

SERVICE DOGS AND EMOTIONAL SUPPORT ANIMALS POLICY

FAQs

As part of CSU's commitment to aiding those with disabilities, CSU has adopted a policy affirming their rights to have the assistance of service animals and emotional support animals while living, working, and visiting on our campuses.

The information below is intended to help understand the policy and how it is applied at CSU.

1. *Who is an individual with a disability?*

A person who has a physical or mental impairment that substantially limits one or more major life activities.

2. *What is a service animal?*

A service animal is any **dog** (or miniature horse) that is 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. The work must be active and specifically related to the person's disability. Simply providing comfort or emotional support does not qualify a dog as a service animal under the ADA. Also, aggressive protective behavior is not a qualified service task.

3. *What is an emotional support animal (ESA)?*

An emotional support animal is not the same as a service dog. An ESA is an animal that has been verified by a qualified professional to be necessary to accommodate an individual with a disability by providing emotional support, comfort, or therapy in a housing facility or as otherwise determined upon thorough review of an accommodation request by the Office of Equal Opportunity (OEO). For students, all ESAs must be approved by the Student Disability Center (SDC).

4. *What are the differences between service dogs and emotional support animals?*

	SERVICE ANIMALS	EMOTIONAL SUPPORT ANIMALS
What kind of animal is it?	A specially trained dog or miniature horse. Not a puppy.	An animal that can safely be kept inside a residence, is not vicious, dangerous, or wild, and is legal to possess
Where can it go?	Wherever its handler may go, with some limitations--for example, not in food preparation areas, laboratories or other spaces where risks to animals, people, or the functioning of the facility are prohibitive, as determined in consultation with OEO	Only in person's residence or as determined upon thorough review of an accommodation request by SDC or OEO. They cannot go into other university buildings such as classrooms and dining halls (except for animal that OEO has determined in advance to be a reasonable accommodation for an individual with a disability)
What must it be trained to do?	Specially trained to perform an active task that mitigates or partially mitigates the impact of the person's disability	No special training required. Must be verified by a qualified professional to be necessary to accommodate an individual with a disability by providing emotional support, comfort, or therapy in a housing facility
What documentation is required to have one?	No special documentation required	Must have evidence supporting ESA as an accommodation; SDC or OEO must determine need, and student or employee must enter into agreement with Housing & Dining Services. Online certificates not sufficient; qualified provider must establish need after examination

What else is required?	All necessary vaccinations and licenses	All necessary vaccinations and licenses
Who do I call for help?	Students—Student Disability Center (970) 491-6385 Employees/others—Office of Equal Opportunity (970) 491-5836	

5. *What are the procedures for the owner to gain approval from the University to have a service dog or ESA?*
- Service dogs--not required to go through procedure in order to have and use their dogs on campus. No requirement that the dog be certified or registered or wear an identifying harness or vest. Recommended that owner contact SDC or OEO before bringing to campus.
 - Owners of ESAs **must** contact SDC or OEO before bringing any animal to a University residence hall or apartment.

6. *What happens when a person intentionally misrepresents an animal as a service dog or ESA in order to be able to have a pet with them where pets are not allowed?*

In Colorado, it is a crime to intentionally misrepresent your pet as a service dog or ESA. Police officers may enforce this law on campus. Fines for violations can be imposed up to \$500, depending upon the number of offenses by the same person. [C.R.S. § 18-13-107.3, 107.7]. It is also a crime to falsely impersonate an individual with a disability. [C.R.S. 18-13-107].

7. *When should a service dog or emotional support animal be excluded from an area where such animals are normally allowed?*

Service animals and ESAs may be restricted from University property, including campus housing, and may be removed by the University, when:

- The animal is out of control and its handler does not take effective action to control it; or
- The animal is not housebroken.

Any animal that displays vicious or unsafe behavior towards others may be excluded. Each situation must be considered individually; the mere fact that a dog is of a breed sometimes associated with aggressiveness is not a reason to exclude it.

8. *I am a CSU employee. Sometimes I see people bringing their dogs into CSU buildings and it doesn't look to me like they are really service dogs. What should I do?*

- Don't jump to conclusions about disability or whether their dog is really a service dog, or a service dog in training. Not all disabilities are apparent to others.
- Only two questions that a person with authority over a building or area may ask an individual to determine whether a dog is a service dog:
Is the dog required because of a disability? and *What work or task has the dog been trained to perform?*

- Only if the answers to these questions establish that the animal is not a service animal, or if the animal displays behaviors noted above in #7, may it be excluded.

It is important not to be confrontational when these questions are asked. Everyone is entitled to be treated with dignity and respect. If you are unsure how to proceed when faced with this situation, the dog should be allowed into the area, and you may contact the Student Disability Center or the Office of Equal Opportunity for assistance. Also contact the responsible building proctor or administrator. If the dog's behavior is threatening or vicious, *or anytime a dog bites a person or another dog and breaks the skin*, call CSUPD by dialing 911 from any landline or cell phone on campus.

- If you have a concern about an animal in a building, please contact OEO for assistance. For an animal that is displaying vicious or harmful behavior, contact CSUPD.

9. *Is a service dog in training treated differently from a fully trained dog?*

No. Under Colorado law, an individual with a disability is entitled to be accompanied by a service dog in training, just as with a fully trained service dog. The same rules apply including licensing and vaccinations. Puppies are not considered to be service dogs in training until they have basic obedience training and are housebroken, vaccinated and licensed.

10. *What else should I know, as a member of the CSU community, about these animals?*

To ensure equal access and nondiscrimination of individuals with disabilities who are using a service dog, members of the CSU community should abide by the following practices:

- Allow service dogs to accompany people with disabilities on campus;
- Do not ask for details about a person's disabilities;
- Do not pet, interact, or feed a service dog. It distracts the dog from its work;
- Do not deliberately startle, tease, or taunt a service animal;
- Do not separate or attempt to separate a person from their service animal; and
- Provide individuals with service animals with the right of way with respect to pedestrians, cyclists and skateboarders.

Remember, the purpose of CSU's policy is to aid individuals with disabilities who need these animals in order to enjoy the same kinds of access to and benefits from CSU facilities, programs, and experiences as do those without disabilities, and to accommodate them safely.