effective management of its housing facilities, the University may assign a student with an Assistance Animal to a single room without a roommate. If an Assistance Animal's owner is to be absent overnight or longer from their University residence, the animal must accompany the owner. Assistance Animals may not be left unattended overnight in University housing, nor may they be cared for overnight or longer by any individual other than the animal's owner. Additionally, when away from their residence during the day, the owner must ensure that the Assistance Animal is properly contained. Assistance Animals may not interfere with routine residence facility operations or activities, or cause difficulties or disturbances for other residents. Assistance Animals are only allowed in University housing for as long as they are necessary to help alleviate or mitigate specific symptoms of their owner's disability. If an owner wishes to replace an approved Assistance Animal with a new Assistance Animal, a new accommodation is required. Should the University require that an Assistance Animal be removed from University property for any reason, the owner remains bound by and responsible for fulfilling their housing contract obligations.

Section III. Service and Assistance Animal General Requirements

A. Owner or Handler Responsibilities

Owners or handlers are responsible at all times for the proper control and care of their Service or Assistance Animals, for any damage or injury they may cause, and must know and comply with all applicable laws and regulations including licensure, vaccination, and leash requirements. Service Animals shall be restrained with a harness, leash, or other tether unless an individual's disability precludes the use of such devices or if such devices would unreasonably hinder or interfere with the Service Animal's safe and effective performance of its work or tasks. If not tethered, a Service Animal must otherwise be under the control of its owner or handler, whether by voice, signals, or other effective means. The University may request documentation that confirms an animal is properly licensed. Owners and handlers must direct their animals to designated animal relief areas and must ensure the removal and proper disposal of their animal's waste. While the University does not charge any type of Service or Assistance Animal fee, all costs or other liabilities associated with any damage or harm caused by Service or Assistance Animals are the owner or handler's responsibility.

B. Conflicting Disabilities or Health Conditions

Students or employees with a health condition (e.g., allergies, asthma), phobia, or disability that conflicts with or is adversely affected by exposure to a Service or Assistance Animal should contact Disability Resources to resolve the matter. The individual raising the concern may be asked to provide documentation that identifies the impacts of their condition to allow Disability Resources to determine if there is a need for an accommodation. The University will make a reasonable effort to resolve any conflicts that arise due to the presence of a Service or Assistance Animal by considering the needs or accommodations of all persons involved.

C. Exclusion or Removal

In addition to exclusion of Services Animals due to a potential fundamental alteration of a program or activity as outlined in Section I(A)(1), the University may, in consultation with Disability Resources, also exclude or require an owner or handler to remove a Service or Assistance Animal from University-controlled property if the animal poses a direct threat to the health or safety of others, threatens or causes substantial damage to University property or the private property of a University community member, causes excessive disruption, becomes unmanageable or aggressive, is not housebroken, or if the owner or handler refuses to comply with their responsibilities as outlined in this policy and applicable law. The University may remove a Service or Assistance Animal that is mistreated or that appears to be suffering from a health issue or injury. The University may require an unclean or unkempt Service or Assistance Animal to be removed until the issue is resolved. The owner may request reconsideration of a decision to remove a Service or Assistance Animal from University property as outlined in Section III(E).

D. Interference

Intentionally or maliciously disrupting or distracting a Service Animal's work or task, attempting to or separating a Service or Assistance Animal from its owner or handler, or petting, feeding, deliberately startling, or otherwise interfering with a Service or Assistance Animal after being directed not to do so by its owner or handler is considered misconduct subject to appropriate disciplinary action.

E. Complaints and Dispute Resolution

Students, employees, and visitors may contact the Equity and Access Office to request assistance with resolving disputes or complaints involving the presence of a Service or Assistance Animal on University property. In particular, discriminatory behavior involving, or related to, or stemming from the presence of a Service or Assistance Animal is a violation of University policy and should be immediately reported. The Equity and Access Office will assist with informal or formal complaint investigation and resolution in this regard. For issues related to Service or Assistance Animal accommodations, or to request reconsideration of a denial or scope of an approved accommodation, students and employees may contact Disability Resources to request informal assistance or to initiate the formal Disability Resources Complaint Process.

RESPONSIBILITIES

Disability Resources: provides support and assistance to students and employees in regard to Service and Assistance Animal accommodations, including resolution of associated disputes or complaints.

Equity and Access Office: responds to any complaint or instance of discriminatory behavior related to or stemming from the presence of a Service or Assistance animal on University property.

Housing and Residence Life: works to inform all residents and to ensure compliance with University policy regarding Service and Assistance animals in University housing.

PROCEDURES

Contact Disability Resources at <https://nau.edu/disability-resources> or 928-523-8773 (voice), 928-523-6906 (TTY), 928-523-8747 (fax), or dr@nau.edu to request a disability accommodation.

[Disability Resources Complaint Procedure](#)

[Equity and Access Complaint Procedure](#)

RELATED INFORMATION

Forms or Tools

[Assistance Animal Accommodation Agreement](#)

Cross-References

[Accessibility](#)

[Pets on Campus](#)

[Safe Working and Learning Environment](#)

Sources

[Americans with Disabilities Act \(as amended\)](#)

[Arizona Board of Regents Policy 1-119](#)

[Arizona Revised Statutes §11-1024](#)

[Fair Housing Act](#)

[Section 504 of the Rehabilitation Act of 1973](#)

APPENDIX

[U.S. Department of Justice Frequently Asked Questions about Service Animals and the ADA](#)