

Service & Emotional Support Animals Policy

<p>Approved by: Northeastern State University Executive Cabinet</p> <p>Responsible Official: Student Disability Services (918) 444-2120</p> <p>Form(s): Housing Roommate/Suitemate Agreement Housing Accommodation Request Recommendation for Emotional Support Animal</p>	<p>History: Updated January 5, 2024</p> <p>Related Policies: University Housing Assistance Animal Policy</p> <p>Additional References: City of Tahlequah, City of Broken Arrow, DOJ Service Animals FAQ</p>
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PURPOSE

Northeastern State University (NSU) is committed to compliance with state and federal laws regarding individuals with disabilities. All inquiries regarding service or emotional support animals (ESA) on campus should be directed to Student Disability Services:

Tahlequah Campus

600 N Grand Ave
Leoser Complex 99
Tahlequah, OK 74464
(918) 444-2042
sdstah@nsuok.edu

Broken Arrow/Muskogee Campuses

3100 E New Orleans
BAAS 130
Broken Arrow, OK 74014
(918) 449-6139
sdsba@nsuok.edu

NSU will determine, on a case by case basis, and in accordance with applicable laws and regulations, whether the animal is a reasonable accommodation on campus. In doing so, NSU must balance the needs of the individual with the impact of animals on the campus patrons. Where it is not readily apparent that an animal is a service or emotional support animal, NSU may require documentation from a treating physician or mental health provider in which the student has an established, ongoing therapeutic relationship. The Student will also need to provide documentation to Disability Services that confirms compliance with vaccinations, licensure, animal health and leash laws which permits NSU to determine:

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

Documentation Criteria

Documentation of a significant mental health disability and the associated need for an ESA should come from a mental health provider with whom an established provider-patient relationship exists and knows and understands the difficulties and can explain how the presence of an animal may help alleviate one's symptomology.

The University is concerned about the growing number of questionable website services that offer to "certify" an ESA or to create an ESA letter for a set price, based on nothing more than for example, answers to an online survey. The Federal Trade Commission (FTC) has been asked to investigate these websites that purport to provide such documentation. There is no formal recognized certification of ESAs and such letters will rarely provide the information necessary to support a request for accommodation, and are not viewed by the University as a reliable source of information.

DEFINITIONS

A Service animal is any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.

An emotional support animal (ESA) is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability.

SERVICE AND EMOTIONAL SUPPORT ANIMALS PERMITTED ON CAMPUS

Individuals with disabilities may be accompanied by their service animal on all parts of the NSU campus where members of the public or participants in services, programs or activities are allowed to go. ESA or other species of animals, whether domestic, trained or untrained, are not service animals. In some cases, NSU may permit miniature horses on campus on a case by case basis, consistent with applicable law.

The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of such tasks include, but are not limited to:

- Assisting an individual with low vision with navigation
- Alerting individuals who are hearing impaired to the presence of people or objects
- Pulling wheelchairs, carrying or picking things up for persons with mobility impairments
- Assisting persons' with mobility impairments with balance

Federal law does not require the individual to provide documentation that an animal has been trained as a service animal. NSU may, however, ask if the animal is required because of a disability, as well as what work or task the animal has been trained to perform. If the animal does not meet the requirements above to be considered a service animal, it is then considered to be an ESA. NSU reserves the right to prohibit assistance animals on parts of campus. All ESAs, approved for students in residential housing, must adhere to University Housing policy concerning the student's responsibility and care of the assistance animal.

EXCEPTIONS

NSU may exclude a service animals or ESAs from campus if its behavior poses a direct threat to the health or safety of others or when its presence fundamentally alters the nature of a program or activity. Furthermore, NSU may ask an individual with a disability to remove a service animal or ESA from campus if the animal is out of control and the individual does not take effective action to control it; or if the animal is not housebroken.

RESPONSIBILITIES of INDIVIDUALS with SERVICE or ASSISTANCE ANIMALS

NSU is not responsible for the care or supervision of a service animal or ESA. Individuals with disabilities are responsible for the control of their service animal or ESA at all times and must comply with all applicable laws and regulations, including vaccinations, licensure, animal health and leash laws. All ESAs shall be restrained with a harness, leash, or other tether; service animals are exempt if an individual's disability precludes the use of a restraint or if the restraint would interfere with the service animal's safe, effective performance of work or tasks. If a service animal is not tethered, it must be otherwise under the individual's control, whether by voice control, signals or other effective means.

Individuals are responsible for ensuring the immediate clean up and proper disposal of all animal waste. Although Northeastern may not charge an individual with a disability a service or ESA surcharge, it may impose charges for damages caused by a service animals or ESA in the same manner it imposes charges for damages by other individuals who use the campus.

PROCESS

Students requiring the use of a service animal or an ESA must apply for accommodation services through Student Disability Services. All students must complete intake forms and provide documentation to support their disability(ies) before any accommodation can be considered. Once approved through Student Disability Services, residence hall students will be referred to Assistant Director of Residence Life:

Housing & Residence Life
622 N Lewis Ave, Tahlequah, OK 74464
(918) 444-4700
housing@nsuok.edu