

Animals as Accommodations

PSR's policies regarding pets on campus may be found here (see page 18):

http://psr.edu/files_psr/Housing%20Policy%20for%202014-20150.pdf. PSR makes exceptions to these policies for certain animals when mandated by law to do so.

Service Animals

"Service animal" is a term that applies to animals that are 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 (see Americans with Disabilities Act and U.S. Department of Justice ADA Requirements: Service Animals).

Students should disclose their need for a service animal to the Graduate Theological Union's Student Disability Officer (GTU DRO) as prescribed on the following website: <http://gtu.edu/admissions/life-atgtu/students-with-disabilities>

The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

U.S. Department of Justice guidance on service animals prohibits PSR from asking about the nature or extent of a person's disability or requiring proof that an animal has been certified, trained, or licensed as a service animal.

Nevertheless, unless it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with

stability or balance to an individual with an observable mobility disability), PSR may ask two questions to determine whether an animal qualifies as a service animal:

1. Is this animal required because of a disability?
2. What work or task is this animal trained to perform?

While on PSR property a service animal should remain under the control of its handler. A service animal shall have a harness, leash, or other tether except where the handler is unable to use a harness, leash, or tether because of a disability, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks.

PSR is not responsible for the care or supervision of a service animal. PSR may ask an individual with a disability to remove a service animal from the premises if the animal is out of control (and the animal's handler does not take effective action to control it) or if the animal is not housebroken.

The request to have a dog treated as a service animal may be denied if the specific animal in question poses a direct threat to the health and safety of others that cannot be reduced or eliminated by a reasonable accommodation or if the specific animal would cause substantial physical damage to the property of others that cannot be reduced or eliminated by a reasonable accommodation.

Assistance Animals in PSR Housing

PSR makes exceptions to its housing pet policies for assistance animals. An assistance animal works, provides assistance, or 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. Assistance animals perform many disability-related functions, including but not limited to, guiding individuals who are blind as well as service animals (see U.S. Fair Housing and Equal Opportunity Notice: FHEO-2013-01).

In evaluating requests for a reasonable accommodation to possess an assistance animal in PSR housing, PSR considers the following:

1. Does the person seeking to use and live with the animal have a disability, i.e., a physical or mental impairment that substantially limits one or more major life activities?
2. Does the person making the request have a disability-related need for an assistance animal? In other words, does the animal work, provide assistance, perform tasks or services for the benefit of a person with a disability, or provide emotional support that alleviates one or more of the identified symptoms or effects of a person's existing disability?

PSR may ask individuals who have disabilities that are not readily apparent or known to PSR to submit reliable documentation of a disability and their disability-related need for an assistance animal. For example, PSR may ask for documentation from a physician, psychiatrist, social worker, or other mental health professional that the animal provides emotional support that alleviates one or more of the identified symptoms or effects of an existing disability. Such documentation is sufficient if it establishes that an individual has a disability and that the animal in question will provide some type of disability-related assistance or emotional support.

Requests for an assistance animal may be denied if granting the request would constitute an undue financial or administrative burden, or would fundamentally alter the nature of PSR's services. In addition, the request may also be denied if:

1. The specific assistance animal in question poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation,
or
2. The specific assistance animal in question would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation.

Accommodation Animals for PSR Employees

The California Department of Fair Employment and Housing (DFEH) regulations indicate that a reasonable accommodation includes allowing an employee or applicant for employment to bring an assistance animal into the worksite. An assistance animal includes a trained animal, such as a guide, signal, or service dog, as well as an animal that provides emotional support. However, the minimum standard for assistance animals must be met:

- 1) Being free from offensive odors or habits, such as the elimination of urine or feces,
- 2) Refraining from behavior that would endanger the health or safety of those in the workplace, and
- 3) Being trained to provide assistance for the employee or applicant's disability.

Prior to allowing an employee to have an assistance animal in the workplace, PSR may require a letter from the employee's health care provider stating that the employee has a disability and explaining why the animal is necessary as an accommodation to allow the employee to perform the essential functions of the job, and PSR may require confirmation that the assistance animal meets the above minimum standards. The employee may be required to recertify annually the need for an assistance animal.

Approved February 6, 2015.