

MISSOURI SOUTHERN STATE UNIVERSITY POLICY					
Policy #:	03-0027				
Name of Policy:	Student Service Animal and Emotional Support Animal Policy				
Date of Last Revision:	April 2024	Initial Date of Approval:	April 2013	Initial Effective Date:	
Policy Owner	Student Disability Services				
Policy/Chapter Sections	Definitions Specific Procedures Service Animals Emotional Support Animals: Student Requests General Standards for the Removal of Service Animals or the Disapproval/ Removal of Emotional Support Animals Responsibilities of Handlers/Owners Other Information Specifically Related to Service Animals Permitted Inquiries Areas off-limits to EAS and Service Animals Service Animals in Training Additional Matters Animals No Longer Necessary Conflicting Disabilities Concerns Grievance Procedure Related to Service Animals and Emotional Support Animals Reasonable Modifications to this Policy				
Date of Next Review:	April 2027				

1.0 PURPOSE

The University supports the use of services animals and emotional support animals on campus by students with disabilities in appropriate circumstances and in accordance with this policy. Students with questions about the use of service animals or emotional support animals should refer to this policy and visit the Student Disability Services office located in the Student Success Center in Hearn Hall, Suite 301, or via phone at 417-625-9516.

2.0 SCOPE

This policy applies to all University students with assistance animals, and all such parties are expected to abide by the procedural guidelines outlined herein.

3.0 POLICY

I. Definitions

- a. Service Animals:** Service animals are defined under the Americans with Disabilities Act (“ADA”) as dogs that are individually trained to do work or perform tasks for people with disabilities. Service animals are working animals, not pets. The work or

tasks performed must be directly related to the individual's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

- i. Examples:** Examples of work or tasks that service animals perform 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, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as books or the telephone, alerting a person to a sudden change in blood sugar levels, providing physical support and assistance with balance and stability to individuals with mobility disabilities, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.
- ii. Miniature Horses:** The University may permit the use of a miniature horse on the same basis as a service animal if the horse has been trained to do work or perform tasks for the benefit of the individual with a disability and after an assessment of the following factors: the type, size, and weight of the miniature horse and whether the facility can accommodate these features; whether the handler has sufficient control of the miniature horse; whether the miniature horse is housebroken; and whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.
- b. Emotional Support Animals ("ESAs"):** An ESA is a companion animal which provides therapeutic benefit, such as alleviating or mitigating symptoms of a person's disability. ESAs are not service animals. However, an ESA may be permitted on campus as a reasonable accommodation. Prior approval must be obtained pursuant to the procedures and standards outlined below.
- c. Owner:** A student or employee who has an approved ESA on campus.
- d. Handler:** A person with a disability that a service animal assists or a personal care attendant who handles the animal for a person with a disability.

II. Specific Procedures

a. Service Animals

Students with disabilities who wish to bring a service animal to the University campus – including residential facilities, classrooms, and other University facilities – may do so without prior approval. However, students are strongly encouraged to reach out to the Coordinator of

Student Disability Services located in the Student Success Center on campus to ensure that their experience bringing the animal to campus is smooth.

Additionally, students with service animals who plan to live in residential facilities are also strongly encouraged to inform Residence Life and Campus Dining Services that they plan to have a service animal living with them. Advance notice of a service animal for residential facilities may allow more flexibility in meeting a student's needs.

b. Emotional Support Animals: Student Requests

Students who wish to bring an emotional support animal into residential facilities as an exception to the "no pet" policy must go through the reasonable accommodation process with the Student Disability Services office located in the Student Success Center, as well as Residence Life. While accommodation requests will be accepted and considered at any time, requests should be made as far in advance as is reasonably possible before the student intends to bring the animal to campus to ensure timely consideration. An emotional support animal will not be allowed until formal approval has been received.

The University considers each request for an ESA on an individualized basis. Upon receipt of a request for an ESA, Student Disability Services will engage in an interactive process with the student to determine if the use of the animal is a reasonable accommodation.

The University needs certain information from a student in order to evaluate a student's request for an ESA. A disability exists when a person has a physical or mental impairment that substantially limits one or more major life activities. Students and health care professionals should consult the following information to understand what information is needed to support an accommodation request. The University relies on health care professionals to provide accurate information to the best of their knowledge, consistent with their professional obligations, and relying on their personal knowledge of the student as their patient/client.

Documentation demonstrating the student's need for an ESA should include the following:

- The patient's name,
- Whether the health care professional has a professional relationship with the patient/client involving the provision of health care or disability-related services,
- Whether the patient has a physical or mental impairment,
- Whether the patient's impairment(s) substantially limit at least one major life activity or major bodily function,
- Whether and why the patient needs the animal, and
- The type of animal(s) for which the reasonable accommodation is sought.

When providing information about the need for the ESA, documentation should explain whether the patient needs the animal because it does work, provides assistance, or performs at least one task that benefits the patient because of his or her disability, or because it provides therapeutic emotional support to alleviate a symptom or effect of the disability of the patient/client. Said another way, this information explains the relationship or connection between the student's

disability and the ESA and demonstrates that the animal is necessary for the student to enjoy their living arrangements. If the student requests approval of an animal other than a small, domesticated animal that is traditionally kept in the home, the University may seek additional information supporting the request.

Health care professionals should include professional licensing information and sign and date documentation provided.

Through the interactive process, the University may propose an equally effective alternative to a requested accommodation and may deny a request for an ESA if allowing the animal in University facilities would constitute a fundamental alteration of a program or be an undue burden.

ESAs are generally not permitted on campus other than in the designated residential room or apartment of an individual who has received approval. The animal cannot be taken into classrooms or other buildings on campus or allowed to roam freely on campus grounds. Students with disabilities may request approval from Student Disability Services to have an ESA accompany them to other campus areas as a reasonable accommodation. Such requests will be considered on a case-by-case basis consistent with applicable laws.

III. General Standards for the Removal of Service Animals or the Disapproval/Removal of Emotional Support Animals

Decisions to remove a service animal or disapprove/remove an ESA will be made on a case-by-case basis, taking into account all surrounding circumstances. However, the following general standards reflect reasons why an animal may be removed or disapproved:

1. the animal poses a direct threat to the health or safety of others. For example, the animal displays aggressive behavior towards others or has a serious illness,
2. the animal causes or would cause substantial physical damage to the property of the University and other community members, including but not limited to students, faculty, staff, and visitors,
3. the animal poses an undue financial and administrative burden to the University,
4. the animal would fundamentally alter the nature of the University's educational and/or business operations,
5. the animal is out of control and the handler/owner does not take effective action to control it. If the out-of-control behavior happens repeatedly, the handler/owner may be prohibited from bringing the animal into University facilities until the handler/owner can demonstrate that s/he has taken significant steps to mitigate the behavior,
6. the animal is not housebroken,
7. the animal is defined as a dangerous wild animal according to the Revised Statutes of Missouri,
8. the animal is considered a high rabies-risk animal as defined by the Missouri Department of Health and Social Services, and/or
9. the handler/owner does not abide by their responsibilities as outlined in this policy.

The University considers the following factors in determining whether to approve the presence of an ESA in its facilities:

1. The size of the animal and whether it is too large for the classroom, office, or relevant space;
2. Whether the animal's presence would force another individual from using that space (e.g., serious allergies);
3. Whether the animal's presence would be disruptive to the academic or work environment;
4. Whether the animal is housebroken;
5. Whether the animal's vaccinations are up to date;
6. Whether the animal poses or has posed in the past a direct threat to the individual or others, such as injuring or acting aggressively; and
7. Whether the animal causes or has caused excessive damage to University facilities.

When an animal has been properly removed pursuant to this policy, the University will work with the handler/owner to determine reasonable alternative opportunities to participate in the University's services, programs, and activities without having the animal on the premises.

IV. Responsibilities of Handlers/Owners

- A. **Laws, Ordinances, and Policies:** Handlers/owners are responsible for complying with all state laws and local animal ordinances and are subject to all University policies.
- B. **Proper Identification:** All animals are subject to local licensing and registration requirements.
- C. **Health and Vaccination:** Animals must be immunized against diseases common to that type of animal. All vaccinations must be current. These animals must wear a rabies vaccination tag and, in the case of ESAs, vaccination documentation must be provided to Student Disability Services or Human Resources prior to the animal being allowed into any facilities.
- D. **Caring for the Animal:** The cost of care, arrangements and responsibilities for the well-being of the animal are the sole responsibility of the handler/owner at all times. The University will accept no responsibility for the care of any animal covered by this policy.
 1. Animals must be kept clean and well groomed. University facilities may not be used for this purpose.
 2. Animals cannot be left unattended at any time. Animals cannot be confined to a vehicle, tethered, or abandoned at any time.
- E. **Keeping the Animal Under Control:** The animal should be fully controlled by the handler/owner, including responding to voice and/or hand commands (if this can

reasonably be expected of the type of animal at issue). If an animal is found loose or unattended, the animal is subject to immediate removal.

- F. **Being Responsible for Damage Caused by the Animal:** Handlers/owners are personally responsible for any damage caused by their animals and must take appropriate precautions to prevent property damage. The handler/owner will be required to pay for any damages caused by the animal.
- G. **Being Responsible for Waste:** Cleaning up after the animal is the sole responsibility of the handler/owner and it must be done immediately. Waste must be bagged and discarded in designated outdoor receptacles. No waste may be flushed down toilets or discarded in interior waste bins. In the event that the handler/owner is not physically able to clean up after the animal, it is then the responsibility of the handler/owner to seek the assistance of someone capable of cleaning up after the animal.
- H. **Leash Requirements:** Service animals should be on a leash at all times, unless the owner is unable to use a leash due to a disability or the use of the leash would interfere with the animal's ability to perform its duties. In that case, the owner must be able to control the service animal by other effective means such as voice controls or signals. ESAs must be on a leash or in a carrier while on University property.
- I. **Observing Good Animal Etiquette:** To the greatest extent possible, the handler/owner should ensure that the animal does not display behaviors or make noises that are disruptive or frightening to others, unless it is part of the service being provided to the handler (e.g., barking to alert the handler of danger).
- J. **Emergency Situations:** The handler/owner is expected to follow all University procedures for emergency evacuation and participate in emergency evacuation drills. Individual needs must be arranged in advance with appropriate University personnel.
- K. **Other Conditions and Restrictions:** In response to a particular situation, the University reserves the right to impose other reasonable conditions or restrictions on the use of service animals and ESAs as necessary to ensure the health, safety, and reasonable enjoyment of University programs and activities by others.

V. Other Information Specifically Related to Service Animals

a. Permitted Inquiries

In general, members of the University community should not ask about the nature or extent of a person's disability. However, as permitted by the ADA, if it is not obvious that the animal is required because of a disability, the handler may be asked:

1. If the animal is required because of a disability, and
2. What work or task the animal has been trained to perform.

The handler should not be asked for documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, University community members should not make inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., if the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

b. Areas Off Limits to ESAs and Service Animals

ESAs are permitted only in the building(s) or other areas of campus approved the reasonable accommodations process.

While service animals are generally allowed to go anywhere on campus that the handler is allowed to go, there are certain areas where the presence of a service animal fundamentally alters the nature of a program or activity or is disruptive. Examples of the areas that are off limits to service animals include:

1. research Laboratories: The natural organisms carried by dogs and other animals may negatively affect the outcome of the research. At the same time, the chemicals and/or organisms used in the research may be harmful to service animals,
2. mechanical Rooms/Custodial Closets: Mechanical rooms, such as boiler rooms, facility equipment rooms, electric closets, elevator control rooms and custodial closets, are off-limits to service animals. The machinery and/or chemicals in these rooms may be harmful to animals,
3. food Preparation Areas: Food preparation areas are off-limits to service animals per health codes,
4. areas Where Protective Clothing is Necessary: Any room where protective clothing is worn is off-limits to service animals. Examples impacting students include the kiln, chemistry laboratories, wood shops and metal/machine shops, and/or
5. areas Where There is a Danger to the Service Animal: Any room, including a classroom, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface; where there is hot material on the floor (e.g., molten metal or glass); where there is a high level of dust; or where there is moving machinery is off-limits to service animals.

Questions regarding areas that are off-limits to service animals should be directed to the Student Disability Services Office or the laboratory instructor if in a laboratory setting. Exceptions may be granted in some circumstances.

c. Service Animals in Training

Service animals in training are permitted in all public facilities on the same basis as working service animals, provided that the dog is on a leash and is being led or accompanied by a trainer for the purpose of training the dog and the trainer has

documentation confirming the trainer is affiliated with a recognized or certified service dog training organization. Service animals in training are not permitted in classrooms, offices, or other areas of campus buildings not open to the general public without prior approval obtained from Student Disability Services through the reasonable accommodation process.

VI. Additional Matters

- a. Animal No Longer Necessary:** Student Disability Services or Human Resources should be notified when an animal covered by this policy will no longer be on campus or, in the case of ESAs, is no longer needed as an accommodation.
- b. Conflicting Disabilities:** Some people may have allergic reactions, asthma, respiratory diseases or other responses to animals that are substantial enough to qualify as disabilities. The University is committed to ensuring that the needs of all people with disabilities are met and will determine how to resolve any conflicts or problems as expeditiously as possible. If an individual has a disability that may be affected by the presence of animals, please contact [Insert] (students).
- c. Concerns:** Concerns regarding an animal covered by this policy can be brought to the attention of Student Disability Services.

VII. Grievance Procedure Related to Service Animals and Emotional Support Animals

If the decision is made to deny a request for or remove an animal covered by this policy, the affected individual may file a formal written grievance with the Student Disability Services Office pursuant to the Student Reasonable Accommodation Grievance Policy and Procedures.

VIII. Reasonable Modifications to this Policy

Individuals wishing to request a modification or exception to this policy as a reasonable accommodation should contact Student Disability Services.

4.0 HISTORY

This policy may be revised, edited, changed or removed at any time with or without notice to applicable individuals.

Established – April 2000

Revised - June 2017

Major Revisions – April 2023

April 2024 – Reviewed, no revisions. Placed in new format.

5.0 RELATED DOCUMENTS

None.