

# Service and Assistance Animals for Individuals with Disabilities at the University of Wyoming

## **A. Policy Overview**

The University of Wyoming is committed to compliance with Section 504 of the Rehabilitation Act of 1973, and with the Americans with Disabilities Act (ADA) and its amendments. Individuals with disabilities shall be permitted to be accompanied by their service animal in all University areas where members of the public, participants in services, programs or activities, or invitees are allowed to go.

The University will determine, on a case by case basis, and in accordance with applicable laws and regulations, whether individual requests for assistance animals are a reasonable accommodation.

## **B. Definitions**

*Assistance animal:* The Fair Housing Act defines an assistance animal as any service animal, as defined below, as well as an animal needed for emotional support. An assistance animal may be allowed as an accommodation in University housing if: (1) the individual has a disability; (2) the animal is necessary to afford the individual an equal opportunity to use and enjoy a dwelling; and (3) there is an identifiable relationship between the disability and the assistance the animal provides.

*Service animal:* The ADA defines a service animal as a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

## **C. Referrals and Contact Points**

Referrals or concerns regarding service animals and requests for other assistance animals should be directed as follows:

### For students and visitors:

University Disability Support Services, SEO  
Room 109, Knight Hall  
(307) 766-6189; (307) 766-3073 (TTY)

### For employees:

Human Resources  
139 Wyoming Hall  
(307) 766-2215; 711 (Wyoming Relay)

Referrals or concerns regarding service animals and requests for other assistance animals in University residence halls and apartments should be directed as follows:

Residence Life & Dining Services Washakie Center, Lower Level (307) 766-3175; 711 (Wyoming Relay)	and	University Disability Support Services, SEO Room 109, Knight Hall (307) 766-6189; (307) 766-3073 (TTY)
---	-----	--

Residence Life and Dining Services and University Disability Support Services will collaborate regarding service animals and/or requests for other assistance animals for individuals with disabilities planning to live in the University's residence halls or apartments.

#### **D. Service Animals**

A service animal is a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals.

The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of such tasks include, but are not limited to assisting an individual with low vision with navigation, alerting individuals who are hard of hearing to the presence of people or objects, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with a mobility disability.

Individuals with disabilities shall be permitted to be accompanied by their service animal in all University areas where members of the public, participants in services, programs or activities, or invitees, are allowed to go.

Federal law does not require the individual to provide documentation that an animal has been trained as a service animal. The University may ask if the animal is required because of a disability, as well as what work or tasks the animal has been trained to perform. When an individual indicates the desire to have a service animal at the University on a recurring basis, the individual should contact or be referred to the contact points listed above. Designated staff in those specified departments will provide the individual information on their responsibilities with regard to the service animal.

#### **E. Miniature Horses**

The University will determine, on a case by case basis, and in accordance with applicable laws and regulations, whether a reasonable modification to policies, practices, or procedures should be made to permit the use of a miniature horse by an individual with a disability. While miniature horses are not considered service animals, miniature horses may qualify for similar access granted service animals.

The miniature horse must be individually trained to do work or perform tasks for the benefit of the individual with a disability. The Americans with Disabilities Act (ADA) Title II regulations stipulate specific assessment factors UW may use to assist to determine whether miniature horses can be accommodated in University facilities. They include:

- a) Whether the miniature horse is housebroken;
- b) Whether the miniature horse is under the owner's control;
- c) Whether the facility can accommodate the miniature horse's type, size, and weight; and
- d) Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements necessary for safe operation.

Federal law does not require the individual with a disability to provide documentation that a miniature horse has been trained. The University may ask if the miniature horse is required because of a disability, as well as what work or tasks the miniature horse has been trained to perform. When an individual indicates the desire to have a miniature horse at the University on a recurring basis, the individual should contact or be referred to the applicable contact points listed in Section C above. Designated staff in those departments will work in collaboration with the affected individual and department(s) to determine whether a reasonable modification to policies, practices or procedures will be made.

Individuals with disabilities who meet the criteria listed above shall be permitted to be accompanied by their miniature horse in all University facilities where members of the public, participants in services, programs or activities, or invitees, are allowed to go.

#### **F. Assistance Animals in University of Wyoming Housing**

Federal law allows individuals with disabilities the presence of a broader range of support animals for individuals with disabilities in University housing. Often referred to as assistance animals, these animals are also called comfort, therapy or support animals. The Fair Housing Act defines an assistance animal as any service animal, as defined above, as well as an animal needed for emotional support. An assistance animal may be allowed as an accommodation in University housing if: (1) the individual has a disability; (2) the animal is necessary to afford the individual an equal opportunity to use and enjoy a dwelling; and (3) there is an identifiable relationship between the disability and the assistance the animal provides.

When an individual indicates the desire to have an assistance animal in University housing, the individual should contact or be referred to the applicable contact points listed in Section C above. Designated staff in those departments will work in collaboration with the affected individual and department(s) to determine whether a reasonable modification to policies, practices or procedures will be made. Reasonable documentation will be requested of the individual to demonstrate the nexus between the disability and the assistance animal.

#### **G. Responsibilities of Individuals with Service or Assistance Animals or Miniature Horses**

A service animal or miniature horse shall be restrained with a harness, leash, or other tether, unless an individual's disability precludes the use of a restraint or if the restraint would interfere with the animal's safe, effective performance of work or tasks. If the animal is not tethered, it must be otherwise under the individual's control, whether by voice control, signals, or other effective means.

The University is not responsible for the care or supervision of service or assistance animals, nor of miniature horses. Individuals with disabilities are responsible for ensuring the immediate clean-up and proper disposal of all animal waste. Individuals must comply with all applicable laws and regulations, including vaccination, licensure, animal health and leash laws, as well as the University's rules in lease provisions regarding vaccination, licensure, leash control, cleanup rules, animal health, and community relationships.

Although the University may not charge an individual with a disability a service animal, miniature horse, or assistance animal surcharge, it may impose charges for damages caused by the animal in the same manner the University imposes charges for damages caused by individuals.

## **H. Exceptions**

The University may exclude a service or assistance animal or miniature horse if the animal is not housebroken; causes substantial physical damage to the property of others; poses a direct threat to the health or safety of others; fundamentally alters the nature of a program or activity; or is not being cared for by the individual. Questions regarding whether an animal should be excluded shall be referred to the applicable contact points noted in Section C

For additional information , see UW Regulation 2-178 regarding animals.

Rev. 7/2/13