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# KENTUCKY STATE UNIVERSITY

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SERVICE AND EMOTIONAL SUPPORT ANIMAL POLICY DATE



**KENTUCKY STATE  
UNIVERSITY**

Welcome to Kentucky State University, home of the mighty Thoroughbred's!

**KENTUCKY STATE UNIVERSITY MISSION**

Kentucky State University is a public, comprehensive, historically Black land-grant university committed to advancing the Commonwealth of Kentucky, enhancing society, and impacting individuals by providing quality teaching with a foundation in liberal studies, scholarly research, and public service to enable productive lives within the diverse global economy.

**Student Engagement Mission:**

Student Engagement delivers student-centered services to a diverse study body in a safe, exploratory environment. Transformative education is cultivated through personal and global

**ADRC Office:**

Is responsible for developing the necessary procedures for KSU and facilitating the use of service animals by students on campus.

**No animals are permitted on campus without prior university approval.**

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**DATES**

**Housing Application Availability-** Feb 1- May 1 **If space remains available-** July 1<sup>st</sup>-Until

**Academic Accommodation Application & Documents** – Beginning of every semester

**Academic Accommodation Deadlines-** Fall & Spring Semester- One week before final withdrawal date

**ESA- Emotional Support Animal-** Application opens day after graduation until July 1<sup>st</sup> (Entire Academic Year)

## Service Animals on Campus

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This document outlines the procedures for students and employees to use service animals, as well as emotional support animals, while attending Kentucky State University (KSU). KSU complies with the Americans with Disabilities Act (ADA) by permitting the use of service animals by students, faculty, and visitors. KSU complies with the Fair Housing Act, allowing students to use of approved emotional support animals as an accommodation. Employees may not bring their emotional support animals to work.

### **KSU's Definition of Service Animals:**

[A service animal as per the ADA is defined as:](#) “Any 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. For the purposes of this definition, other animal species—whether domestic or wild, trained or not—do not qualify as service animals. Dogs must be trained to perform tasks that are directly related to the person's handicap. According to the ADA, a dog is not considered a service animal if its only purpose is to offer comfort or emotional support.

### **Qualifying Guidelines to have Service Animals on Campus**

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#### **For those who qualify to have a service animal on campus:**

- The student must have a disability as defined by the ADA
- The accompanying animal must be trained to do specific tasks for the qualified individual
- If a service animal will be kept on campus, students are asked to register with the ADRC so that accommodations can be made

### **Responsibilities and Considerations**

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#### **ADRC Office:**

Is responsible for developing KSU specific procedures and facilitating the usage of service animals by students on campus.

#### **Housing Office:**

Pets and animals are typically not allowed in residential facilities. Students who use service animals on campus are allowed to keep them in the residence halls, but they must follow all rules set forth in this policy as well as any other relevant regulations and procedures. According to the relevant disability rules, an exception may be granted as an accommodation for a student with a handicap who employs a service animal. Although there is no formal procedure for requesting a service animal, students should inform University accommodation when they apply for accommodation or as soon as they become aware that a service animal will be entering the residence hall.

#### **KSU Community:**

In compliance with the applicable laws, KSU generally allows Service Animals in its buildings, classrooms, residence hall rooms, common area spaces, meeting areas, dining areas, recreational facilities, activities, and events when accompanied by a person with a disability who indicates that the Service Animal is trained to provide, and does provide, a specific service to the

individual that is directly related to their disability; with the exception of locations that pose a risk to safety, the environment, or health. **This part is not applicable to ESAs that do not qualify as service animals. ESAs may be prohibited from many university settings where service animals are not, as discussed in the "Use of Emotional Support Animals" part of this policy.**

- The appropriate way to determine that an animal is a service animal is to ask (**only if it is not apparent**) if the animal is required because of a disability and what tasks it has been trained to perform. Specific questions about the individual's disability may not be asked.
- Contact the ADRC if any questions or concerns arise relating to the service animals.
- **Only two questions can be asked about service animals:**
  - Is the Service Animal required because of a disability?
  - What work or task is the dog trained to perform?
- Do not ask questions about the disability.
- Do not pet or feed a service animal.
- Do not attempt to separate the animal from the owner.
- Do not startle or tease a service animal.
- Contact the ADRC if you have any questions or concerns about service animals.
- Refrain from charging a fee for the service animal to reside in the residence hall but may assess usual fees for any damages incurred.
- Report any service animals who misbehave or any owners (or other individuals) who mistreat their service animal to the Department of Public Safety.

#### **Owner:**

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- Is responsible for of the service animal and must maintain control over animal at all times. A harness, leash, or other tether is required for a service animal unless a) the owner is unable to use one, or b) using one will interfere with the animal's ability to fulfill its tasks safely and effectively.
- Is responsible for the costs of care required for a service animal's well-being. The owner is solely responsible for all arrangements and responsibilities associated with the maintenance of a service animal, including regular bathing and grooming as needed.
- Is responsible for removing service animal's waste on their own or arranging for it to be removed. Waste should be disposed of in a sealed bag at the designated garbage place outside the resident hall.
- Is responsible of adhering to state and local licensing regulations regarding animal rights and owner obligations. Service animals need to have rabies vaccination tags and be up to date on their vaccinations.
- Is responsible for covering any costs associated with the animal's damage to KSU property. Anytime a student leaves school overnight or during KSU breaks, animals must accompany them.
- KSU may prohibit the use of service animals in certain areas due to health and safety concerns or when the animal may be at risk. Restricted spaces include, but are not limited to, food preparation areas, research laboratories, boiler rooms, and other legally banned locations.

## **Emotional Support Animal on Campus**

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This document outlines the procedures for students and employees to use service animals, as well as emotional support animals, while attending Kentucky State University (KSU). KSU complies with the Americans with Disabilities Act (ADA) by permitting the use of service animals by students, faculty, and visitors. KSU complies with the Fair Housing Act, allowing students to use of approved emotional support animals as an accommodation. Employees may not bring their emotional support animals to work.

### **KSU's Definition of Emotional Support Animals:**

An emotional support animal (ESA) is an animal that brings comfort by being there with a human. Because they have not been trained to perform a specific function or task, they are not classified as service animals under the ADA. Unlike a service animal, students must request to bring an emotional support animal to campus and show adequate evidence to the ADRC and OHRL.

The institution's policy prohibits animals of any type on university housing. However, the institution is committed to making reasonable accommodations and carrying out its obligations under federal, state, and local laws and regulations. In order to permit an ESA to live on campus, the university will review and handle requests for reasonable and necessary accommodations for a person with a qualifying disability. **Animals should not be brought to campus prior to approval being granted.**

KSU will conduct an individual assessment of each recommended emotional support animal. Dogs must be housebroken and have proof of rabies vaccination. The use of "puppy pads" will be prohibited. No reptiles other than turtles are authorized.

### **Qualifying Guidelines to have Emotional Support Animals on Campus**

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**For those who qualify to have a to have an emotional support animal on campus:**

- The student must have a disability as defined by the ADA.
- The accompanying animal must be approved by a qualified medical/therapist as part of the therapeutic procedure.
- For an animal to qualify as an emotional support animal, the student must show a well-established relationship with animal.
- The students must notify the ADRC if approved ESA needs to be replaced, they must submit a new application to request new animal.
- The student must notify the ADRC if the animal is no longer required or no longer resides on KSU property.
- The student must contact the ADRC and Residential Life as early as possible to permit time to gather and review all necessary documents.

**For those who qualify to have a to have an emotional support animal in residence hall:**

- The student must have a disability as defined by the ADA.
- The student must be registered with the ADRC.
- The emotional support animal must be approved by the ADRC, in conjunction with other offices as needed.

- For an animal to qualify as an emotional support animal, the student must show a well-established relationship with animal; **a minimum of three months.**
- The student must notify the ADRC if the animal is no longer required or no longer resides on KSU property.

Please note that the U.S. Department of Housing and Urban Development's warning about online documentation: "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 require reliable proof when an individual requesting a reasonable accommodation has a disability and a disability-related need for an accommodation that is not obvious or otherwise known. In HUD's experience, internet documentation alone is insufficient to consistently show that an individual has a non-observable disability or a disability-related requirement for an assistance animal.

## **Responsibilities and Considerations**

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### **ADRC Office:**

- Is responsible for developing KSU specific procedures and facilitating the usage of service animals by students on campus.
- If other residents express concerns about the animal and attempts at mediation fail, the owner of the ESA will be given an alternate living space on campus and expected to relocate within a reasonable time frame.
- Will engage in an interactive process with the student and Residential Housing to review requests for ESAs on a case-by-case basis to determine if the applicant has a qualifying disability, if the animal is a reasonable accommodation to afford equal opportunity to use and enjoy the dwelling in light of the individual's disability, and to determine an identifiable relationship between the disability and the assistance the animal provides.

### **KSU Community:**

In compliance with the applicable laws, KSU's general policy prohibits the presence of any form of animal in campus accommodation. However, the institution is dedicated to making reasonable accommodations and carrying out its obligations under federal, state, and local laws and regulations. The university will review and handle requests for reasonable and necessary accommodations for an individual with a qualifying impairment in order to accommodate an ESA in university housing. **No ESA are to be kept in residential housing at any time prior to receiving approval.**

Other university facilities, such as libraries, classrooms, athletic facilities, labs, student centers, medical/dental clinics, and so on, as well as university-sponsored events, do not normally allow ESA use. ESAs must not be inherently dangerous to others, be non-aggressive, always under the owner's control (or well-behaved and appropriately contained when the owner is not there to supervise the animal, such as in university accommodation), and housebroken.

If a student's request for an ESA is approved, only **ONE** animal will be allowed unless a demonstrates the disability-related need for multiple animals. An accommodation may be deemed unreasonable if it places an undue financial or administrative burden on KSU, poses a significant and direct threat to personal or public safety, or represents a fundamental change in the nature of the service or program (see the "Requesting an Emotional Support Animal" section of this policy).

### **Housing Office:**

**Once all documents have been submitted and processed** at the Accessibility & Disability Resource Center, they will be forwarded to the Office of Housing and Residence Life (OHRL) for processing.

If an unapproved animal is brought into Residential Housing, the student must remove it immediately, even if they have made a request for an ESA that is being reviewed. Bringing an unapproved animal into university accommodation is a violation of university housing regulations, and the student may face disciplinary action. The Accessibility and Disability Resource Center reviews requests and evaluates whether an ESA is a reasonable and necessary accommodation.

### **Owner:**

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- No reptiles will be permitted other than a turtle (**Tank not to exceed 20 gallons**)
- Must abide by all applicable residential policies, including room inspections.
- Is responsible for of the service animal and must maintain control over animal at all times. A harness, leash, or other tether is required for a service animal unless a) the owner is unable to use one, or b) using one will interfere with the animal's ability to fulfill its tasks safely and effectively.
- If the owner is not present in the shared living space, the emotional support animal (ESA) should be kept in an appropriate container. **Roommates are not permitted to care for or be accountable for the ESA.**
- Student is responsible for adhering to all rules regarding animal restrictions on campus buildings other than their residence hall.
- Is responsible for the costs of care required for the emotional support animal's well-being. The owner is solely responsible for all arrangements and responsibilities associated with the maintenance of a service animal, including regular bathing and grooming as needed.
- Is responsible for making sure the emotional support animal is never left alone for an excessive amount of time.
- Is **responsible for removing service animal's waste on their own or arranging for it to be removed.** Waste should be disposed of in a sealed bag at the designated garbage place outside the resident hall.
- Is responsible of **adhering to state and local licensing regulations regarding animal rights and owner obligations.** Service animals need to have rabies vaccination tags and be up to date on their vaccinations.
- Is responsible for covering any costs associated with the animal's damage to KSU property. **Anytime a student leaves school overnight or during KSU breaks, animals must accompany them.**
- If animal relieves themselves on the floor or carpet anywhere inside a residence hall, the student is responsible for cleaning up as soon as possible and sending a work request to Facilities Management so that the area can be adequately cleaned. The student must bear all costs related with such cleanup. **Dogs must be housebroken, and accidents should be few.**

### **Requesting an Emotional Support Animal**

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The student should obtain appropriate documentation for the request of an ESA from a healthcare provider who is aware of the student's condition and with whom they have a professional relationship. Written or printed document must be on official letterhead which includes the address, telephone number, name, title, and professional credentials of the evaluator. **All typed documents must be accompanied with an official letterhead.**

- **Disability records that are no older than 3 years** must be supported by an official letterhead from a medical or mental health practitioner. The doctor or mental health professional must sign and date the paperwork.
- **No ESA weighing more than 25 pounds (11 kg) will be accepted**, and documentation must include the animal's name, weight, kind, color, and how it would emotionally assist the student.

**NOTE:** To be considered, all applications must contain the following completed documentation at the time of submission and be sent by email to [Nubia.Baraka@kysu.edu](mailto:Nubia.Baraka@kysu.edu).

<b>Student Information</b>
Full Name:
CWID:
Date:
Present Academic Status: (Circle One) First Year      Second Year      Third Year      Other
Animal Name:
Animal Type:
Male or Female:
Breed Description, Age, Weight, etc.:

## **Information for Provider**

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This form is sent to you by a current or prospective Kentucky State University student requesting accommodation for an Emotional Support Animal in University Housing. To establish the student's eligibility for the requested accommodation, the Accessibility and Disability Resource Center requires documentation that explains the student's functional limits in the residential environment and how an ESA will assist them manage their disability symptoms. As the student's provider, the student has requested that you write something that addresses each of the following points. Accommodations are assessed on a case-by-case basis, so please include as much detail as possible so that Accessibility and Disability Resource Center personnel can fully understand this student's disability-related needs.

**Documentation substantiating a disability and supporting a request for accommodation(s) must be on the Kentucky State University Emotional Support Animal Documentation form or the diagnosing practitioner's official letterhead.** The practitioner must be a licensed and/or certified professional who can diagnose the specified handicap. The practitioner must have a personal understanding of their patient/client. The documentation for the disability must be current. Sufficient and acceptable disability paperwork supporting the request for accommodation(s) must include the following components:

- **Diagnosis:**  
Provide a clear diagnosis of the medical or mental health impairment, ideally from the most recent.
- **Date of initial diagnosis:**  
Establish an initial date when a diagnosis was made or the moment the certifying professional accepted a prior diagnosis and started providing services or treatment.
- **Names of relevant tests and results:**  
Establish how the practitioner arrived at the diagnosis.
- **Severity of disability:**  
Establish the extent to which the disability substantially limits a major life activity.
- **Method(s) of current treatment:**  
Include a brief explanation of the current use of any therapies and/or medications.
- **Functional limitations/substantial limitations:**  
Describe the impairment's functional and significant limitations that could negatively impact the person living on campus.
- **Recommendations:**  
Provide recommendations to improve the functional and significant restrictions in the college living environment based on the prior information. The suggestion of a particular accommodation by a practitioner does not ensure that it will be granted.  
Accommodations provide access to programs and services and are determined on a case-by-case basis.

**To be completed by the provider:**

What are the students medical or mental health diagnosis?
Date diagnosed:
Describe in detail to what extent and with what frequency the student is impacted by disability symptoms:
Does the student require on-going treatment?
Describe in detail how the student's mental health impairment has affected their functioning (that is, how is the student substantially limited)? <i>Note: Federal law defines a person with a disability as someone who has a physical or mental impairment that <b>substantially limits</b> one or more major life activities. That suggests that a diagnosis (label) does not necessarily equate with a disability (substantial limitation).</i>
When was your last interaction with the student about this mental health diagnosis, and how frequently do you meet?
What therapeutic procedures are being used for treatment purposes?
What specific symptoms will be reduced by having an ESA, and how will those symptoms be mitigated by the presence of the ESA? General evaluations are not enough. "The animal alleviates anxiety," for example, is overly generic and fails to clarify how the animal can lessen the symptoms of this student's impairment.

In your opinion, how important is it for the student's well-being that an ESA be in residence on campus?

Have you discussed the responsibilities that come with taking good care of an animal while participating in regular college activities and living on campus? Do you believe those responsibilities might intensify the student's symptoms in any way?

**Please note that students are not permitted to bring in an animal prior to approval.**

### Provider Information

Name & Credentials:
Address:
Telephone:
Email:
License #:
Professional Signature:
Date:

### To be completed by the student

I, _____, hereby authorize the release of the following information as well as any pertinent documentation to the Accessibility & Disability Resource Center at Kentucky State University for the purpose of determining my eligibility for accommodations.
CWID:
Student's Signature:

**ALL documents must be completed, signed, and submitted via email no exceptions.  
It is the student's obligation to complete and submit all needed documents each school year.**

**It is the student's responsibility to initiate contact with ADRC**