PSU Service Animal and Emotional Support Animal Policy

Portland State University (PSU) is committed to making reasonable modifications to its rules, policies, and practices when necessary to afford people with disabilities an equal opportunity to access its programs, services, and activities.

GETTING HELP

Students
... bringing a service or emotional support animal to campus.

... bringing a service or emotional support animal to campus housing.

... reporting any animal in campus housing that is disruptive, out of control, or poses a threat to safety.

... reporting any animal elsewhere on campus that is disruptive, out of control, or poses a threat to safety.

... reporting a concern about disability discrimination or harassment.

Faculty/Staff
... bringing a service or emotional support animal to campus.

... reporting any animal in campus housing that is disruptive, out of control, or poses a threat to safety.

... reporting any animal elsewhere on campus that is disruptive, out of control, or poses a threat to safety.

... reporting a concern about disability discrimination or harassment.

Disability Resource Center
116 Smith Memorial Student Union
503-725-4150
http://www.drc.pdx.edu

University Housing Office
503-725-4370

Campus Public Safety Office
503-725-4404

Office of Equity and Compliance
503-725-5919
www.pdx.edu/diversity/office-of-equity-compliance

Human Resources
503-725-4926

University Housing Office
503-725-4370

Campus Public Safety Office
503-725-4404

Office of Equity and Compliance
503-725-5919
www.pdx.edu/diversity/office-of-equity-compliance
PETS

A “pet” is any animal kept for ordinary use and companionship. Service animals and emotional support animals, as defined below, are not considered pets.

Pets are generally prohibited indoors on the PSU campus, except in University Housing, where fish and cats are sometimes permitted as pets. For more information on fish and cats in University Housing, please refer to the PSU Housing Handbook.

SERVICE ANIMALS

A “service animal” means any dog that is individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the person’s disability. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition. Species other than dogs or, in some cases, miniature horses, are not considered service animals for the purpose of this definition of a service animal.

Service animals will be permitted to accompany people with disabilities in all areas of PSU’s facilities where students, members of the public, and other participants in services, programs or activities are allowed to go. PSU does not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.

Additionally, PSU cannot ask about the nature or extent of a person’s disability to determine whether a person’s animal qualifies as a service animal. However, when it is not readily apparent that a dog is a service animal, PSU staff may make two inquiries to determine whether the dog qualifies as a service animal, which are:

(1) Is the dog required because of a disability?
(2) What work or task has the dog been trained to perform?

A service animal must be housebroken (i.e., trained so that it controls its waste elimination, absent illness or accident) and must be kept under control by a harness, leash, or other tether, unless the person is unable to hold those, or such use would interfere with the service animal’s performance of work or tasks. In such instances, the service animal must be kept under control by voice, signals, or other effective means.

PSU will assess requests for the use of miniature horses by people with disabilities on a case-by-case basis. Requests should be submitted to the Disability Resource Center and, consistent with applicable laws, PSU may make modifications in its policies to permit their use if they meet certain criteria and have been individually trained to do work or perform tasks for the benefit of people with disabilities.

EMOTIONAL SUPPORT ANIMALS

“Emotional support animal” is an animal that provides emotional support that eases one or more identified symptoms or effects of a person’s disability. Unlike service animals, emotional support animals are not trained to perform work or tasks, and they include species other than dogs and miniature horses.
Emotional support animals are not allowed to accompany persons with disabilities in all areas of PSU, but they may reside in University Housing with people with disabilities. Before an emotional support animal can move into University Housing with a person with a disability, a request must be submitted to PSU’s Disability Resource Center and approval must be granted (preferably at least 30 days prior to move in). Requests must include documentation from a licensed physician or mental health provider, and must provide sufficient information for PSU to determine:

- that the individual qualifies as a person with a disability (i.e., has a physical or mental impairment that substantially limits one or more major life activities); and

- that the emotional support animal is necessary to afford the person with a disability an equal opportunity to use and enjoy University Housing, including the relationship between the person’s disability and the emotional support that the animal provides.

While emotional support animals are generally not allowed indoors on PSU’s campus other than in housing, people with disabilities may request approval from the Disability Resource Center to have the emotional support animal accompany them to other campus areas. Such requests will be considered on a case-by-case basis consistent with applicable laws.

**GUIDE AND HEARING TRAINEES:** Oregon law allows animals that are being trained to be dog guides for the blind, hearing assistance dogs, or assistance animals for persons with physical impairments to access PSU facilities.

**RESPONSIBILITIES OF PEOPLE WITH DISABILITIES USING SERVICE OR EMOTIONAL SUPPORT ANIMALS**

PSU is not responsible for the care or supervision of service or emotional support animals. People with disabilities are responsible for the cost, care, and supervision of service and emotional support animals, including:

- compliance with any laws pertaining to animal licensing, vaccination, and owner identification;
- keeping the animal under control and taking effective action when it is out of control; and
- feeding and walking the animal, and disposing of its waste.

For specific campus areas designated by PSU for toileting service animals, contact the Disability Resource Center. Waste disposal via university plumbing is prohibited in university residences, but the Disability Resource Center or University Housing can provide guidance on where to appropriately dispose of animal waste.

PSU will not require any surcharges or fees for service animals or emotional support animals. However, a person with a disability may be charged for damage caused by a service animal or emotional support animal to the same extent that PSU would normally charge a person for the damage they cause.

People with disabilities who are accompanied by service animals or emotional support animals must comply with the same university rules regarding noise, safety, disruption, and cleanliness as people without disabilities.
EXCEPTIONS AND EXCLUSIONS

PSU may pose some restrictions on, and may even exclude, a service animal or emotional support animal in certain instances. Restrictions or exclusions will be considered on a case-by-case basis in accordance with applicable laws, but an animal may be excluded if:

- it is out of control and effective action is not taken to control it;
- it is not housebroken;
- it poses a direct threat to the health or safety of others that cannot be reduced or eliminated by reasonable modifications; or
- its presence fundamentally alters the nature of a program, service or activity.

In considering whether an animal poses a direct threat to the health or safety of others, PSU will make an individualized assessment, based on reasonable judgment, current medical knowledge, or the best available objective evidence, to determine: (1) the nature, duration, and severity of the risk; (2) the probability that the potential injury will actually occur; and (3) whether reasonable modifications of policies, practices, or procedures will mitigate the risk. The University President shall name a designee who shall provide a written statement of explanation to any person with a disability if a determination is made that the presence of that person’s service animal or emotional support animal would fundamentally alter the nature of a program, service, or activity.

In the event that restriction or removal of a service animal or emotional support animal is determined to be necessary, the person with a disability will still be given the opportunity to participate in the service, program, or activity without having the service animal or emotional support animal present.

GUIDELINES FOR MEMBERS OF THE PSU COMMUNITY

To ensure equal access and nondiscrimination of people with disabilities, members of the PSU community must abide by the following practices:

- Allow service animals and emotional support animals to accompany people with disabilities on campus;
- Do not ask for details about a person’s disabilities;
- Do not pet a service animal or emotional support animal, as it distracts the animal from its work;
- Do not feed a service animal or emotional support animal;
- Do not deliberately startle, tease, or taunt a service animal or emotional support animal; and
- Do not separate or attempt to separate a person from his/her service animal or emotional support animal.

If you have a disability that may be affected by the presence of animals, please contact the Disability Resource Center. PSU is committed to ensuring that the needs of all people with disabilities are met and will determine how to resolve any conflicts or problems as expeditiously as possible.
GRIEVANCE PROCEDURE

A student or employee who wishes to file a disability discrimination complaint should contact the Office of Equity and Compliance at 503-725-5919 or diversity@pdx.edu. The website for the Office of Equity and Compliance is at www.pdx.edu/office-of-equity-compliance.

LEGAL REFERENCES

Title II of the Americans with Disabilities Act
Section 504 of the Rehabilitation Act of 1973
Fair Housing Act
Oregon Revised Statutes
Oregon Administrative Rules