

## University of New Orleans (UNO) Assistance Animal Guidelines

University of New Orleans (UNO) is committed to making reasonable modifications to its rules, policies, and practices as required by law to afford people with disabilities an equal opportunity to access its programs, services, and activities.

### GETTING HELP

#### Students

- . . . bringing a service animal to campus. Office of Student Accountability, Advocacy and Disability Services  
University Center Room 248 (504) 280-6222
- . . . bringing an assistance animal to University Housing. Office of Student Accountability, Advocacy and Disability Services  
University Center Room 248 (504) 280-6222
- . . . reporting any animal *in University Housing* that is disruptive, out of control, or poses a threat to safety. Office of Student Housing 504-280-6402
- . . . reporting any animal *elsewhere on campus* that is disruptive, out of control, or poses a threat to safety. UNO Police Department 504-280-6371
- . . . reporting a concern about disability discrimination or harassment. Office of Student Accountability, Advocacy and Disability Services 504-280-6222

#### Faculty/Staff

- . . . bringing an assistance/service animal to campus. Office of Human Resource Mgmt. 504-280-6259
- . . . reporting any animal *in University Housing* that is disruptive, out of control, or poses a threat to safety. Office of Student Housing 504-280-6402
- . . . reporting any animal *elsewhere on campus* that is disruptive, out of control, or poses a threat to safety. UNO Police Department 504-280-6371
- . . . reporting a concern about disability discrimination or harassment. Office of Human Resource Mgmt. 504-280-6259

## PETS

A "pet" is any animal kept for ordinary use and companionship. Assistance animals (service and support animals), as defined below, are not considered pets.

## ASSISTANCE ANIMALS

This policy applies to assistance animals that may be used by individuals with disabilities at UNO. The term "assistance animal" is the overarching term that refers to both service animals as well as support animals as defined below. Therefore, an assistance animal is an animal that either (1) works, provides assistance, or performs tasks for the benefit of a person with a disability; or (2) provides emotional or other type of support that alleviates one or more identified symptoms or effects of a person's disability.

## SERVICE ANIMALS

A "service animal" means any dog that is individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the person's disability. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition. Species other than dogs (or in some cases, miniature horses) are not considered service animals for the purpose of this definition of a service animal.

Service animals will be permitted to accompany people with disabilities in all areas of UNO's facilities, including University Housing, where students, members of the public, and other participants in services, programs or activities are allowed to go. UNO does not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Individuals accompanied by a service animal on campus but who do not need any disability-related accommodations are not required to register with the OFFICE OF STUDENT ACCOUNTABILITY, ADVOCACY AND DISABILITY SERVICES, nor is such individual required to submit a request for a reasonable accommodation to receive access of his or her service animal.

Additionally, UNO cannot ask about the nature or extent of a person's disability to determine whether a person's animal qualifies as a service animal. However, when it is not readily apparent that a dog is a service animal, UNO staff may make two inquiries to determine whether the dog qualifies as a service animal, which are:

Is the dog required because of a disability?  
What work or task has the dog been trained to perform?

A service animal must be housebroken (i.e., trained so that it controls its waste elimination, absent illness or accident) and must be kept under control by a harness, leash, or other tether, unless the person is unable to hold those, or such use would interfere with the service animal's performance of work or tasks. In such instances, the service animal must be kept under control by voice, signals, or other effective means.

UNO will assess requests for the use of miniature horses by people with disabilities on a case-by-case basis. Requests should be submitted to the Office of Student Accountability, Advocacy and Disability Services and,

consistent with applicable laws, UNO may make modifications in its policies to permit their use if they meet certain criteria and have been individually trained to do work or perform tasks for the benefit of people with disabilities.

### SUPPORT ANIMALS

A "Support animal" is an animal that provides emotional or other support that ameliorates one or more identified symptoms or effects of a person's disability. Unlike service animals, support animals are not required to be trained to perform work or tasks, and they include species other than dogs and miniature horses.

Support animals are generally not allowed to accompany persons with disabilities in all public areas of UNO as a service animal is allowed to do, but a support animal may reside in University Housing, including accompanying such individual in all public or common use areas of University Housing, when it may be necessary to afford the person with a disability an equal opportunity to use and enjoy University Housing. Before a support animal can move into University Housing with a person with a disability, a request must be submitted to UNO's Office of Student Accountability, Advocacy and Disability Services and approval must be granted (preferably at least 30 days prior to move in). The OFFICE OF STUDENT ACCOUNTABILITY, ADVOCACY AND DISABILITY SERVICES will require documentation from a licensed physician or mental health provider, including without limitation a qualified psychiatrist, social worker, or other mental health professional, to provide sufficient information for UNO to determine:

- that the individual qualifies as a person with a disability (i.e., has a physical or mental impairment that substantially limits one or more major life activities); and
- that the support animal may be necessary to afford the person with a disability an equal opportunity to use and enjoy University Housing (i.e. that the animal would provide emotional support or other assistance that would ameliorate one or more symptoms or effects of the disability).

There must be a link between the animal and a disability; emotional distress resulting from having to give up an animal because a "no pets" policy does not qualify a person for an accommodation under federal law.

While support animals are generally not allowed indoors on UNO's campus other than in University Housing, people with disabilities may request approval from the Office of Student Accountability, Advocacy and Disability Services to have the support animal accompany them to other campus areas. Such requests will be considered on a case-by-case basis consistent with applicable laws.

Please refer to the UNO Student Housing Emotional Support Animal (ESA) Guidelines, which will be given to residents upon approval of an ESA.

**GUIDE AND HEARING TRAINEES:** Animals that are being trained to be dog guides for the blind, hearing assistance dogs, or assistance animals for persons with physical impairments to access UNO facilities may be allowed. Contact the Office of Student Accountability, Advocacy and Disability Services.

## **RESPONSIBILITIES OF PEOPLE WITH DISABILITIES USING ASSISTANCE ANIMALS**

UNO is not responsible for the care or supervision of assistance animals. People with disabilities are responsible for the cost, care, and supervision of assistance animals, including:

- compliance with any laws pertaining to animal licensing, vaccination, and owner identification;
- keeping the animal under control and taking effective action when it is out of control; and
- feeding and walking the animal, and disposing of its waste.

For specific campus areas designated by UNO for toileting service animals, contact the Office of Student Accountability, Advocacy and Disability Services. Waste disposal via university plumbing is prohibited in university residences, but the Office of Student Accountability, Advocacy and Disability Services or University Housing can provide guidance on where to appropriately dispose of animal waste.

UNO will not require any surcharges or fees for assistance animals. However, a person with a disability may be charged for damage caused by an assistance animal to the same extent that UNO would normally charge a person for the damage they cause.

People with disabilities who are accompanied by assistance animals must comply with the same university rules regarding noise, safety, disruption, and cleanliness as people without disabilities.

## **EXCEPTIONS AND EXCLUSIONS**

UNO may pose some restrictions on, and may even exclude, an assistance animal in certain instances. As noted above, support animals are generally not allowed indoors on UNO's campus other than in University Housing. Persons with disabilities may request approval from the Office of Student Accountability, Advocacy and Disability Services to have the emotional support animal accompany them to other campus areas as a reasonable accommodation. Such requests will be considered on a case-by-case basis consistent with applicable laws. Any animal may be excluded from an area in which it was previously authorized to be only if:

- it is out of control and effective action is not taken to control it;
- it is not housebroken (or in the case of a support animal that deposits waste in a designated cage or litter box, the owner fails to clean such cage or box such that the cleanliness of the room is not maintained); or
- it poses a direct threat to the health or safety of others that cannot be mitigated by reasonable modifications of policies, practices, or procedures, or the provision of auxiliary aids or services.

In considering whether an assistance animal poses a direct threat to the health or safety of others, UNO will make an individualized assessment, based on reasonable judgment, current medical knowledge, or the best available objective evidence, to determine: (1) the

nature, duration, and severity of the risk; (2) the probability that the potential injury will actually occur; and (3) whether reasonable modifications of policies, practices, procedures, or the provision of auxiliary aids or services, will mitigate the risk. The University President shall name a designee who shall provide a written statement of explanation to any person with a disability if a determination is made that the presence of that person's assistance animal would fundamentally alter the nature of a program, service, or activity.

In the event that restriction or removal of an assistance animal is determined to be necessary, the person with a disability will still be given the opportunity to participate in the service, program, or activity without having the assistance animal present.

The above provisions on restrictions and exclusions is not intended to cover modifications to reasonable accommodations. The reasonable accommodation process and modifications to reasonable accommodations are covered under UNO's policy on reasonable accommodations.

As noted above, support animals are generally not allowed indoors on UNO's campus other than in University Housing. Persons with disabilities may request approval from the Office of Student Accountability, Advocacy and Disability Services to have the emotional support animal accompany them to other campus areas as a reasonable accommodation. Such requests will be considered on a case-by-case basis consistent with applicable laws.

### **GUIDELINES FOR MEMBERS OF THE UNO COMMUNITY**

To ensure equal access and nondiscrimination of people with disabilities, members of the UNO community must abide by the following practices:

- Allow assistance animals to accompany people with disabilities on campus;
- Do not ask for details about a person's disability;
- Do not pet an assistance animal, as it distracts the animal from its work;
- Do not feed an assistance animal;
- Do not deliberately startle, tease, or taunt an assistance animal; and
- Do not separate or attempt to separate a person from his/her assistance animal.

If you have a disability that may be affected by the presence of animals, please contact the Office of Student Accountability, Advocacy and Disability Services. UNO is committed to ensuring that the needs of all people with disabilities are met and will determine how to resolve any conflicts or problems as expeditiously as possible.

## **GRIEVANCE PROCEDURE**

A student or employee who wishes to file a disability discrimination complaint should contact the appropriate office as noted at the beginning of this document.

Students with concerns about potential discrimination may also contact the United States Department of Education, Office for Civil Rights, 915 Second Avenue, Room 3310, Seattle, WA 98174-1099; the United States Department of Housing and Urban Development by phone at (800)-877-0246, or on the web at <http://www.hud.gov/complaints/> (and click on "Housing Discrimination"); or the United States Department of Justice, Disability Rights Section by email at [ADA.complaint@usdoj.gov](mailto:ADA.complaint@usdoj.gov), or on the web at <http://www.ada.gov>.

## **LEGAL REFERENCES**

Title II of the Americans with Disabilities Act  
Section 504 of the Rehabilitation Act of 1973  
Fair Housing Act

<https://www.animallaw.info/statute/la-assistance-animal-assistance-animalguide-dog-laws#s1954>