

University of Pittsburgh Office of Disability Resources and Services Guidelines Regarding Animals on University Property

Disability Resources and Services
Office of Institutional Engagement and
Wellbeing

140 William Pitt Union
3959 Fifth Avenue
Pittsburgh, PA 15260
412-648-7890
drsrecep@pitt.edu
www.drs.pitt.edu

I. University Guidelines Statement

The University of Pittsburgh is committed to providing reasonable accommodations to persons with disabilities through an interactive process and to fulfilling its responsibilities under federal and state laws and regulations, so that all students may have a full and equal opportunity to use and enjoy the benefits of University programs, activities, and facilities. In addition, the University aims to foster a healthy, safe, and supportive environment that respects the rights of all individuals while enhancing their educational experience. Finally, the University strives to maintain the integrity and cleanliness of its property and campus environment. The purpose of these guidelines is to provide rules regarding individuals bringing animals onto University property, including University housing. These guidelines do not apply to animals used in research or in association with veterinary technician programs. These guidelines do not apply to service animals in training, as covered by other guidelines. These guidelines also do not apply to animals specifically brought on campus through University agreements with third party vendors, or to animals performing law enforcement activities.

II. Definitions

The following definitions apply to these guidelines:

- a. **Disability Resources and Services (DRS).** DRS is the University office responsible for reviewing, approving, and enforcing disability accommodations for students, employees, and visitors.
- b. **Emotional Support Animal.** An Emotional Support Animal (ESA) is a type of Support Animal. An ESA provides emotional support and comfort to individuals with psychiatric disabilities and other mental impairments.
- c. **Handler.** For the purposes of these guidelines, a handler is an individual who brings an animal onto University property.
- d. **Pets.** For the purposes of these guidelines, a pet is a companion animal that does not meet the definition of Service Animal, Emotional Support Animal, or Support Animal as provided for in these guidelines.
- e. **Service Animal.** Service Animals are dogs, and in some instances miniature horses, that are individually trained to do work or perform tasks for people with disabilities.

These tasks can include things like pulling a wheelchair, guiding a person who is visually impaired, or alerting a person who is having a seizure. The tasks a service dog can perform are not limited to this list. However, the work or task a Service Animal does must be directly related to the person's disability. Service Animals may accompany persons with disabilities into places that the public normally goes.

- f. **Support Animals.** A Support Animal is an assistance animal, other than a Service Animal, that does work, performs tasks, provides assistance, and/or provides therapeutic emotional support for individuals with disabilities. An Emotional Support Animal (ESA) is a type of Support Animal. A Support Animal, including an ESA is typically a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal. A Support Animal need not be trained to perform tasks for a person with a disability.
- g. **University property.** For the purposes of these guidelines, this term shall encompass all property owned, controlled, and operated by the University for purposes of carrying out University operations.

III. Implementation

Handler Responsibilities for all Animals:

- A. In general, any handler bringing an animal on University property is responsible for the animal and for ensuring compliance with the provisions of this rule.
- B. The handler is responsible for the behavior of the animal at all times while on University property.
- C. The handler shall provide DRS with a photograph of the animal.
- D. Where the animal is of a type that can wear a collar, such animal shall wear a collar with basic identification information at all times.
- E. The handler must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. The handler must know and understand these ordinances, laws, and regulations. The University has the right to require reasonable documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate or a veterinarian's statement regarding the animal's health. The University reserves the right to make reasonable requests for documentation showing that the animal meets these requirements.
- F. The handler is required to immediately clean up after and properly dispose of the animal's feces in a safe and sanitary manner. If the animal is a dog, the dog must be housebroken and kennel trained.
- G. In the case of an emergency, the University is not responsible for evacuating the animal. The handler is responsible for providing DRS with an emergency contact for the animal that does not reside in University housing.
- H. The handler's living accommodation must be kept reasonably clean and free of animal odors.
- I. The handler is financially responsible for any costs associated with the care, maintenance, and removal of the animal. This includes any costs of damage to University property caused by the animal, including but not limited to cleaning and repairs beyond reasonable wear and tear, and pest control. The University shall have the right to bill the handler's account for unmet obligations under this provision.

- J. The handler is responsible for maintaining control of the animal at all times. If an animal causes a threat to the health or safety of others, the handler shall immediately take steps to maintain or control the animal. In the event the handler cannot control the animal's behavior, the handler shall remove the animal from the area.
- K. The handler agrees to abide by all equally-applicable policies that are unrelated to the handler's disability, such as assuring that the animal does not unduly interfere with the routine activities of the residence or cause unreasonable difficulties for other students residing in University housing. If an animal's behavior creates a significant disturbance to University operations (for example, through excessive barking or other similar behavior), the handler shall immediately take steps to maintain or control the animal. In the event the handler cannot control the animal's behavior, the handler shall remove the animal from the area.
- L. The Service Animal is permitted in University housing only as long as it is necessary due to the handler's disability. The handler must notify the University, in writing, if the animal is no longer needed or is no longer in residence. To replace an animal, the handler must submit a new request to demonstrate that the new animal is necessary due to the student's disability.
- M. A material violation of the responsibilities described in these guidelines may result in a written warning. If the handler receives more than one written warning in an academic calendar year, the handler may be required to re-engage in the interactive process with DRS to discuss the violations and whether an alternative accommodation may be effective in meeting the individual's disability-related needs. Repeated material violations or severe violations of these guidelines may result in one or more of the following: removal of the animal from campus; banning of the animal from all or part of campus; and disciplinary action against the handler in accordance with other applicable University policies.

Service Animals

- A. If the need for the Service Animal is readily apparent, the handler shall notify DRS of the presence of the Service Animal, but shall not be required to provide additional information related to the Service Animal or take additional action other than acknowledging and complying with the handler Responsibilities as outlined in Section III(1) herein.
- B. If the need for the Service Animal is not readily apparent, DRS will request information from the handler, as necessary, as part of an interactive process, in order to determine that:
 - C. The Service Animal is a dog or miniature horse required because of a disability; and
 - D. The Service Animal has been trained to do work or perform tasks for people with disabilities.
- E. A handler may submit a request for a Service Animal in University housing at any time. The University must consider this request, even if the school year is already in session and/or the student has already brought the animal into University housing.
- F. If the handler informs DRS that the Service Animal is a dog or miniature horse required because of a disability and provides information related to the work or tasks the Service Animal has been trained to perform, the handler shall not be required to provide additional information related to the Service Animal or take additional action

other than acknowledging and complying with the handler Responsibilities as outlined in Section III(1) herein.

- G. While the interactive process is necessarily an open exchange of information, the University may not require the student to disclose details about their diagnosis, the severity of their disability, or medical records as part of the interactive process. The University may not require a medical examination.
- H. The University may not insist on specific types of evidence if the information provided to the University meets the requirements of the University's policy as set forth herein regarding Service Animals on University property.
- I. DRS will use good faith efforts to provide the handler of a Service Animal with memorialization of the handler's right to have the Service Animal accompany and/or live with the handler on campus in writing within 2 weeks of receiving information appropriate to confirm the animal is a Service Animal.
- J. If DRS determines that a handler is not eligible or is no longer eligible for a Service Animal, or for the specific Service Animal requested, DRS will use good faith efforts to provide the handler written notification of the denial and the reasons for the denial within 2 weeks of receiving the requested information. DRS will provide the handler written notification of the grievance procedure for challenging the denial of a requested accommodation.
- K. The University may not ask for or require a handler with a disability to pay a surcharge or comply with other requirements generally not applicable to students without animals.
- L. The handler is not required to equip a Service Animal with a vest or other item identifying it as such.
- M. Service Animals are permitted to accompany a person with a disability in any area the handler is allowed to be.
- N. Use of the Service Animal must not fundamentally alter the nature of the University service, program, or activity.
- O. The University may not deny a reasonable request for a Service Animal because the request would impose a fundamental alteration to the nature of the University's operations or impose an undue financial and administrative burden on the University, without first engaging in an interactive process with the handler to discuss whether an alternative accommodation may be effective in meeting the student's disability-related needs.
- P. If the need for the Service Animal is readily apparent, University employees with responsibility for maintaining or controlling specific areas of campus shall not inquire into whether an animal is a Service Animal.
- Q. If the need for the Service Animal is not readily apparent, University employees with responsibility for maintaining or controlling specific areas of campus may ask the handler whether the animal is a Service Animal and what tasks or work the Service Animal has been trained to perform. If the handler confirms the animal is a Service Animal and describes the work or tasks the animal has been trained to perform, the Service Animals should be permitted to accompany the handler onto University property. The handler is not required to provide documentation or "proof" of the handler's disability or the Service Animal's training beyond the word of the handler themselves. If the handler does not confirm the animal is Service Animal or describe the work or tasks the animal has been trained to perform, the employee should direct the handler to DRS to discuss whether the individual is eligible for a reasonable

accommodation. University employees should make every effort not to repeatedly ask an individual if an animal is a Service Animal, once it has been established.

- R. Handlers with questions, concerns, or complaints regarding their utilization of a Service Animal on campus should contact DRS, and follow that department's policies and grievance procedures as applicable.
- S. Handlers found to be falsely characterizing their animal as a Service Animal may be subject to discipline in accordance with other applicable University policies.

Support Animals

- A. A handler must obtain an approved accommodation for a Support Animal, through DRS, before they may bring a support animal into University-owned or operated buildings or other non-public areas of campus. This request may be submitted at any time to DRS.
- B. A handler with a disability may submit a request for a Support Animal in University owned or operated housing at any time. The University must consider this request, even if the school year is already in session and/or the handler has already brought the animal into University housing.
- C. In responding to a request for a Support Animal, DRS will engage in an interactive process with the handler.
- D. While the interactive process is necessarily an open exchange of information, the University may not require the student to disclose details about their diagnosis, the severity of their disability, or medical records as part of the interactive process. The University may not require a medical examination.
- E. DRS will request information from the handler and other parties as necessary during the interactive process in order to determine that:
 - i. The student is a person with a documented disability;
 - ii. The Support Animal being requested is necessary to afford the student, as a person with a disability, an equal opportunity to use and enjoy the University's housing facilities; and
 - iii. There is an identifiable relationship between the disability and the support that the Support Animal provides.
- F. The University may not insist on specific types of evidence if the information provided to the University meets the requirements of the University's policy as set forth herein regarding Support Animals on University property.
- G. Some websites sell certificates, registrations, and licensing documents for assistance animals to anyone who answers certain questions or participates in a short interview and pays a fee. Under the Fair Housing Act, a housing provider may request reliable documentation when an individual requesting a reasonable accommodation has a disability and disability-related need for an accommodation that are not obvious or otherwise known. Such documentation from the internet is not, by itself, sufficient to reliably establish that an individual has a non-observable disability or disability-related need for a Support Animal. By contrast, many legitimate, licensed health care professionals deliver services remotely, including over the internet. The University will consider documentation from a health care professional or a third party who has personal knowledge of the student's disability (as described by the

U.S. Department of Housing and Urban Development)¹ and is determined by DRS in good faith to be reliable, that confirms a person's disability and/or need for an animal. One reliable form of documentation is a note from a person's health care professional.

- H. DRS will use good faith efforts to notify a handler of its final determination in writing within 2 weeks of its receipt of documentation from the health care provider or third party who has personal knowledge of the student's disability (as described by the U.S. Department of Housing and Urban Development) and is determined by DRS in good faith to be reliable.
- I. In the event the University determines that the information provided to the University is insufficient to confirm an individual's disability or disability-related need for a Support Animal, the University will provide the individual requesting the accommodation with an opportunity to continue the "interactive process," including by discussing the reasons for the denial, by discussing alternative accommodations, and/or by allowing the individual to supplement the information provided.
- J. If DRS determines that a handler is not eligible or is no longer eligible for a Support Animal, or the specific Support Animal requested, DRS will provide the handler written notification of the denial and the reasons for the denial. DRS will provide the handler written notification of the grievance procedures for challenging the denial of a requested accommodation.
- K. If DRS approves a request for a Support Animal, DRS shall specify the parameters of the handler's use of the Support Animal, including in which University-owned or operated building(s) and/or other non-public areas of campus the Support Animal is permitted. DRS will attempt to notify University employees with control over those approved areas of campus of the handler's approved accommodation.
- L. The University may not ask for or require a handler with a disability to pay a surcharge or comply with other requirements generally not applicable to students without animals.
- M. The handler is not required to equip the Support Animals with a vest or other item identifying it as such.
- N. Use of the Support Animal must not fundamentally alter the nature of the University service, program, or activity.
- O. The University may not deny a reasonable request for a Support Animal because the request would impose a fundamental alteration to the nature of the University's operations or impose an undue financial and administrative burden on the University, without first engaging in an interactive process with the handler to discuss whether an alternative accommodation may be effective in meeting the student's disability-related needs.
- P. Handlers with questions, concerns, or complaints regarding their utilization of a Support Animal on campus should contact DRS and follow that department's policies and grievance procedures as applicable.
- Q. Handlers found to be falsely characterizing their animal as a Support Animal may be subject to discipline in accordance with other applicable University policies.

¹Per guidance from the U.S. Department of Housing and Urban Development, personal knowledge in this context includes "the knowledge used to diagnose, advise, counsel, treat, or provide health care or other disability-related services to their patient/client." HUD Guidance, 16.

IV. Health and Safety Procedures Related to these Guidelines

1. University employees with responsibility for maintaining or controlling a specific area of campus may ask a handler whether the animal is a pet, Support Animal, or Service Animal, unless the need for the Service Animal is readily apparent. Based upon the handler's answer, the employee should follow the guidance above. University employees should make every effort not to repeatedly ask an individual about the status of the animal, once it has been established.
2. Members of the University community concerned about a disruptive animal should contact one of the following:
 - a. If there is an imminent health or safety risk, contact the University of Pittsburgh Police.
 - b. If the handler is an employee, contact the employee's supervisor.
 - c. If the handler is a student, contact DRS.
 - d. If the issue involves an animal in a residence hall, contact residence hall staff.
 - e. If unable to determine the status of the handler, contact the administrative staff of the building in which the issue occurred or DRS.
3. If an allergy or other condition renders a member of the University community unable to share space with an animal, the individual should contact DRS to discuss whether a disability accommodation for them is appropriate for that setting.

V. Grievance Procedures Related to these Guidelines

1. The University has adopted an internal grievance procedure for prompt and equitable resolution of complaints alleging any action prohibited by federal regulations implementing the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Americans with Disabilities Act, Amendment Act of 2008. The University's grievance procedure is available [here](#).
2. If, after engaging in an interactive process, DRS determines that a handler is not eligible for a Service Animal, a Support Animal, or the specific Service Animal or Support Animal requested, the handler may use the University's grievance procedure to challenge this decision.
3. If DRS denies, in whole or in part, a request for a Service Animal or a Support Animal, DRS will use good faith efforts to provide the handler with the following information within 2 weeks of receiving the request for accommodation and documentation from the health care provider or third party who has personal knowledge of the student's disability (as described by the U.S. Department of Housing and Urban Development) and is determined by DRS in good faith to be reliable:
 - a. Written notification of the denial;
 - b. Written explanation of the reasons for the denial; and
 - c. Notification of the grievance procedures the student may use to challenge this denial, including information about how to file a grievance and relevant deadlines under the University's grievance procedure.

If an individual with a disability believes that the request has been denied unlawfully or a response has been unreasonably delayed, then he or she may file a complaint by writing or calling any of the following:

U.S. Department of Housing and Urban Development
1000 Liberty Avenue, Suite 1000
Pittsburgh, PA 15222

(412) 644-6428

<http://hud.gov/complaints/>

Pittsburgh Commission on Human Relations

412 Grant Street

Pittsburgh, PA 15219

(412) 255-2600

<https://pittsburghpa.gov/chr/>

U.S. Department of Education, Office for Civil Rights

100 Penn Square East, Suite 515

Philadelphia, PA 19107

(215) 656-8541

<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>