



## KENTUCKY STATE UNIVERSITY

### Policies and Regulations

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#### **POLICY TITLE:**

**Animals on Campus**

#### **APPLIES TO:**

**Students**

**Faculty**

**Staff**

**KSU Community**

**Visitors**

#### **ADMINISTRATIVE AUTHORITY:**

**Office of Accessibility and Disability Services**

#### **APPROVED BY:**

**President Koffi C. Akakpo (Interim Approval)**

#### **EFFECTIVE DATE:**

**June 23, 2025**

#### **EXPIRATION DATE:**

**Six Months from Effective Date**

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#### **POLICY STATEMENT:**

Kentucky State University (KSU) recognizes the importance of service animals and emotional support animals to individuals with disabilities and is committed to providing reasonable accommodations, fulfilling its responsibilities under federal, state, and local laws and regulations, ensuring the health and safety of the University community, and preserving the integrity of KSU property.

In accordance with the Americans with Disabilities Act as amended (ADA) and Section 504 of the Rehabilitation Act, the University permits individuals with disabilities to use service animals on KSU property to facilitate full participation and equal access to KSU's programs and activities. Under federal law, individuals are not required to contact the University to have a service animal on KSU property and may use such animals without written permission.

In accordance with the Fair Housing Act (FHA), KSU permits emotional support animals in KSU housing residences to provide emotional support to students with disabilities under certain conditions and with prior approval.

This policy provides guidelines for the use of service animals and emotional support animals on KSU property while maintaining a safe environment for all members of the KSU community.

## **DEFINITIONS:**

### **Disability**

A physical or mental impairment that substantially limits one or more major life activities of an individual.

### **Emotional Support Animal (ESA)**

A companion animal that provides therapeutic benefit to an individual with a mental or psychiatric disability by alleviating or mitigating symptoms of the disability. ESAs may be considered for access to KSU housing but are restricted from other areas of KSU property except public outdoor spaces. These animals are not covered under the ADA but are recognized under the FHA.

### **Handler**

The individual responsible for the care, control, and supervision of a service animal or emotional support animal.

### **Service Animal**

Under federal law, a dog (or in some circumstances, a miniature horse) individually trained to do work or perform tasks for the benefit of an individual with a disability. The work or tasks performed must be directly related to the individual's disability. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

### **Service Animal in Training**

A dog being trained to do work or perform tasks for a person with a disability, but which has not yet completed required training.

### **Under Control**

The animal is harnessed, leashed, or tethered, unless such devices interfere with the service animal's work or the handler's disability prevents their use, in which case the handler must maintain control through voice, signal, or other effective means.

### **University Property**

Any real property, buildings, and facilities under the control of Kentucky State University through ownership, lease, or other means.

## **PROCESS:**

### **Service Animals**

**Locations Open to Service Animals:**

Service animals are permitted in all areas of University property and in University buildings and spaces otherwise open to the public.

**Areas Prohibited to Service Animals:**

Service animals may be excluded from areas where their presence poses a direct threat to health and safety, fundamentally alters a service or program, where animals may be in danger, or where their use may compromise research integrity. Examples include food preparation areas, animal research facilities, medically sensitive areas, and biologically hazardous research sites.

**Inquiries Regarding Service Animals:**

When it is not obvious what service an animal provides, only two questions may be asked:

"Is your service animal required because of a disability?"

"What work or task has your service animal been trained to perform?"

University personnel cannot ask about the individual's disability, require medical documentation, require identification cards or training documentation, or request demonstration of the animal's abilities.

**Handler Responsibilities:**

- Service animals must be harnessed, leashed, or tethered unless these devices interfere with the animal's work or the handler's disability prevents their use
- Animals must be accompanied by their handler at all times and remain in close proximity
- Animals must be housebroken
- Animals must have current vaccinations and licenses as required by law
- Animals must be responsive to handler commands and non-disruptive to others
- Handlers are responsible for care, feeding, waste removal, and cleanup
- Handlers are financially responsible for any property damage caused by the animal

**Service Animals in Training:**

Pursuant to KRS 258.500, service dogs in training are permitted on University property under the same conditions as working service animals, provided:

- The dog is accompanied by a trainer
- The trainer possesses proper identification as a service dog trainer

- All service animal requirements are met

### **Removal of Service Animals:**

Service animals may be removed if:

- The animal is out of control and the handler fails to take effective action
- The animal is not housebroken
- The animal poses a substantial and direct threat to health and safety
- The animal demonstrates aggression toward people or other animals

### **Emotional Support Animals**

#### **General Requirements:**

- ESAs are permitted only in designated University housing residences with prior written approval from the Office of Accessibility and Disability Services
- ESAs are restricted to dogs weighing no more than 25 pounds
- ESAs are prohibited from University buildings except the approved housing residence
- ESAs may access public outdoor spaces only when contained, controlled, and cleaned up after

#### **Application Process:**

- Requests must be submitted at least 30 days prior to the anticipated arrival
- Applications require documentation from a physician, psychiatrist, or qualified mental health professional confirming:
  - The individual has a disability
  - The animal is prescribed as part of treatment to alleviate symptoms
  - The specific type of animal for which permission is sought
- Incomplete applications will not be processed
- The review process typically takes two weeks

#### **Handler Responsibilities:**

- Maintain full control of the ESA at all times

- Keep the ESA contained within the assigned residence except for relief purposes
- Ensure the ESA is leashed or in a carrier when outside the residence
- Ensure the ESA is housebroken and has current vaccinations
- Provide appropriate crating when absent from the residence
- Assume financial responsibility for all damages and care costs
- Remove the ESA immediately if it displays aggression or substantially disrupts University operations
- Maintain an emergency contact for animal care

#### **University Rights and Restrictions:**

- The University reserves the right to restrict ESA placement to specific residential buildings
- Poisonous, illegal, or dangerous animals are prohibited
- The University may require proof of vaccinations, spaying/neutering, and pet carriers
- The University accepts no responsibility for the animal's care, welfare, safety, or behavior

#### **General Provisions**

#### **Conflicting Disabilities:**

When individuals have allergic reactions or phobias substantial enough to qualify as disabilities, the University will consider the needs of all persons and work to resolve conflicts efficiently. Students should contact the Office of Accessibility and Disability Services; faculty and staff should contact Human Resources.

#### **Animal Cruelty:**

Suspected animal cruelty should be reported to local authorities and the KSU Police Department.

#### **Roommate Accommodations:**

Students with service animals or ESAs who do not lease single occupancy units will be offered options including placement with informed roommates or priority room changes for roommates with concerns.

#### **Conduct Guidelines:**

University community members should avoid:

- Petting, touching, or distracting working animals
- Feeding animals

- Harassing or startling animals
- Separating handlers from their animals
- Making unwelcome inquiries about disabilities

### **Violations and Enforcement:**

Violations may result in:

- Warning system with progressive discipline
- Fines up to \$100 for repeated violations
- Temporary or permanent removal of the animal from campus
- Disciplinary action under applicable University policies
- Legal consequences for falsely representing an animal as a service animal

### **REFERENCES AND RELATED MATERIALS:**

- Americans with Disabilities Act (ADA)
- Section 504 of the Rehabilitation Act of 1973
- Fair Housing Act (FHA)
- KRS Chapter 258
- KSU Policies and Regulations

### **CONTACTS:**

Subject	Office	Telephone	E-mail
Policy Questions	OADS	(502) 597-6041	<a href="mailto:Philip.Clay@kysu.edu">Philip.Clay@kysu.edu</a>

### **HISTORY:**

Revision Type	Date of Issuance/Revision	Drafter(s)/Editor(s)
Issued (New Policy)	November 2023	Zach Atwell
Substantive Revisions	June 2025	Zach Atwell