

*Approved By Cabinet: August 2, 2016  
Amended as to format, not substance February  
27, 2017*

## **UW-Green Bay Assistance Animal Policy (University Housing) OP-42-16-1**

### **Policy Statement**

It is the policy of the University of Wisconsin-Green Bay that assistance animals are generally permitted in University Housing on the UW-Green Bay campus as described below.

### **Assistance Animals**

Assistance animals are animals that provide therapeutic benefit to individuals with a disability, and must be prescribed by a licensed health professional. Unlike service animals, assistance animals require no specific training (as their mere presence within the individual's residence mitigates the effects of the disability), and do not provide service with activities of daily living nor accompany individuals with disabilities at all times. However, the presence of the animal is necessary to afford a person with a disability an equal opportunity to use and enjoy university housing.

Assistance animals are permitted in university residence hall rooms, apartments and houses only. Unlike service animals, assistance animals are prohibited in public areas including, but not limited to, community restrooms, lounges, kitchens, study rooms, classrooms and nonresidential facilities on campus. On a limited basis, assistance animals may be permitted on campus for academic or programmatic purpose which meet the University Mission if the handler receives explicit written permission from the Office of Public Safety.

### **Pet Animals**

Pets are animals living with individuals for purposes of pleasure, leisure time activity and companionship. Pets are prohibited from entering all campus facilities. However, the Office of Residence Life does permit students to keep non-dangerous fish in aquariums no larger than 29 gallons in residence hall rooms and apartments.

### **Service Animal**

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort, protection, or emotional support do not qualify as service animals. Service Animals are covered under OP-14-16-1

### **Process for Retaining Assistance Animals**

UW-Green Bay provides reasonable accommodation for persons with disabilities requesting an assistance animal in university housing. The determination of whether an assistance animal will be

permitted in a housing facility is made on a case-by-case basis through an interactive process involving the individual requesting the accommodation and relevant campus personnel. In all cases, the needs of the individual are balanced with the impact of an animal on other campus residents, patrons and programs.

Students who have been prescribed an assistance animal (as defined above), must contact the Office of Disability Services at 920-465-2841 at least 60 days prior to the desired move-in date in order for the university to best accommodate the needs of the student and/or the animal. If the need for accommodation arises when an individual already resides in university housing, the student should initiate the process as soon as possible, however, UW-Green Bay cannot guarantee that it will be able to meet the accommodation needs during the semester in which such a request is received. Students who are in the process of requesting an assistance animal, are not permitted to have the animal on campus until the request has been granted.

Students requesting assistance animals will provide the Office of Disability Services recent documentation from a licensed health professional that verifies the individual meets the Fair Housing Act's definition of disability; describes how the animal assists the individual; shows the relationship between the individual's disability and the need for the assistance; describes the animal being prescribed for the student (including species, size requirements, space needs and environmental impact); includes a description of how the animal alleviates the symptoms/effects of the medical condition; and discloses any other possible accommodation(s) besides an assistance animal that would meet the student's needs.

Once submitted, the request and associated documentation will be reviewed by a committee comprised of staff from Disability Services, the Counseling and Health Center, Residence Life and the Dean of Students. If all criteria are met to establish the individual has a prescribed medical need for an assistance animal, a meeting will be arranged between the student and Disability Services and the Office of Residence Life to discuss how to best accommodate the student, the assistance animal and the campus community. If criteria are not met to support the accommodation, the Director of Disability Services will communicate the denial of the application or the need for additional information. If more information is deemed necessary, it will be reviewed at the following meeting. (The review committee meets monthly.) The student making the request for accommodation must cooperate with Disability Services in a timely manner in providing all information needed to determine whether the accommodation is necessary.

UW-Green Bay may consider the following factors, among others, in determining whether the presence of the requested assistance animal is reasonable or in the making of housing assignments for individuals with approved assistance animals: (1) the size of the animal, and associated equipment and supplies, is too large for the available assigned housing space; (2) the animal's presence would force another individual from their respective assigned space (e.g. severe allergies); (3) the animal's presence otherwise violates individuals' right to peace and quiet enjoyment; (4) the animal is not housebroken or is unable to live with others in a reasonable manner; (5) the animal's vaccinations are not up-to-date; (6) the animal poses, or has posed in the past, a direct threat to the individual or others such as aggressive behavior toward or injuring the individual or others; or (7) the animal causes, or has caused, excessive damage to housing beyond reasonable wear and tear.

University housing is unique in several aspects including the mandatory assignment of roommates for many individuals and the mandate that individuals must share a room or apartment in certain campus facilities. To ensure the presence of an assistance animal is not an undue administrative burden or fundamental alteration of university housing, UW-Green Bay reserves the right to assign an individual with an assistance animal to a single occupancy living space without a roommate.

All requests for assistance animals in university housing are subject to an annual review.

### **Requirements for Animals in Residence**

Owners of animals on campus shall comply with all state laws and local animal ordinances, as well as all University policies and guidelines including, but not limited to, the following requirements:

Owners of animals shall be solely responsible for the care, restraint, control and supervision of their animals at all times and not permit their animals to be at large. If an assistance animal is found running at large, the animal is subject to capture and confinement and/or immediate removal from university housing. Presence of an assistance animal outside of the residence is permitted only with explicit permission from the Office of Public Safety. 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 may not be left overnight in university housing to be cared for by an individual other than the owner. If the owner is to be absent from his/her residence overnight or longer, the animal must accompany the owner.

Assistance animals are not permitted in other residence halls or apartment buildings besides the one assigned to the owner.

Owners shall provide appropriate food, water, shelter and health care for their animals and not allow their animals to be neglected or abused per Green Bay Animal Control – Chapter 8 (<http://www.gbpolice.org/prev/chp8.pdf>) and Wisconsin State Legislature – Chapter 951 (<https://docs.legis.wisconsin.gov/statutes/statutes/951>).

Owners of animals shall clean up and dispose of all animal waste (both indoors and outdoors) in a timely and effective fashion. Cat litter boxes may not be placed directly on carpet and must have a protective layer between the carpet that extends beyond the parameters of the litter box.

Owners shall confine their animals when leaving them alone in a university-owned residence; and not leave their animal alone for a time period in excess of six hours. In the event that an assistance animal is left alone in a room or apartment for an extended period of time and is not properly cared for, Residence Life will attempt to contact the resident or the emergency contact to remove the animal. If this is not successful, Residence Life may notify Public Safety and seek to have the animal removed. All costs associated with removing the animal shall be the responsibility of the resident.

Owners of animals shall not allow odor, noise, damage, or other behavior of their animals that disturbs others or damages university grounds, facilities or property.

Owners of animals shall be responsible for any damage their animal causes to university property. 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 residence will be treated using approved fumigation methods by a University-approved pest control service. The owner will be billed for the expense of any pest treatment above and beyond standard pest management in university housing. The University shall have the right to bill the owner's account for unmet obligations under this provision.

Owners of animals shall comply with all required state and municipal license requirements, including having their animal wear current identification and vaccination tags when applicable. Assistance dogs must wear a current rabies vaccination tag.

Owners of animals in university residence halls and apartments shall provide the Office of Residence Life on an annual basis, verification of all vaccinations required by state or local code; all veterinarian recommended vaccinations and proof of absence of communicable diseases, fleas and parasites. Failure to provide the documentation in a timely fashion shall be grounds for immediate removal of the animal.

### **Exclusions**

Assistance animals are only allowed within a person's dwelling in campus housing, or other areas on campus where domesticated animals are permitted. Please reference Chapter UWS 18.08 (1) for specific information.

Assistance animals may be excluded from all campus areas including campus housing: (1) where its presence fundamentally alters the nature of the program or activity; (2) if the animal is disruptive; (3) if its presence would result in substantial physical damage to the property of others; or (4) if it substantially interferes with the reasonable enjoyment of the area by others.

Animals may be excluded if the owner does not adhere to the Requirements for Animals in Residence (above), and/or if the animal substantially interferes with the reasonable use of housing or public accommodation by others.

The animal is allowed in university housing only as long as it is necessary because of the owner's disability. The owner must notify the Disability Services office 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 of this policy when requesting the different animal.

Should an assistance animal be removed from university housing for any reason, the owner is expected to fulfill his/her housing obligations for the remainder of the housing contract term.

The following residential buildings have been designated as 'animal-free' and no assistance animals and their owners will be assigned to spaces in these facilities: Richard Liebl Hall, Arlene Walter Hall, R. E. Small Hall, Roy Downham Hall (ADA rooms only), 3314 and 3326.

### **Visitors**

Assistance animals accompanying campus visitors are only allowed in areas of campus where domesticated animals are permitted. Campus visitors in need of assistance animals must contact the Office of Public Safety prior to coming to campus. Upon notice to Public Safety, the care, location and handling of animals must follow the requirements set forth in this policy.

### **Violations and Grievances**

Animals presenting a disruption or posing a threat to the campus community may be reported to the Department of Public Safety, 920-465-2300.

Violations of the Requirements for Animals in Residence (above) may be reported to the Office of Residence Life, 920-465-2040. Violation of these requirements may constitute a violation of the student code of conduct and result in referral to the Dean of Students Office.

### **Appeal Process**

Any student dissatisfied with a decision concerning a campus-approved service/assistance animal may contact:

Greg Smith, ADA Coordinator  
Student Services 1400  
920-465-2380

The student will be asked to submit their appeal in writing to the office. The University ADA Committee will review the complaint and make a recommendation to the ADA Coordinator no later than thirty days from receipt of the complaint, unless extenuating circumstances warrant additional time.

### **Assistance Animal Policy Agreement**

I have read and understand the on UW-Green Bay's Assistance Animal Policy and information. I understand that the sole responsibility of the animal is mine and allowed only in my dwelling in campus housing. I understand that I am responsible for complying with all of the provisions of the agreement.

I understand that if I fail to meet the requirements set forth in the Emotional Support Animal Policy, UW-Green Bay 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 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 Animal are permitted for persons with disabilities.

\_\_\_\_\_  
Student name (Print)

\_\_\_\_\_  
Student signature

\_\_\_\_\_  
Student ID Number

\_\_\_\_\_  
Date

\_\_\_\_\_  
Coordinator's name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Coordinator's Signature

CC: Dean of Students  
Public Safety  
Residence Life