

Service and Emotional Support Animal Procedures and Guidelines

Samford University recognizes the importance of service and emotional support animals to individuals with disabilities and is committed to adapting its policies and procedures to best ensure equal access to university programs, services and activities. Set forth below are specific guidelines and requirements concerning the appropriate use of service animals and emotional support animals. Samford University reserves the right to amend these procedures as necessary.

Section I: Definitions

A. Service Animal is a dog or a miniature horse that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, providing balance assistance to individuals with mobility impairments, protecting a person who is having a seizure, reminding a person to take prescribed medications and calming a person during an anxiety attack. Service animals are working animals, not pets, and the work or task an animal has been trained to perform must be directly related to the individual's disability. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals.

B. Emotional Support Animal is any animal that has been recommended by a healthcare or mental health professional to provide assistance or emotional support which alleviates one or more identified symptoms or effects of an individual's disability. Emotional support animals may or may not be trained depending upon the type of support they provide, and may also be referred to as comfort or therapy animals. Unlike a service animal, an emotional support animal does not assist its owner with activities of daily living, nor does it accompany its owner at all times.

C. Owner is the student, visitor, or other covered individual who utilizes the service or emotional support animal and is therefore responsible for the behavior and well-being of the animal.

Section II: Service and Emotional Support Animals on Campus

Samford University will adapt policies and procedures to permit the use of a service animal by an individual with a disability. Service animals are generally permitted in all facilities and programs on campus that are open to the public or to students. A service animal is not required to be licensed or certified as a service animal. Samford University officials may, however, appropriately ask a student or visitor a) whether the animal is required because of a disability, and b) what work or task the animal is trained to perform.

Emotional support animals are permitted in University housing as an approved accommodation and are not generally permitted in other areas of the university (e.g. cafeterias, libraries, academic buildings, classrooms, student center, etc.).

A. Care and Supervision

The owner is solely responsible for the care and supervision of the animal, which includes, without limitation: maintaining full control of the animal at all times; the cost of caring for the animal; the well-being of the animal; ensuring clean-up of the animal's waste; and damage to persons or property caused by the animal.

- 1) Owners must abide by city ordinances and other applicable laws pertaining to the licensing and vaccination of animals. It is the responsibility of the owner to be familiar with all such governing laws. Pursuant to Alabama Code 3-7A-2, an animal must be immunized for rabies when three months of age and annually thereafter. Proof of such immunization is required. Current rabies vaccination tags must be attached to a collar or harness worn by the animal.
- 2) The animal must be leashed when in public unless doing so would interfere with the animal's ability to

perform work or tasks, then the animal must otherwise be under the owner's full control.

- 3) Owners are responsible for ensuring cleanliness of their service or emotional support animal, including grooming and bathing to keep odor to a minimum, and maintaining adequate flea prevention.
- 4) The animal must be toileted in areas designated by the University consistent with the reasonable capacity of the owner. Owners must clean up after their service or emotional support animal and appropriately dispose of waste.
- 5) Service and emotional support animals are expected to be in good health. For further information regarding animals residing with their owners in University housing, see Section III.

B. Removal of an Animal

In certain situations a service or emotional support animal may not be permitted, or the owner may be asked to remove the animal from a facility or program. In such situations, the owner will be given an opportunity to participate in the program or activity without the animal.

- 1) Animals must adhere to appropriate animal behavior in public settings. The animal must not be allowed to sniff people, food, or the personal belongings of others; must not initiate contact with another person without the owner's direct permission; must not display aggressive behaviors or noises such as whining, barking, growling, or rubbing against people; and must not block an aisle or passageway.
- 2) Animals must not engage in disruptive behavior. If an animal does engage in disruptive behavior, the owner shall take action to correct the behavior. The owner may be asked to remove the animal from the premises if the animal is out of control and the owner does not take effective action to control it. The animal may be barred from the facility until satisfactory steps (such as additional training) are taken to mitigate the behavior.
- 3) Animals may be removed from the premises if they are not housebroken.
- 4) Animals may be excluded from areas where their presence fundamentally alters the nature of the program or activity, or poses a direct threat to the health and safety of others or the owner of the animal. Examples include, but are not limited to, medical facilities, research laboratories, areas requiring protective clothing, food preparation areas, and mechanical rooms.

Section III: Service and Emotional Support Animals in University Housing Procedures

A. Registration with Disability Resources

While service animals are generally permitted in all facilities on campus, students who plan to reside with their service animal in university housing must contact Disability Resources to discuss how to best accommodate the animal and the student in housing, potential roommate concerns, verification of the health of the animal, etc.

Students who wish to request access to their emotional support animal in University housing must follow the process for registering with Disability Resources to request a housing accommodation (<https://www.samford.edu/departments/disability-resources/requesting-accommodations>).

Incoming freshman and transfer students requesting housing accommodations must complete the Disability Resources registration process no later than the preceding June 1st for Fall move-in, November 1st for Spring move-in, and April 1st for summer move-in. Current residents requesting housing accommodations must complete the Disability Resources registration process no later than the preceding February 1st. Thereafter, there is no guarantee that housing accommodations can be provided for that academic year, and accommodations will be granted only as space becomes available.

Documentation of the need for an emotional support animal should adhere to Disability Resources' Documentation Guidelines based on the student's disability category (see www.samford.edu/dr, click "Requesting Accommodations") and should include the following:

- 1) Statement on how the animal serves as an accommodation for the verified disability, along with a description of the symptoms / functional limitations alleviated by the support the animal provides.
- 2) Statement on how the need for the animal directly relates to the student's ability to use, enjoy, and otherwise fully participate in the dwelling provided by the University.
- 3) Documentation (on letterhead) from treatment professional providers licensed in Alabama or in the student's home state who have a treatment relationship with the student.
- 4) Note: Letters purchased from online doctors/companies (many of whom sell letters for airline travel, apartment landlords, vests, ID badges, leashes, and other specialty Assistance) merchandise who have not personally evaluated/treated a student are likely to be considered unacceptable documentation. There is no formal, recognized certification of ESA's and no recognized state or national "registry" of ESA's.

It is a class C misdemeanor under AL State Law to misrepresent an animal as an assistance (ESA) or service animal or to create or provide to others a document that misrepresents or falsely states that an animal is such for use in housing.

Service and emotional support animals residing in University housing must have annual documentation from a licensed veterinarian verifying that the animal is in good health and has been vaccinated against diseases common to that type of animal. Examples of acceptable veterinary verification include vaccination certificates for the animal and a veterinarian's statement regarding the animal's health. The verification should be submitted to Disability Resources each academic year. The University has the authority to direct that the animal receive veterinary attention as needed. A photo of the owner's service and emotional support animal must be provided with updated information in the Approved Animal Registration Form each academic year.

A student may be found eligible for an emotional support animal although the University has the right to deny a specific ESA as requested. The University has the responsibility to consider the impact on an overall living space, including roommates, hall mates, etc. A dog younger than 4 months of age (puppy) is not considered an emotional support animal. Certain animals may be deemed inappropriate for Samford's community living environment, and therefore may not be approved. Examples include farm animals, animals that are not domestic, exotic, venomous or poisonous, animals that require live food, the age of the animal, or those that are clearly too large for a residence hall. Animals at risk of zoonotic diseases will not be permitted without specific medical clearance. Approval for any specific animal will be granted on a case by case basis. A different animal may need to be chosen. In general, approvals for multiple emotional support animals will not be granted.

B. Residence Life

Once Disability Resources is notified of a student's service animal, or approves a student's request for an emotional support animal, Residence Life will be informed of the accommodation / need. If applicable, Residence Life will notify the student's roommate(s) or suitemate(s) that the animal will be residing in shared assigned living space.

In addition to the responsibilities outlined above in Section II, item A, students who are approved to have service or emotional support animal in University housing shall comply with the following:

- 1) The owner is responsible for assuring that the animal does not unduly interfere with the routine activities of the residence or cause difficulties for other students who reside in housing.
- 2) In addition to ensuring appropriate cleanup of the animal's waste, indoor waste such as cat litter, must be placed in a sturdy plastic bag and securely tied before being disposed of in outside trash dumpsters.
- 3) The owner is financially responsible for the actions of the animal, including bodily injury or property damage. The owner's responsibility also includes property damages or repairs such as the replacement of furniture, carpet, window, and wall covering. The owner is expected to cover these costs upon the earlier of either the time of repair or move-out.
- 4) The owner is responsible for any cleaning expenses incurred beyond a standard cleaning and for repairs to University property that are assessed after the student and animal vacate the residence. The University may bill the owner's student account for all such obligations.
- 5) The owner must notify Disability Resources in writing if the animal is no longer needed or is no longer in residence. If the owner needs to replace an already approved animal, he or she shall first contact Disability Resources.
- 6) The owner's residence may be inspected for fleas, ticks, or other pests once per semester or as needed, to be scheduled by Residence Life. If fleas, ticks, or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a University-approved pest control vendor. The owner will be billed for the expense of any pest treatment beyond standard pest management in the residence halls.
- 7) If applicable, roommates or suitemates shall sign an agreement consenting for the animal to reside in the shared assigned living space. In the event a roommate or suitemate does not approve, either the owner and animal or the non-agreeing roommate(s) or suitemate(s), as determined by Residence Life, shall be reassigned to a different residence.
- 8) Service animals may travel freely with their owner throughout University housing. Emotional support animals must be contained within the privately assigned residential area (room, suite, and common areas) except when transported outside the private residential area in an animal carrier or controlled by leash or harness.
- 9) Service or emotional support animals must not be left overnight in University housing to be cared for by another student or individual. Animals must be taken with the student when they leave campus for extended periods.
- 10) Service and emotional support animals cannot be bathed in the residence hall nor can cages be cleaned in residence hall facilities.
- 11) A violation of the above rules may result in immediate removal of the animal from University housing. Should the animal be removed from the premises for any reason, the owner shall fulfill his or her housing obligations for the remainder of the housing contract.

Section IV: Conflicting Disabilities

Individuals with medical conditions that are affected by animals (e.g. respiratory diseases, asthma, severe allergies) and who have a health or safety concern related to exposure to a service or emotional support animal should contact Disability Resources (if a student) or Human Resources (if an employee). The individual will be asked to provide medical documentation that identifies the condition(s) and the need for accommodation. Disability Resources / Human Resources will work to resolve conflicts as promptly and reasonably as possible and will consider the needs of both parties.

Section V: Requirements for Faculty, Staff, Students and other Members of the Campus Community

Members of the campus community are required to abide by the following practices:

- 1) Allow a service animal to accompany its owner at all times and in all places on campus, except where animals are specifically prohibited.
- 2) Do not touch or pet a service or emotional support animal unless invited to do so.

- 3) Do not feed a service or emotional support animal.
- 4) Do not deliberately startle or tease a service or emotional support animal.
- 5) Do not separate or attempt to separate an owner from his or her service or emotional support animal.

- 6) Do not inquire about the details of the owner's disability as this is a private matter. If it is readily apparent that the owner has the animal due to a disability (i.e., the animal is observed performing a task for the owner, the animal is wearing a harness identifying it as a service animal, etc.), then no inquiry about the animal's presence is necessary. If it is not readily apparent that the owner has the animal due to a disability, then only limited inquiries are allowed. Faculty, staff, and University officials are only allowed to ask the owner if 1) the individual has the animal due to a disability, and 2) what work or task(s) the animal is trained to perform for the individual.

- 7) Questions or concerns regarding the presence of an animal on campus should be addressed to Disability Resources or Public Safety.

Section VI: Contact Information

Disability Resources
Katy Goodgame, Director
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Public Safety & Emergency Management
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