



## **GUIDANCE AND PROCEDURE ON REASONABLE ACCOMMODATIONS AND ASSISTANCE ANIMALS IN UNIVERSITY HOUSING**

One common type of reasonable accommodation may be allowing a person with a disability to keep an assistance animal in their university housing or to allow an assistance animal to accompany a visitor to the residence hall. An assistance animal is any animal that works, provides assistance, 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. Cleveland State University recognizes the importance of allowing assistance animals necessary to provide individuals with disabilities an equal opportunity to use and enjoy University housing.

An assistance animal does not necessarily need to be trained, and is not limited to any specific type of animal. An assistance animal is restricted to the residence of the individual, and may not accompany the resident to other areas of the university without permission.

### **REQUESTING AN ASSISTANCE ANIMAL**

Although individuals are generally prohibited from having animals in University housing, CSU will consider a request by an individual with a disability for a reasonable accommodation from this prohibition to allow an assistance animal. However, no assistance animal may be kept in University housing at any time prior to the individual receiving approval as a reasonable accommodation pursuant to this Policy.

A resident or visitor wishing to request an assistance animal should follow CSU's general procedures for requesting an accommodation, which can be found on the Office for Disability Services' (ODS) website. ODS may require a statement from a reliable third party indicating that the resident has a disability and that the animal would provide emotional support or other assistance that would ameliorate one or more symptoms or effects of the disability. A "reliable third party" is someone familiar with the individual's disability and the necessity for the requested accommodation. A reliable third party includes, but is not limited to someone who provides medical care, therapy

or counseling to persons with disabilities, including, but not limited to, doctors, physician assistants, psychiatrists, psychologists, or social workers.

Cleveland States University, in consultation with the resident, and other parties, as appropriate, may consider the criteria below in determining whether the presence of the animal is reasonable in the making of housing assignments for individuals with assistance animals:

- Whether the animal poses or has posed in the past a direct threat to the individual or others;
- Whether the animal causes or has caused excessive damage to housing beyond reasonable wear and tear;
- Whether the size of the animal is too large for available assigned housing space;
- Whether the animal's presence would force another individual from individual housing (e.g. serious allergies);
- Whether the animal's presence otherwise violates individuals' right to peace and quiet enjoyment; and
- Whether the animal is housebroken or is unable to live with others in a reasonable manner.

The individual must provide written consent for ODS to disclose information regarding the request for and presence of the assistance animal to those individuals who may be impacted by the presence of the animal including, but not limited to, Residence Life personnel and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability. Cleveland State University reserves the right to assign an individual with an assistance animal to a single room without a roommate upon availability or, in the case of visitors, to deny the animal access upon objection of the roommate(s).

Visitors approved to bring an assistance animal to the residence hall will be issued a pass to display to Residence Life staff indicating that the animal has been approved.

## **OWNER'S RESPONSIBILITIES**

Owners granted the accommodation of an assistance animal in their residence hall unit shall be subject to the following rules, in addition to any other university rules and regulations not specifically related to assistance animals. The owner must:

### **Keep the Animal in Residence Hall Unit**

An assistance animal must be contained within the owner's privately assigned individual living accommodations except to the extent the individual is taking the animal

out for natural relief. When an assistance animal is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. Assistance animals (who do not qualify as service animals) are not allowed in any University facilities other than the University housing to which the resident is assigned.

### **Keep the Animal under Control**

The Assistance Animal must be properly housed and restrained or otherwise under the dominion and control of the owner at all times. No owner shall permit the animal to go loose or run at large. If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from University housing.

### **Abide by Laws and Policies**

The owner must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the owner's responsibility to know and understand these ordinances, laws, and regulations. The University has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate. The University reserves the right to request documentation showing that the animal has been licensed. Additionally, the owner must abide by all equally applicable residential policies, such as assuring that the animal does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside there.

### **Ensure the Animal is Well Cared-For**

The owner is required to ensure the animal is well cared for at all times. Any evidence of mistreatment, abuse, neglect, or leaving the assistance animal unattended for unreasonably long periods of time may result in immediate removal of the Assistance Animal and/or discipline for the responsible individual pursuant to the University Student Code of Conduct and/or any housing-related sanctions within the Residence Hall Handbook. The University will not base this determination on speculation or fear about the harm or damages an animal may cause. University personnel shall not be required to provide care or food for any Assistance Animal including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal. Additionally, assistance animals may not be left overnight in University housing to be cared for by any individual other than the owner. If the owner is to be absent from his/her residence hall overnight or longer, the animal must accompany the owner. The owner is responsible for ensuring that the assistance animal is contained, as appropriate, when the owner is not present during the day while attending classes or other activities.

## **Be Responsible for Property Damage**

The owner is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner and, when provided, must use animal relief areas designated by the University. An individual with a disability may be charged for any damage caused by his or her Assistance Animal beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear. The owner's living accommodations may also be inspected for fleas, ticks or other pests if necessary as part of the University's standard or routine inspections. If fleas, ticks or other pests are detected through inspection, the owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls. The University shall have the right to bill the owner's account for unmet obligations under this provision.

## **Notify ODS or Residence Life if Assistance Animal is No Longer Needed**

The animal is allowed in University housing only as long as it is necessary because of the owner's disability. The owner must notify ODS in writing if the assistance animal is no longer needed or is no longer in residence. To replace an Assistance Animal, the new animal must be necessary because of the Owner's disability and the Owner must follow the procedures in these guidelines when requesting a different animal.

## **REMOVAL OF THE ASSISTANCE ANIMAL**

The University may require the Owner to remove the assistance animal from University housing if:

- The animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others, including University property;
- The animal's presence results in a fundamental alteration of a University program;
- The owner does not comply with the Owner's Responsibilities set forth above; or
- The animal or its presence creates an unmanageable disturbance or interference with the University community.

ODS will base such individualized determinations upon the consideration of the behavior of the particular animal and resident on a case-by-case basis, and in consultation with Residence Life, the resident, and other parties as appropriate. The University will not base this determination on speculation or fear about the harm or damages an animal may cause. Any removal of the animal or denial of approval of the request to keep the animal may be appealed pursuant to the procedure available for

complaining of violations of the University's [Policy Against Discrimination, Harassment, Sexual Violence and Retaliation](#). The Owner will be afforded all rights of due process and appeal as outlined in that process.

Should the Assistance Animal be removed from the premises for any reason, the Owner is expected to fulfill his/her housing obligations for the remainder of the housing contract.

## **ACKNOWLEDGEMENT AND RELEASE OF INFORMATION CONSENT FORM**

- By my signature below, I verify that I have read, understand and will abide by the requirements outlined here and I agree to provide the additional information required to complete my Request for a Reasonable Accommodation under the University's Guidelines and Procedure on Reasonable Accommodations and Assistance Animal in University Housing.
- I have read and understand the Guidelines and Procedure on Reasonable Accommodations and Assistance Animals in University Housing and I agree to abide by the requirements applicable to Assistance Animals. I understand that if I fail to meet the requirements set forth in the Guidelines and Procedures, Cleveland State University has the right to remove the Assistance Animal and I will be nonetheless required to fulfill my housing, academic, and all other obligations for the remainder of the housing contract.
- I furthermore give permission to the Office of Disability Services to disclose to others impacted by the presence of my Assistance Animal (e.g., Residence Life staff, potential and/or actual roommate(s)/neighbor(s)) that I will be living with an animal, or than an animal will be visiting the room, as an accommodation. I understand that this information will be shared with the intent of preparing for the presence of the Assistance Animal and/or resolving any potential issues associated with the presence of the Assistance Animal. I will hold Cleveland State University harmless from any liability for disclosing such information.
- I further recognize that the presence of the Assistance Animal may be noticed by others visiting or residing in University Housing and agree that staff may acknowledge the presence of the animal, and explain that under certain circumstances Assistance Animals are permitted for persons with disabilities.

Owner's Signature

Date

ODS Representative

Date

Residence Life Representative

Date

**APPLICATION FOR ASSISTANCE ANIMAL**  
**AS REASONABLE ACCOMMODATION IN UNIVERISTY HOUSING**

Please complete this form to request an assistance animal as a reasonable accommodation in university housing. If you require assistance completing this form, or wish to make the request orally, please contact the office of disability services.

Name of resident/visitor:

Address:

Telephone #:

Person requesting accommodation:

Relationship to resident (if different from resident):

If you are requesting permission to have an assistance animal in your residence hall room where it is not readily apparent that the animal is a service animal please answer the following:

a) Type of animal (for example, dog or cat):	b) Breed:	c) Color:
d) Weight:	e) Age:	f) Gender:
g) Neutered or Spayed? YES      NO	h) Declawed? YES      NO	i) Name of Pet:
j) Name of Owner:		

k) Rabies Shot Current? (Resident must provide proof) YES NO

l) Picture of animal attached: YES NO

m) Is the animal required because of a disability? YES NO

n) Does the animal for which you are making a reasonable accommodation request perform work or do tasks for you because of your disability?

YES NO

o) If the answer to 3(m) is YES:

- a. provide a statement from a health or social service professional indicating that you have a disability (i.e., you have a physical or mental impairment that substantially limits one or more major life activities); and
- b. explain below how the animal has been trained to do work or perform tasks that ameliorate one or more symptoms or effects of your disability or, if the animal lacks individual training, how the animal is able to do work or perform tasks that would ameliorate one or more symptoms of effects of your disability: **NOTE:** You may provide any additional information or documentation of the training or work you describe above and attach it to this application.

p) If the answer to 3(m) is NO:

If the animal for which you are making a reasonable accommodation request does not perform work or do tasks for you because of your disability, but provides emotional support or ameliorates one or more symptoms or effects of your disability, **please submit a statement** from a health or social service professional stating that:

- a. you have a disability (i.e., you have a physical or mental impairment that substantially limits one or more major life activities); and
- b. the animal would provide emotional support or other assistance that would ameliorate one or more symptoms or effects of your disability and how the animal ameliorates the symptoms or effect.

Please attach such a statement to this application. You may use, but are not required to use, Form A.

q) Cleveland State University may deny a request to keep an assistance animal on the premises if the animal poses a direct threat (i.e., a significant risk of substantial harm) to the health or safety of other individuals that cannot be eliminated or reduced to an acceptable level by another reasonable accommodation, or if the animal would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation. Cleveland State University will base such a determination only upon reliable, objective evidence of the specific animal's actual behavior or conduct and not on speculation or fear about the types of harm or damage an animal may cause.

Signature



**CLEVELAND STATE UNIVERSITY GUIDELINES**  
**REGARDING ASSISTANCE ANIMALS**

- A. Cleveland State University will grant reasonable accommodation requests to persons with disabilities consistent with the Guidance and Procedure on Reasonable Accommodation and Assistance Animals in University Housing and all relevant statutes. A person with a disability is one who: (a) has a physical or mental impairment which substantially limits one or more of such person's major life activities; or (b) has a record of having such an impairment; or (c) is regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).
- B. Cleveland State University will review and respond promptly to all reasonable accommodation requests.
- C. All information received by Cleveland State University regarding an individual's disability, including physical, mental, psychological, and/or psychiatric conditions, and disability-related need for a requested accommodation shall be kept confidential unless the individual authorizes the release of the information or Cleveland State University is required to produce the information in response to a subpoena or court order.
- D. If a resident of Cleveland State University housing has a disability and a disability-related need for a reasonable accommodation under federal, state or local law, Cleveland State University will grant such accommodation, including a request to keep a service or assistance animal. Cleveland State University will not retaliate against any person because that individual has requested or received a reasonable accommodation. Cleveland State University will not discourage any individual from making a reasonable accommodation request, including a request to keep a service or assistance animal. While it is Cleveland State University's policy to not allow any pets at Cleveland State University housing, service or assistance animals are not pets. However, a resident or visitor must request a reasonable accommodation to Cleveland State University's pet policy in order to keep an assistance animal at Cleveland State University housing.
- E. Rules applicable to pets do not apply to service or assistance animals. However, when assistance animals are in Cleveland State University

housing common or public areas, the assistance animal must be kept on a leash or in a carrier or cage, unless those devices prevent service animals from performing a disability-related task. Additionally, like any other resident, owners of service or assistance animals remain subject to the provisions of their leasing agreement. Similarly, owners of service or assistance animals shall comply with all state and local animal laws unless the owner is entitled to a reasonable accommodation. Cleveland State University may take action against the owner for damages caused by a service or assistance animal to the same extent that it takes such action against residents who have caused similar damages.

## **FORM A – ASSISTANCE ANIMAL REQUESTS**

If you are seeking permission to keep an assistance animal that has not been trained to do work or perform tasks, please have a health or social service professional complete this form or provide similar documentation.

Resident name:

Address:

Telephone #:

### **Resident Statement and Signature**

I intend to request that Cleveland State University permit (if different from resident, state name and relationship to resident) to have an assistance animal as a reasonable accommodation for a disability. In connection with that application, I am requesting that you complete this form regarding the disability.

Resident Signature:

Date:

**Please continue to last page for health or social service professional statement**

**TO BE COMPLETED BY HEALTH OR SOCIAL SERVICE PROFESSIONAL**

NAME:

ADDRESS:

TELEPHONE NUMBER:

1. Does the individual identified above have a disability? A disability is a physical or mental impairment that substantially limits one or more major life activities.

Yes            No

2. Does or would the assistance animal provide some type of disability-related assistance to the individual? One example of assistance is alleviating one or more of the symptoms or effects of a disability.

Yes            No

NAME:

SIGNATURE:

TITLE:

DATE: