



*University Community (faculty, staff and students)*

SUBJECT (R*)	EFFECTIVE DATE (R*)	POLICY NUMBER (O*)
SERVICE AND EMOTIONAL SUPPORT ANIMALS ON CAMPUS	November 6, 2017	, 2509.002

**POLICY STATEMENT (R\*)**

Florida International University allows students to have service and emotional support animals with the appropriate documentation in allowable areas on campus. Pets and non-research animals are always restricted on university property and therefore not covered under this policy. Under federal law, Service Animals are allowed in public areas in the university so long as they meet the guidelines set forth in this policy. In addition, Emotional Support Animals are only allowed in university housing on campus with prior approval.

**REASON FOR POLICY (O\*)**

To provide guidance on the use of service and emotional support animals by students in different areas of FIU's campus, including classrooms, library, and housing

**RELATED INFORMATION (O\*)**

Reasonable accommodations are determined on an individual basis after considering the specific disability and documentation of functional limitations in accordance with the ADA Amendments Act of 2008 (ADAAA), the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act (FHA), as amended in 1988, and the regulations interpreting these statutes.

A description of DRC services, which gives an abbreviated version of this policy and implementing procedure, is contained in the University catalogue, the Disability Resource Center web site, and both the student and faculty handbooks.

**DEFINITIONS (R\*)**

**Service Animal:** A “service animal” is a dog or miniature horse used as an accommodation who is individually trained to do work or perform a task for the benefit of an individual with a disability. These tasks include but are not limited to: guiding individuals with impaired vision; alerting individuals who are hearing impaired; alerting and protecting a person who is having a seizure; pulling a wheelchair; or reminding a person with mental disability to take prescribed medications.

**Therapy/Emotional Support Animal:** An “emotional support animal” or “comfort animal” is a domesticated animal that may provide emotional support, calming, and stability to an individual with a disability. Under the Americans with Disabilities Act, emotional support animals do not perform tasks that would qualify them as service animals. Unlike a service animal, an emotional support animal does not assist a person with their daily activities nor does it accompany a person with a disability at all times.

**PROCEDURES (O\*)**

The Disability Resource Center (DRC) will provide assistance to students who demonstrate a need to have a service/emotional support animal on campus.

If a student requests to have a service dog or miniature horse on campus:

The student must have a disability as defined by the ADA;

The accompanying animal must be trained to do specific tasks for the student with a disability; and

The student must register with the DRC office only if the animal will be living in FIU housing on campus. Students who do not live in

FIU on campus housing are encouraged but not obligated to register for services with the DRC.

Under the ADA, service animals are allowed to accompany the person with a disability in all areas of the facility where the public is normally allowed to go, including classrooms and libraries. When it is not obvious what task the service animal provides, only limited inquiries are allowed. FIU Faculty and Staff may only ask two questions:

1. Is the dog a service animal required because of a disability, and
2. What work or task has the dog been trained to perform.

Staff cannot ask about the person’s disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

However, if the service animal is disruptive and not controlled, if the animal is not housebroken, or there is a safety or health concern, the owner will need to remove the animal from the premises.

Should an area of campus (labs, health care and treatment facilities, etc...) be unable to host a services animal, FIU will provide alternative means of accommodating the user of the facility in question. Please meet with the DRC for more information.

If a student requests to have an emotional support animal in housing:

The student must have a disability as defined by the ADA.

Documentation from a health care provider must state how the need cannot be serviced in any other form

The student must register with the DRC office so that accommodations can be coordinated with our Housing department.

While Emotional Support or Comfort Animals are domesticated animals, they are not considered service animals under the ADA. These support animals may be used to provide companionship and relieve loneliness as well as help with depression, anxiety, and certain phobias, but do not have special training to perform tasks that assist people with disabilities.

Emotional Support Animals are not allowed into public areas of the university including but not limited to dining areas, classrooms, libraries, common areas, labs and administrative areas. Emotional support animals are only allowed in the residence halls with immediate access to outdoor areas.

Emotional support/comfort animals may not reside in FIU housing without expressed advance approval of DRC and Housing and as such, must still abide to all housing policies. Note: Should the emotional support/comfort animal be removed from campus housing due to a violation of this or FIU housing policy, your privileges to obtain another emotional support animal may be relinquished. This will be determined by university housing and/or administrative officials.

The Fair Housing Act (FHA) protects a person with a disability from discrimination in obtaining housing. Under this law, a landlord or homeowner’s association must provide reasonable accommodation to people with disabilities so that they have an equal opportunity to enjoy and use a dwelling. Emotional support animals that do not qualify as service animals under the ADA may nevertheless qualify as reasonable accommodations under the FHA.

**HISTORY (R\*)**

**Effective Date:** November 6, 2017

**RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT (R\*)**

Division of Student Affairs  
Florida International University

**RESPONSIBLE ADMINISTRATIVE OVERSIGHT (R\*)**

The University Policies and Procedures Library is updated regularly. In order to ensure a printed copy of this document is current, please access it online at <http://policies.fiu.edu/>.

Disability Resource Center  
Florida International University  
11200 S.W. Eighth Street, GC 190  
Miami, Florida 33199  
Telephone Number: (305) 348-3532

For any questions or comments, the "Document Details" view for this policy online provides complete contact information.

#### **FORMS/ONLINE PROCESSES (O\*)**

Links to the above referenced Form(s) available in the "Document Details" Section of the online version of this policy document.

**\*R = Required \*O = Optional**