

Title/Subject: ASSISTANCE ANIMALS IN UNIVERSITY HOUSING

Applies to: faculty staff students student employees visitors contractors

Effective Date of This Revision: August 26, 2022

Contact for More Information: Student Disability Services

Board Policy Administrative Policy Procedure Guideline

BACKGROUND:

Central Michigan University recognizes the need for certain students to live with Service and Assistance Animals in university housing. This policy is implemented to meet those needs.

PURPOSE:

The University provides reasonable accommodations to housing residents with a documented disability. This Policy governs the use of Assistance Animals in University housing.

DEFINITIONS:

Assistance Animal. The University recognizes the broader category of “Assistance Animals” under the Fair Housing Act that provide physical and/or emotional support to individuals with disabilities. “Assistance Animals” are defined as a category of animals that may work, provide assistance, or perform physical tasks for an individual with a disability and/or provide necessary emotional support to an individual with a mental or psychiatric disability, but which are not considered Service Animals under the ADA.

Owner. For the purposes of this Policy, the term “owner” refers to the individual who has requested the accommodation and has received approval to have an Assistance Animal in housing.

POLICY:

I. Assistance Animals in Housing

A person may reside with an Assistance Animal in housing as a reasonable accommodation if:

- A. The person has a disability;
- B. The animal is necessary to afford the person with a disability an equal opportunity to use and enjoy a dwelling; and
- C. There is an identifiable relationship or nexus between the disability and the assistance the animal provides.

The Assistance Animal must be contained within the resident’s privately assigned individual living quarters (room, suite, apartment) except to the extent the resident is taking the animal out for natural relief. When the Assistance Animal is outside the resident’s private living quarters, the animal must be in an animal carrier or controlled by a leash or harness. The Assistance Animal is not permitted in other areas of the University (e.g., other residence halls or apartment buildings, dining facilities, academic buildings, athletic buildings and facilities, classrooms, labs, libraries, etc.).

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II. Owner Requirements

The owner of an Assistance Animal approved to live in University housing must abide by the following conditions:

- A. The owner must comply with state and local laws and regulations pertaining to licensing and vaccination, and provide annual proof of these to Student Disability Services. Dogs need to be licensed in the state of Michigan. Each animal must be immunized against diseases common to that type of animal. Dogs must have current vaccination against rabies, distemper, and parvovirus. Dogs must wear a rabies vaccination tag and license. [MCL Act 339, 287.267].
- B. The owner must clean up after and properly dispose of the animal's waste in a safe and sanitary manner.
- C. The owner is financially responsible for any property damage caused by the animal beyond reasonable wear and tear.
- D. The animal must be properly housed, restrained, and under the owner's control at all times. If an animal is found loose or unattended outside the owner's private living quarters, the animal is subject to immediate removal from University housing.
- E. The owner may not leave the animal overnight in University housing to be cared for by any individual other than the owner. If the owner is absent from University housing overnight, the animal must accompany the owner or other arrangements to board the animal outside of University housing must be made. Local animal control authorities will be notified and asked to remove any animal that is left overnight in housing without its owner present. Owners are required to provide Residence Life with an emergency contact of a person who can provide alternate housing for the animal in the event the owner must be absent from University housing overnight, including emergencies or other unexpected events.
- F. Each Assistance Animal to be housed in a University residence hall or apartment (University Housing) must have an annual clean bill of health from a licensed veterinarian. Specifically, an Assistance Animal must be free from communicable diseases such as Salmonella. The University has continuing authority to direct that an Assistance Animal receive veterinary attention. The University reserves the right to request documentation that the Assistance Animal is licensed and vaccinated and to have the animal examined by a licensed Michigan veterinarian of its choosing.

III. Approval Process for Student and Employee Residents

Assistance Animal:

- A. A resident desiring use of an Assistance Animal in University Housing must identify and register with the Student Disability Services office in advance, at least 45 days before housing for the animal is needed, and provide the following documentation:
 1. Treating professional completes the Accommodation Documentation Form, Sections I & III located at <https://www.emich.edu/ess/studentaffairs/SDS/Pages/Forms.aspx>
 2. Veterinarian records including a clean bill of health and up-to-date immunization records;
 3. Proof of required licensing in Michigan.

The University reserves the right to request additional clarification or documentation.

- B. Student Disability Services will validate the need for approved accommodations and work with the resident and campus officials to facilitate a supportive network.

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- C. The University may deny a request for an Assistance Animal in housing if the presence of the animal:
1. Poses a direct threat to the health and safety of others;
 2. Would cause substantial physical damage to the property of others;
 3. Would pose an undue financial and administrative burden; or
 4. Would fundamentally alter the nature of housing operations.
- D. The University considers the following factors in determining whether to approve the presence of an Assistance Animal in housing:
1. The size of the animal and whether it is too large for available assigned housing space;
 2. Whether the animal's presence would force another individual from individual housing;
 3. Whether the animal's presence would otherwise violate individuals' right to peace and quiet enjoyment of their dwelling;
 4. Whether the animal is housebroken and able to live with others in a reasonable manner;
 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 housing beyond reasonable wear and tear.

IV. Approval Process for Non-Student and Non-Employee Residents

Assistance Animal:

The approval process for a non-student or non-employee resident to utilize an Assistance Animal in housing is the same as for students and employees above, with the following exceptions:

- A. The request should be filed with Student Disability Services:
Park Library 120
Mt. Pleasant, MI 48859
Phone: (989) 774-3018
Email: SDS@cmich.edu
- B. The individual will be required to show proof of residency in University housing to initiate the process.

V. Policy Exceptions

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

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VI. Dispute Resolution Procedure

Disputes or disagreements about a disability determination, appropriateness of an accommodation, service/assistance quality, or an animal restriction should first be raised with Student Disability Services. If the matter cannot be resolved, a grievance may be submitted to the Office of Civil Rights and Institutional Equity.

Office of Civil Rights and Institutional Equity
Bovee University Center 306
Mt. Pleasant, MI 48859
Phone: (989) 774-3253
Email: OCRIE@cmich.edu

VII. Policy Implementation

Student Disability Services is responsible for implementing this policy. Success requires the cooperation of all students, staff and faculty.

Central Michigan University reserves the right to make exceptions to, modify or eliminate this policy. This document supersedes all previous policies, procedures and directives relative to this subject.