

OSU Service & Assistance Animal Policy

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II. Definitions

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.

Service Animal - Any dog* 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 and meets the definition of “service animal” under the Americans with Disabilities Act (“ADA”) regulations at 28 CFR 35.104. The work or tasks performed must be directly related to the individual’s disability.

Examples 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, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects

of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

[Learn more about service animals and the ADA.](#)

** Under particular circumstances set forth in the ADA regulations at 28 CFR 35.136(i), a miniature horse may qualify as a service animal.*

Assistance Animal – An assistance animal is one that is necessary to afford the person with a disability an equal opportunity to use and enjoy University housing. An assistance animal may provide physical assistance, emotional support, calming, stability and other kinds of assistance. Assistance Animals do not perform work or tasks that would qualify them as “service animals” under the Americans with Disabilities Act. Assistance animals that are not service animals under the ADA may still be permitted, in certain circumstances, in University Housing pursuant to the Fair Housing Act.

Place of public accommodation - Public accommodation" means a place of public accommodation" as defined in ORS 659A.400.: “a place or service offering to the public accommodations, advantages, facilities or privileges whether in the nature of goods, services, lodgings, amusements or otherwise.” A place of public accommodation does not include any institution, bona fide club or place of accommodation which is in its nature distinctly private.

III. OSU’s Policy on Service Animals

In compliance with applicable law, OSU generally allows service animals in its buildings, classrooms, residence halls, meetings, dining areas, recreational facilities, activities and events when the animal is accompanied by an individual with a disability who indicates the service animal is trained to provide, and does provide, a specific service to them that is directly related to their disability. *(For policies regarding assistance animals – including emotional support animals - that do not meet the definition of a "service animal," please see the OSU Policy on Assistance Animals.)*

OSU may not permit service animals when the animal poses a substantial and direct threat to health or safety or when the presence of the animal constitutes a fundamental alteration to the nature of the program or service. OSU will make those determinations on a case-by-case basis.

A. OSU’s Inquiries Regarding Service Animals

In general, OSU will not ask about the nature or extent of a person’s disability, but may make two inquiries to determine whether an animal qualifies as a service animal. OSU may ask:

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

OSU **cannot require documentation**, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, OSU may not make any 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., 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).

Specific questions related to the use of service animals on the OSU campus by visitors can be directed to the ADA Coordinator via e-mail, eo@oregonstate.edu, or phone, (541) 737-3556.

B. Responsibilities of Handlers

Students who wish to bring a service animal to campus are strongly encouraged to partner with Disability Access Services, especially if other academic accommodations are required. Additionally, students who plan to live in on-campus housing are strongly encouraged to inform University Housing and Dining Services that they plan to have a service animal with them in student housing. Advance notice of a service animal for on-campus housing may allow more flexibility in meeting student's specific requests for housing. Staff and faculty with service animals are strongly encouraged to contact the Office of Equal Opportunity and Access.

Handlers are responsible for any damage or injuries caused by their animals and must take appropriate precautions to prevent property damage or injury. The cost of care, arrangements and responsibilities for the well-being of a service animal are the sole responsibility of the handler at all times.

1. Service Animal Control Requirements

- The animal should be on a leash when not providing a needed service to the partner.
- The animal should respond to voice or hand commands at all times, and be in full control of the handler.
- To the extent possible, the animal should be unobtrusive to other individuals and the learning, living, and working environment.
- **Identification** – It is recommended that the animal wear some type of commonly recognized identification symbol, identifying the animal as a working animal, but not disclosing disability.

2. Animal Etiquette

To the extent possible, the handler should ensure that the animal does not:

- Sniff people, restaurant tables or the personal belongings of others.
- Display any behaviors or noises that are disruptive to others, unless part of the service being provided the handler.
- Block an aisle or passageway for fire egress.

3. Waste Cleanup Rule

Cleaning up after the animal is the sole responsibility of the handler. In the event that the handler is not physically able to clean up after the animal, it is then the responsibility of the handler to hire someone capable of cleaning up after the animal. The person cleaning up after the animal should abide by the following guidelines:

- Always carry equipment sufficient to clean up the animal's feces whenever the animal is on campus.
- Properly dispose of waste and/or litter in appropriate containers.
- Contact staff if arrangements are needed to assist with cleanup. Any cost incurred for doing so is the sole responsibility of the handler.

C. Removal of Service Animals

Service Animals may be ordered removed by the Public Safety Officer for the following reasons:

- **Out of Control Animal:** A handler may be directed to remove an animal that is out of control and the handler does not take effective action to control it. If the improper animal behavior happens repeatedly, the handler may be prohibited from bringing the animal into any university facility until the handler can demonstrate that s/he has taken significant steps to mitigate the behavior.
- **Non-housebroken Animal:** A handler may be directed to remove an animal that is not housebroken.
- **Direct Threat:** A handler may be directed to remove an animal that OSU determines to be a substantial and direct threat to the health and safety of individuals. This may occur as a result of a very ill animal, a substantial lack of cleanliness of the animal, or the presence of an animal in a sensitive area like a medical facility, certain laboratories or mechanical or industrial areas.

Where a service animal is properly removed pursuant to this policy, OSU will work with the handler to determine reasonable alternative opportunities to participate in the service, program, or activity without having the service animal on the premises.

D. Conflicting Disabilities

Some people may have allergic reactions to animals that are substantial enough to qualify as disabilities. OSU will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities and to resolve the problem as efficiently and

expeditiously as possible. Students requesting allergy accommodations should contact Disability Access Services. Staff requesting allergy accommodations should contact the Office of Equal Opportunity and Access.

E. Emergency Response

Emergency Situations - In the event of an emergency, the emergency response team (ERT) that responds should be trained to recognize service animals and be aware that the animal may be trying to communicate the need for help. The animal may become disoriented from the smell of smoke in a fire or laboratory emergency, from sirens or wind noise, or from shaking and moving ground. The handler or animal may be confused from the stressful situation. The ERT should be aware that the animal is trying to be protective and, in its confusion, is not to automatically be considered harmful. The ERT should make every effort to keep the animal with its handler. However, the ERT's first effort should be toward the handler; this may necessitate leaving the animal behind in certain emergency evacuation situations.

F. Service Dogs in Training

A dog being trained has the same rights as a fully trained dog when accompanied by a trainer and identified as such in any place of public accommodation (as defined in ORS 659A.400). Handlers of service dogs in training must also adhere to the requirements for service animals and are subject to the removal policies as outlined in this policy.

IV. OSU Policy on Assistance Animals (including Emotional Support Animals) in University Housing

A. Assistance Animals in Residence Halls

University Housing & Dining Services (UHDS) will allow an assistance animal if certain conditions are met. The animal must be necessary for the resident with a disability to have equal access to housing and the accommodation must also be reasonable. An accommodation is unreasonable if it presents an undue financial or administrative burden on the University, poses a substantial and direct threat to personal or public safety or constitutes a fundamental alteration of the nature of the service or program.

Requests for assistance animals in UHDS should be made by following the [Disability Access Services Steps for Requesting Housing Accommodations](#).

There must be a link between the animal and a disability, emotional distress resulting from having to give up an animal because a “no pets” policy does not qualify a person for an accommodation under federal law. Any student approved assistance animal in UHDS facilities must also meet UHDS requirements/policies for animal health and behavior as well as their University Housing & Dining Contract.

V. Appeals and Grievances

Any person dissatisfied by a decision concerning a service animal or an assistance animal may [appeal through the Office of Equal Opportunity and Access](#). Alternatively, information may also be obtained by phone, (541) 737-3556, by e-mail at: eo@oregonstate.edu, or in-person or by mail at 330 Snell Hall, Corvallis, OR, 97331.

VI. Public Etiquette towards Service or Assistance Animals

It is okay to ask someone if she/he would like assistance if there seems to be confusion, however, faculty, staff, students, visitors and members of the general public should avoid the following:

- Petting a service animal, as it may distract them from the task at hand.
- Feeding the service animal.
- Deliberately startling a service animal.
- Separating or attempting to separate a handler from his/her service animal.

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