

Guidelines Regarding Animals on University Property

- I. **University Guidelines Statement.** Carnegie Mellon University 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:
 1. **The Office of Disability Resources.** The Office of Disability Resources ("Disability Resources") is the University office responsible for reviewing, approving, and enforcing disability accommodations for students, alumni, guests, and visitors.
 2. **Emotional Support Animal.** An Emotional Support Animal is an animal that provides therapeutic emotional support for an individual with a mental health disability. An Emotional Support Animal is a type of Support Animal. An Emotional Support Animal is not a Service Animal, nor is it a pet.
 3. **Handler.** For the purposes of these guidelines, a handler is an individual who brings an animal onto University property. For purposes of these guidelines, the term Owner shall have the same meaning as Handler.
 4. **Pets.** For the purposes of these guidelines, a pet is any animal that does not meet the definition of Service Animal, Emotional Support Animal, or Support Animal as provided for in these guidelines.
 5. **Service Animal.** A Service Animal is a dog, and in some instances a miniature horse, that is individually trained to do work or perform tasks for an individual with a disability. 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 generally accompany persons with disabilities into places that the public normally goes. A Service Animal is not a pet.

6. **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 is a type of Support Animal. A Support Animal, including an Emotional Support Animal, 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. A Support Animal is not a pet. For purposes of these guidelines, the term "ESA" will mean both "Support Animals" and "Emotional Support Animals."
7. **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.

1. **Handler responsibilities for all animals.** 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.
 - A. The handler is responsible for the behavior and care of the animal at all times while on University property, and may not delegate these responsibilities to a roommate or other student living on campus at any time or for any reason. Students should take their current and future schedule and demands on their time into account when considering whether they have adequate time and resources to care for an ESA or Service Animal.
 - B. The handler of an ESA shall provide Disability Resources with a photograph of the animal. The handler of a Service Animal is encouraged but not required to provide Disability Resources with a photograph of the animal.
 - C. 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.
 - D. 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 City of Pittsburgh pet owner

requirements can be found at <http://pittsburghpa.gov/publicsafety/animal-control/pet-owners.html>. 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.

- E. The handler is required to immediately clean up after and properly dispose of the animal's feces in a safe and sanitary manner using outside trash receptacles. If the animal is a dog, the dog must be housebroken and kennel trained, and cats or rabbits must be litterbox-trained.
- F. In the case of an emergency, the University is not responsible for evacuating the animal. The handler is responsible for providing Disability Resources with an emergency contact for the animal. The emergency contact must be someone who does not reside in University housing. The handler is responsible for updating this information if it changes.
- G. If the student must leave campus for more than twenty-four (24) hours or is otherwise unable to care for the animal, the animal must accompany the student or be boarded outside of University housing. If the student fails to relocate the animal under such circumstances, the University reserves the right to have the animal removed by contacting the student's designated emergency contact to collect the animal or, if that person is unavailable or unwilling, Animal Control.
- 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 gets out of control, the handler shall immediately take steps to 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 is responsible for ensuring that the animal does not pose a threat to the health or safety of others at any time. If an animal does pose such a threat, the handler shall remove the animal from University property and shall not allow the animal to return until it no longer poses a threat to the health or safety of others.
- L. 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 (for example, through excessive barking, wandering uncontrolled in shared spaces, or other similar behavior), the handler shall immediately take steps to control the animal and eliminate the disturbance. In the event the handler cannot do so, the handler shall remove the animal from the area until such time as the animal is under control and the disturbance is eliminated.
- M. Dogs or cats that are unneutered or unspayed may pose a higher risk of damaging university property (e.g., due to spraying), and may be more likely to demonstrate aggressive behavior. Therefore, it is strongly recommended that cats and dogs be spayed or neutered.
- N. The animal is permitted in University buildings and non-public areas only as long as it is necessary due to the handler's disability. The handler must notify Disability Resources, in writing, if the animal is no longer needed or is no longer being used. 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.
- O. A material violation of the responsibilities described in these guidelines, as determined by Disability Resources, 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 reengage in the interactive process with Disability Resources to discuss the violations and whether an alternative accommodation may be effective in meeting the individual's disability-related needs. Repeated material violations or a single severe violation, as determined by Disability Resources, may result in one or more of the following: removal of the animal from University property; banning of the animal from all or part of University property; and disciplinary action against the handler in accordance with other applicable University policies.

2. Service Animals.

- A. If the need for the Service Animal is readily apparent, the handler shall notify Disability Resources 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, Disability Resources will request information from the handler, as necessary, as part of an interactive process, in order to determine that: (i) The Service Animal is a dog or miniature horse required because of a disability; and (ii) The Service Animal has been trained to do work or perform tasks for the handler with a disability.
- C. A handler may notify Disability Resources and Housing Services of the need to bring a Service Animal in University housing at any time. The University must honor this request, even if the school year is already in session and/or the student has already brought the animal into University housing.
- D. If the handler informs Disability Resources 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.
- E. While the interactive process is necessarily an open exchange of information, the University may not require the student with a Service Animal 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.
- F. Disability Resources 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.
- G. If Disability Resources determines that an animal does not meet the definition of a Service Animal, Disability Resources will use good faith efforts

to provide the handler written notification of that determination and the reasons for the determination within 2 weeks of receiving the requested information. Disability Resources will provide the handler written notification of the grievance procedure for challenging the denial of a requested accommodation.

- H. 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.
- I. The handler is not required to equip a Service Animal with a vest or other item identifying it as such. However, if the service the animal performs is not visually apparent, it is recommended that handlers consider having the animal wear such identification so that others do not accidentally interfere with the animal's jobs and tasks.
- J. Service Animals are permitted to accompany a person with a disability in any area the handler is allowed to be provided that the animal does not pose a threat to the health or safety of others.
- K. Use of the Service Animal must not fundamentally alter the nature of the University service, program, or activity.
- L. 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.
- M. 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.
- N. 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 Animal 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 a Service Animal or describe the work or tasks the animal has been trained to perform, the employee should direct the handler to Disability Resources 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.

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

3. Emotional Support Animals

- A. The University complies with the Fair Housing Act and recognizes the assistance that an ESA may provide in allowing a student with a disability an equal opportunity to use and enjoy University housing.
- B. A handler must obtain an approved accommodation for an ESA, through Disability Resources, before they may bring an ESA into University housing. A handler with a disability may submit a request for an ESA at any time, and the University will consider the request, even if the school year is already in session. If the handler has already brought the animal into University housing, the University may require that the animal be removed from University housing while the request is being reviewed.
- C. In responding to a request for an ESA, Disability Resources 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 (other than as required in Section III3.H) as part of the interactive process and may not require a medical examination.
- E. Disability Resources 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 ESA 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 ESA provides.
- F. If the student's disability is not obvious, the University may request information regarding both the disability and the disability-related need for the animal.
- G. A reliable form of documentation of a student's disability and need for an ESA is required, and a statement from the student's health care provider or another third party who has diagnosed, advised, counseled, treated, or provided health care or other disability-related services to the student as patient or client, provided that such health care provider or third party has personal knowledge of the student's disability and disability-related need for the animal.
- H. 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. 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 an ESA. The university will also make available a form that the prospective handler's health care provider may complete which, when answered fully, will provide the information needed in order to assess the request for an ESA as an accommodation.
- I. Disability Resources 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 student's health care provider or other third party as described in Section III.3.H, above.
- J. 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 an ESA, 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.

- K. If Disability Resources determines that a handler is not eligible or is no longer eligible for an ESA, or the specific ESA requested, Disability Resources will provide the handler written notification of the denial and the reasons for the denial. Disability Resources will provide the handler written notification of the grievance procedures for challenging the denial of a requested accommodation.
- L. If Disability Resources approves a request for an ESA, Disability Resources shall specify the parameters of the handler's use of the ESA, including in which University-owned or operated building(s) and/or other non-public areas of campus, the ESA is permitted. Disability Resources will attempt to notify University employees with control over those approved areas of campus of the handler's approved accommodation.
- M. The ESA is permitted in University housing only as long as it is necessary due to the student's disability. The student must notify the University, in writing, if the animal is no longer needed or is no longer in residence. To replace an animal, the student must submit a new request to demonstrate that the new animal is necessary due to the student's disability.
- N. 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.
- O. The handler is not required to equip the ESA with a vest or other item identifying it as such.
- P. Use of the ESA must not fundamentally alter the nature of the University service, program, or activity.
- Q. The University may not deny a reasonable request for an ESA 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.

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

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, ESA, 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 Carnegie Mellon University Police.
 - B. If the handler is an employee, contact Human Resources.
 - C. If the handler is a student, contact Disability Resources.
 - 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 Disability Resources.
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 Disability Resources 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: <https://www.cmu.edu/disability-resources/students/disability-resources-appeal-and-grievance-procedure.pdf>.

2. If, after engaging in an interactive process, Disability Resources determines that a handler is not eligible for a Service Animal, an ESA, or the specific Service Animal or ESA requested, the handler may use the University's grievance procedure to challenge this decision.
3. If Disability Resources ultimately denies, in whole or in part, a request for a Service Animal or ESA, then Disability Resources will provide:
 - 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.
4. If an individual with a disability believes that the request has been denied unlawfully or a response has been unreasonably delayed, then they 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://ljhud.gov/complaints/>

Pittsburgh Commission on Human Relations
414 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>