



## **THE OFFICE OF ACCESSIBILITY SERVICES**

COMPASS: Sweet Success Center, Thomas Library

P.O. Box 720 | Springfield, Ohio 45501

Phone: (937) 327-7870 | Fax: (937) 327-6170

### **Wittenberg University Policy on Pets, Service Animals, and Emotional Support Animals**

Animals, including pets, are not permitted in Wittenberg University housing with the exception of Service Animals or approved Emotional Support Animals for individuals with disabilities. The only other exceptions allowed are for Service Dogs being trained through 4 Paws for Ability, Inc. of Xenia, Ohio and animals approved to live in the Tiger Pals Themed Living Community. All 4Paws Service Dogs must be approved through the Wittenberg University 4Paws student coordinators.

Wittenberg University is committed to providing reasonable accommodations to qualified students with disabilities. Students with disabilities who require the use of Emotional Support Animals as a reasonable accommodation may be permitted to bring such animals on campus in accordance with the Fair Housing Act provided that they comply with the University's policies. Students who seek to bring an Emotional Support Animals to campus should contact Accessibility Services in the COMPASS: Sweet Success Center (via [scheduling a meeting](#) or email at [accessibilityservices@wittenberg.edu](mailto:accessibilityservices@wittenberg.edu)).

Accessibility Services staff will determine, on a case-by-case basis and in collaboration with other relevant offices on campus, whether or not to approve the student's request for an Emotional Support Animals. In making this determination, the Accessibility Services staff will consider the needs of the student, as well as the impact of the animal on the campus community. The approval of a request is animal-specific and is not transferable to another animal or type of animal and, generally, only one animal is approved. However, if there are changes to a student's situation the student should notify the Office of Accessibility Services.

Students requiring Service Animals are encouraged to inform Accessibility Services staff so that appropriate campus offices, such as Campus Police and Physical Plant, can be notified of the presence of the animal. Service animals are protected under the Americans with Disabilities Act (ADA) and have the right to accompany their handlers in all public spaces, except where prohibited for health and safety.

#### ***Section I: Definitions***

##### **Service Animal**

"Service Animals" are dogs trained to do work or perform specific tasks directly related to an individual's disability such as guiding an individual with impaired vision, pulling a wheelchair, or fetching dropped items. Service Animals are working animals, not pets. The work or task a Service Animal has been trained to provide must be directly related to the functional limitations of the person's disability. Animals whose sole function is to provide comfort or emotional support do not qualify as Service Animals. Service Animals, including those in the process of training through a recognized training facility,



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may accompany a person with a disability or a person training the animal in public facilities and accommodations or places to which the general public is invited (e.g., academic buildings, administrative offices, residence halls), as long as the animal is under handler control. In some cases, a miniature horse may be permitted as a Service Animal, however, pursuant to the ADA, no other animals qualify as Service Animals.

### **Emotional Support Animals**

“Emotional Support Animals” are animals that provide assistance or emotional support which alleviates one or more identified symptom(s) or effect(s) of an individual’s disability. Unlike Service Animals, ESAs require no specific training and do not perform specific tasks; rather their mere presence mitigates effects of the disability. ESAs are permitted in University residence hall rooms, apartments, and houses once the resident has been approved through the ESA process. Certifications obtained online do not automatically qualify an animal as an Emotional Support Animal, as these certificates can often be purchased without documentation of a disability. Unlike Service Animals, ESAs are specifically linked to housing-related accommodations and are generally prohibited in indoor areas considered public spaces including, but not limited to, community bathrooms, lounges, dining centers, computer labs, classrooms, office workspaces, and nonresidential facilities on campus.

### **Companion Animals (Pet)**

A “Companion Animal” or a “pet” is an animal living with individuals for purpose of pleasure, leisure time activity and companionship. Generally, Companion Animals are prohibited from enter campus facilities. Exceptions are provided for: a) the University President’s residence; b) Residence Life Professional staff apartments; c) approved University programs involving animals; d) University-owned housing; and e) animals approved to live in the Tiger Pals Themed Living Community (as specified in Residence Life policies in the [Student Handbook](#)). In these instances, the applicable Division Vice President will determine if and when Companion Animals are permitted, and the type of Companion Animals permitted.

### **Approved Animal**

An “Approved Animal” is a Service Animal, or an Emotional Support Animal that has been permitted in Wittenberg University housing as a reasonable accommodation under this policy.

### **Owner**

The “Owner” is the resident student who has been permitted to keep an approved animal in housing under this policy.

### **Handler**



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The “Handler” is the student who requires a Service Dog as a result of his/her disability, or a third party designated to accompany the student with the disability if the disability warrants such an individual. The ADA requires that service animals be under the control of the handler at all times. Handlers are solely responsible for the care and control of the animal.

### **Section II: Service Animals**

Service Animals do not need University approval to accompany their owners. However, Wittenberg strongly recommends that the student make their service dog known to Accessibility Services so that they can represent the student with a disability’s right to handle their working service animal throughout the University. To set-up a meeting, students can schedule via the [Bookings link](#) or e-mail [accessibilityservices@wittenberg.edu](mailto:accessibilityservices@wittenberg.edu). We recommend that the student meet with Accessibility Services staff prior to the Housing Lottery deadline, so that appropriate offices (such as Campus Police and Physical Plant) and student residents can be notified regarding approved animals in residence. This notice will be limited to information about the animal’s presence as an approved animal: there will be no disclosure of the student’s specific disability.

At this meeting, Accessibility Services staff and student can also discuss University policies/procedures, as well as ADA requirements, for approved animals on campus. The University may make the following inquiries for the purpose of determining whether an animal qualifies as a service animal:

1. Is the Service Animal required due to the functional limitations of the requesting student’s disability?
2. What work or tasks has the Service Animal been trained to perform for the benefit of the requesting student?

Additionally, the trained work or task perform by the Service Animal is interactive, which means the animal responds to a specific cue indicating to perform such task.

Failure to abide by ADA regulations regarding Services Animals will result in contact with the student and may be addressed through the Student Conduct process. Continued failure to abide by ADA requirements regarding Service Animals will result in charges through Student Conduct, and may result in the removal of the animal and/or student from campus.

Students who intend to utilize Service Animals on campus may find it beneficial to be aware of University expectations for approved animals on campus (see page 7), as well as federal, state, and local legislation related to the Service Animals.

Accessibility Services staff, Residence Life staff, Campus Police, and Physical Plant will collaborate, as necessary, to resolve conflicts related to Service Animals. Staff members will consider the needs of all students involved. All roommates or housemates



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of the handler should engage in a conversation about the presence of the animal, boundaries with the animals, and the comfort of all individuals related to the animal. Students may consult with Residence Life staff for assistance with these conversations. In the event that one or more roommates or housemates does not approve of or wish to live with the animal, either the handler and the Service Animal or the non-approving roommates or housemates, as determined by the Residence Life staff, may be moved to a different location.

Other students residing in close proximity with medical condition(s) that may be affected by animals (e.g. respiratory diseases, asthma, severe allergies) are asked to contact the Office of Accessibility Services if they have a health or safety related concern about exposure to a Service Animal. Such affected students may be eligible for a disability accommodation when living in proximity to a Service Animal. They may also be relocated away from the Service Animal if necessary and if alternative housing is available. If the need for the Service Animal arises after the student is already placed in housing, the student can contact Accessibility Services staff at that time.

### **Section III: Emotional Support Animals**

#### **Eligibility for an Emotional Support Animal**

In order to qualify for having an Emotional Support Animal in University housing, all of the following must be true:

1. The student qualifies as an individual with a disability, which typically involves the student providing documentation that verifies the disability. [Guidelines for documentation](#) can be found on the Wittenberg University Accessibility Services webpage – these guidelines are not used as a checklist; they simply provide insight into the type of information that is helpful for the decision-making process. Briefly, documentation should describe the diagnosis, any functional limitations to the equal use and/or access to campus housing spaces caused by the diagnosis, recommendations for minimizing limitations to equal use of/access to campus housing spaces, and why the recommendations would be helpful for promoting equal use/access (e.g. why is an Emotional Support Animal the proper treatment/support for your specific disability?).

*Students should be aware that there are many scam websites that offer “pay for documentation” services for ESAs. The Office of Accessibility Services does not recommend connecting with one of these, typically web-based, services, as they often do not provide actual support or helpful information; commonly, the documentation provided from these services does not provide the*



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*Accessibility Services staff with helpful information regarding the student's request.*

2. The animal is necessary to provide the student with a disability an equal opportunity to use and enjoy University housing.
3. There is an identifiable relationship or nexus between the disability and the assistance that the animal provides.

Additionally, the animal may be considered unreasonable due to the following factors:

- The size of the animal is too large for the available assigned housing space (according to [the Animal Welfare Act Regulations](#)).
- The animal's presence otherwise violates individuals' right to a quiet living environment.
- The animal is not housebroken, unweaned, or unable to live with others in a reasonable manner. Typically, animals are required to be over 3-6 months of age due to these reasons.
- The animal's vaccinations are not up to date.
- The animal poses or has posed a direct threat to the individual or others, such as aggressive behavior towards or injuring the individual or others or the potential of transmission of zoonotic diseases.
- The animal causes or has caused excessive damage to the residence hall space beyond reasonable wear and tear.

### Submitting a Request

A resident student seeking to keep an Emotional Support Animal in University housing must make a formal request to the Office of Accessibility Services. To do so, the student can submit a [Request for Services](#) or schedule with Accessibility Services staff via the [Bookings link](#) or e-mail [accessibilityservices@wittenberg.edu](mailto:accessibilityservices@wittenberg.edu). Within the request, students will be required to upload documentation from their medical provider and most recent proof of immunization for their animal. [Guidelines for documentation](#) can be found on the Wittenberg University Accessibility Services webpage.

Once a completed request is received, Accessibility Services staff will contact the student with instructions for scheduling and completing the next phase in the process. Students should make an effort to submit their request prior to the Housing Lottery deadline. If the need for the Emotional Support Animal arises after the student is already placed in housing, then the student should contact Accessibility Services staff at that time. The review process may take up to 14 days; accordingly, students should submit their requests to the Office of Accessibility Services at least 14 days prior to the date the student would like to bring the animal to University housing.



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### **Reviewing the Request**

After receiving a completed request Accessibility Services staff will engage with the student requesting the Emotional Support Animal through the interactive process. The interactive process can vary with each case; however, students can generally expect to engage in conversation with Accessibility Services staff regarding their request. Upon review of information provided throughout the interactive process, including documentation, the student will be provided a decision in writing. If the documentation is insufficient, or if more information is needed, Accessibility Services staff may ask the requesting student to provide additional documentation/information.

Additionally, Accessibility Services staff may collaborate with other University offices as necessary – including the Dean of Students' Office, the Office of Residence Life, Campus Police, and Physical Plant – to determine if there are any issues that may impact the request for an Emotional Support Animal.

### **Approved Emotional Support Animals**

If an Emotional Support Animal is approved, the requesting student will be required to sign an ESA Agreement that includes expectations of the student, requirements of the ESA, and provisions of this policy. The ESA Agreement is also signed by Accessibility Services staff and Residence Life. Students with approved ESAs are required to follow University expectations for approved animals on campus, as well as federal, state, and local legislation related to the Service Animals.

### **Renewing ESA Information**

Students with approved ESAs are required to submit an annual renewal before the next academic year. Students who do not submit a renewal will not be approved to bring their ESA to campus. The renewal provides notice that:

- The student still has the approved animal on campus;
- Shares updated proof of immunizations;
- Provides a recent picture of the animal to the necessary offices.

### **Conflicts Related to Emotional Support Animals**

Accessibility Services staff, Residence Life staff, Campus Police, and Physical Plant will collaborate, as necessary, to resolve conflicts related to an Emotional Support Animal. Staff members will consider the needs and/or accommodations of all students involved. All roommates or housemates of the handler should engage in a conversation about the presence of the animal, boundaries with the animal, and the comfort of all individuals related to the animal. Students may consult with Residence Life staff for assistance with these conversations. In the event that one or more roommates or housemates does not approve of or wish to live with the animal, either owner of the Emotional Support





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Animals or the non-approving roommates or housemates, as determined by the Residence Life staff, may be moved to a different location.

Other students residing in close proximity with medical condition(s) that may be affected by animals (e.g. respiratory diseases, asthma, severe allergies) are asked to contact the Office of Accessibility Services if they have a health or safety related concern about exposure to an Emotional Support Animal. Such affected students may be eligible for a disability accommodation. They may also be relocated away from the Emotional Support Animal if necessary and if alternative housing is available.

### ***Section IV. Owner's Responsibilities for Approved Animals in University Housing***

1. The owner is responsible for assuring that the approved animal does not unduly interfere with or adversely affect the routine activities of the University or other students. In addition, the approved animal must not pose a threat to the health, safety, or property of anyone in the Wittenberg University community. If the University determines that the approved animal threatens the health, safety, or property of anyone in the Wittenberg community, or that the approved animal is adversely affecting Wittenberg's programs and activities, Wittenberg will take appropriate measures, up to and including a determination that the approved animal may no longer be permitted on campus.
2. The care and supervision of the approved animal is solely the responsibility of the owner. Students may not provide other students with access to the residence in order to care for the approved animal. Additionally, students may not request that other students care for the animal within other residences. Students are asked to provide an off-campus emergency contact for approved animals should any issues arise.
3. The owner is responsible for ensuring the safety of the approved animal and the Wittenberg community. The owner must not have a history of abuse or irresponsible behavior related to the approved animal or others that negatively impacts the owner's ability to ensure the safety of the approved animal or the Wittenberg community. If Wittenberg University determines that such conduct issues are negatively impacting the safety of the approved animal or the Wittenberg community, Wittenberg University will take appropriate measures, up to and including a determination that the approved animal may no longer be permitted on campus.
4. The owner is responsible for ensuring the cleanup of the approved animal's waste (e.g. urine, excrement, fur, cage shavings, etc.). Indoor animal waste



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must be placed in a sturdy plastic bag before disposal, and should be disposed of outside of the residence.

5. The owner is financially and legally responsible for the approved animal, including for any bodily injury or property damage caused by the approved animal. The owner's financial responsibility may include replacement of furniture, carpet, windows, wall coverings, and costs of damage to other University owned property. The owner is expected to cover these costs at the time of repair and/or move-out.
6. The owner is responsible for any expenses incurred due to the approved animal for required cleaning above and beyond a standard cleaning or for repairs to University premises. Any such damages will be assessed after the owner and approved animal vacate University housing. The University shall bill the student account for unmet obligations.
7. The owner must notify Accessibility Services in writing if the approved animal is no longer needed or is no longer in residence. To replace an approved animal, the owner must have a new meeting with Accessibility Services staff, pursuant to Section II or Section III of this policy, as appropriate.
8. The owner's residence may be inspected for pests as needed. Residence Life staff will schedule any such inspection. If pests are detected upon inspection, the residence room or hall will be treated using fumigation or other methods by a University-approved pest control service. The owner will be billed for the expense of any pest treatment above and beyond routine pest management in the residence halls if such treatment is required due to the animal.
9. From time to time, the University may use pesticides, pest control devices, de-icing materials, cleaning supplies, and other materials for the maintenance and operation of University housing. The University is not responsible for any harm to approved animal caused by such materials.
10. Approved animals may not be left overnight in University housing without the owner. Approved animals must be taken with the owner if the owner leaves campus overnight.
11. Residence Life may relocate the owner and approved animal as necessary according to the Wittenberg University housing contract.
12. The owner agrees to continue to abide by all other University policies, including University housing policies.





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Any violation of these expectations or this policy may result in referral to the Office of Student Conduct. Reported violations will be reviewed in accordance with Student Conduct Policy. In some instances, immediate removal of the approved animal from the University may be necessary. Should the approved animal be removed from the premises for any reason, the owner is expected to fulfill his/her housing obligations for the remainder of the Wittenberg University housing contract term.

### ***Section V: Student Conduct***

All students are expected to follow all campus policies related to animals on campus. Per the [Student Handbook](#), students who do not follow campus policies will be referred to the Conduct Process. Students who wish to have an approved animal on campus may not bring the animal onto campus until Accessibility Services staff has provided the approval determination to the Office of Residence Life. If a student does not follow the policies within the Conduct Process, in most cases there will not be a retroactive approval of animals; therefore, students will not be exempt from sanctions regardless of the Accessibility Services process or outcome. Students should take necessary measures to ensure they are following University policies and procedures. The Office of Accessibility Services is not involved with the Conduct Process and does not determine sanctions for violation of policies. More information regarding the Conduct Process can be found within the [Student Handbook](#).