

University of Wisconsin-Stevens Point  
Service Animal Policy and Procedure

**Policy Statement**

The University of Wisconsin-Stevens Point (UWSP) complies with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 (Section 504). This policy and procedure addresses the process under which UWSP will handle requests to use service animals as a reasonable accommodation in accordance with the rights afforded to individuals with disabilities under University policy. These policies include [The University of Wisconsin Board of Regents Policy 14-10: Nondiscrimination on the Basis of Disability](#) and the [University of Wisconsin Stevens Point Discrimination Policy](#). UWSP will accommodate individuals who demonstrate the necessity of a qualified service animal while simultaneously being mindful of the health and safety interests of its general campus community and ensuring compliance with federal, state, and local laws, regulations, and ordinances.

The ADA recognizes the need for reasonable and appropriate accommodations. UWSP recognizes the importance of providing reasonable accommodations in its policies and practices where necessary for individuals with disabilities to fully and equally use and enjoy University offerings.

**A. Purpose**

This policy addresses the use of service animals by persons with disabilities on UWSP campus, and presents a standard of behavior for the animal. It is the intent of UWSP to meet the needs of the entire campus community in an atmosphere of open communication and inclusion.

This policy applies to an individual with a disability who requires the use of a service animal, as defined below, during his or her employment and/or access to and participation in an academic program, activity, or event. This policy also applies to service animal trainers and service animals in training.

**B. Definitions**

**Service Animal**

A service animal is a dog or miniature horse individually trained to do work or perform tasks for the benefit of an individual with a disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. 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.

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purpose of the definition of a service animal.

A miniature horse may be considered a reasonable accommodation, upon request, if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications of policies, practices, or procedures can be made to allow a miniature horse into a specific facility, a public accommodation shall consider the type, size, and weight of the miniature horse and whether the facility can accommodate these features; whether the handler has sufficient control of the miniature horse; whether the miniature horse is housebroken; and whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

**Reasonable Accommodation**

Reasonable accommodation is a modification to a campus policy, procedure, or environment that will allow a person with a disability to perform the essential duties and functions of his or her position and/or allow a person to fully and equally participate in the academic programs of the campus (including classes, housing, university events and activities).

**C. Policy and Law**

This policy was created in accordance with Titles I and II of the Americans with Disabilities Act, as amended, and Section 504 of the Rehabilitation Act of 1973. If any provision herein conflicts with the applicable provisions of the above federal laws, the federal laws will apply.

**D. Service Animal Access to University Facilities**

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of a public entity's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

**E. Procedure for requesting the use of a Service Animal**

Students and visitors who wish to request a reasonable accommodation should contact the Disability and Assistive Technology Center (DATC) in Albertson Hall at 715-346-3365. Employees who wish to request a reasonable accommodation should contact Human Resources in Old Main at 715-346-2606.

**1. Responsibility of University Offices**

- Disability Services will contact appropriate university entities (which may include housing, food service, or facility services) to make them aware that there is a service animal on campus.

- Grounds crew will provide a reasonable location for the animal to toilet and will keep the animal's toilet area free from obstructions (snow, branches, etc.).
- Disability Services will coordinate all necessary classroom and other campus accommodations with appropriate faculty and/or staff.
- Faculty and staff should contact Disability Services if they have concerns over the use of a service animal in a particular classroom or other course-related setting or location.
- The Dean of Students Office will make contact with an identified alternate handler in the case of an emergency.
- Risk Management and University Police and Security Services will be consulted as needed.

## **2. Responsibilities of the Owner and/or Alternative Handler**

The handler of the service animal will:

- Meet with appropriate offices to ensure service animals are accommodated in a timely fashion. Students meet with the Disability Services staff to discuss equal access and participation in educational programs on campus; UWSP employees meet with the ADA Coordinator to discuss work environment and/or working conditions on campus.
- Be in control of the animal at all times. Service animals shall be restrained with a harness, leash, or other tether unless an individual's disability precludes the use of such devices or if such devices would unreasonably hinder or interfere with the service animal's safe and effective performance of its work or tasks. If not tethered, a service animal must otherwise be under the control of its handler, whether by voice command, signals, or other effective means.
- Ensure all animal care needs are met and all public health and safety concerns addressed properly; maintain animal health, hygiene, and vaccination.
- Ensure all required state and municipal license requirements (including vaccination) are met.
- Use designated areas on campus, if applicable, for outdoor toilet and/or exercise of service animal.
- Ensure the immediate clean-up and disposal of animal waste.
- Make prior arrangements for a person to take custody of the service animal in the event of a handler emergency. The handler shall complete contact information on the Service Animal Agreement form.

## **3. Reasonable Inquiries Regarding Service Animal**

If the need for service animal is not reasonably obvious to the University, the University may request the following information from the handler/owner:

- Whether the animal is required because of a disability.
- A description of the tasks or work that the animal has been trained to perform.
- If applicable, notification that the dog is in training.

If an owner or handler refuses to provide the above information, the University may refuse to allow the animal to enter or remain on campus property.

#### **4. Liability and Insurance**

The handler shall be responsible for all liability and claims related to the service animal and all insurance requirements related to the service animal. UWSP/State of Wisconsin provides no indemnification to the assistance animal, handler, or resident. UWSP/State of Wisconsin provides no personal property insurance coverage.

#### **F. Removal of Service Animal**

The University may require a service animal to be removed from a UWSP facility or location if:

- The handler is unable or unwilling to maintain proper control over the animal;
- The animal is not housebroken;
- The animal poses a direct threat to the health or safety of others; or
- The animal's presence fundamentally alters or is disruptive to the workplace, learning environment, or educational program.

#### **G. Service Animals in Training**

[Wisconsin Statutes chapter 106.52\(3\)\(am\)](#) states that individuals who are service animal trainers may have service animals in training accompany them in public places. If these animals are being trained by an individual who is not using the service animal for their own personal disability, the training individual should notify UWSP Director of the Disability and Assistive Technology Center. The animal trainer shall follow all of the responsibilities previously stated in this policy. Upon notification of a service animal in training, the DATC Director will share the information with any needed stakeholders as appropriate, to inform them of the rights and responsibilities of the animal trainer per this policy.

#### **H. Managing disability conditions and concerns of all UWSP residential community**

The health and well-being of all occupants in UWSP residence halls shall be considered in regard to the room assignment of a student with a service or assistance animal, as long as the student with the disability is provided with full and equal access to the residence facilities similar to that of nondisabled students. Members of the UWSP community with a medical condition(s) that are affected by dogs or other animals (e.g. asthma, respiratory disease, severe allergies), should contact Disability Services if they have a health or safety related concern about exposure to an animal in a UWSP facility and if they require accommodations.

Students with such medical conditions are to contact Residential Living as early as possible in order to make other housing arrangements if needed. Roommates/suitemates will be made aware of the planned presence of an animal in their residence by Residential Living staff.

#### **I. Filing a Complaint, Grievance or Appeal on the Basis of Discrimination**

Any student dissatisfied with a decision concerning a service animal should reference the [Disability Services Grievance and Appeal Procedures](#). Any employee dissatisfied with a decision concerning a service animal should also reference the [Discrimination, Grievance and Appeal Procedures](#). Nothing in this policy shall prohibit a person from filing a complaint with an external agency, such as the Wisconsin Attorney General's Office, the Wisconsin Equal Rights Division of the Department of Workforce Development, the U.S. Department of Education

Office of Civil Rights, the U.S. Equal Employment Opportunity Commission or the U.S. Department of Justice.

### **J. Complaint Involving the Use of Animal on Campus**

If a person has a dispute, disagreement, or complaint as to an individual's use of a service animal under this policy, suspects or has observed animal abuse or neglect, or has observed threatening behavior from an animal, the Dean of Students and/or UWSP Police and Security Services should be contacted immediately for appropriate action. Any person who intentionally distracts, disrupts, antagonizes, or harms an animal protected under this policy may be subject to University student conduct or employee disciplinary processes.

### **K. General Restrictions on Animals on University Lands under UWS Ch.18**

For all other uses and/or presence of animals on University property or lands that are not specifically provided for in this policy, the provisions of [UWS Ch. 18.08](#) shall apply.

### **L. Campus Resources/Stakeholders**

- Counseling Center Director (715-346-3553) <http://www.uwsp.edu/counseling>
- Dean of Students Office (715-346-2611) <http://www.uwsp.edu/dos>
- Disability and Assistive Technology Center (DATC) (715-346-3365) <http://www.uwsp.edu/disability>
- Equity and Affirmative Action (EAA) / ADA Coordinator (715-346-2002) <http://www.uwsp.edu/equity>
- Facility Services (715-346-2124) <http://www.uwsp.edu/facsv>
- University Police and Security Services (715-346-3456) <http://www.uwsp.edu/protsv>
- Residential Living (715-346-3511) <http://www.uwsp.edu/resliving>
- Risk Management (715-346-2618) <http://www.uwsp.edu/rmgt>
- University Dining Services (715-346-3434) <http://www.uwsp.edu/dining>

### **Resources**

#### *Federal Resources*

Americans with Disabilities Act Amendment Act (ADAAA) of 2008

[Title I of the Americans with Disabilities Act \(ADA\) of 1990](#)

[Title II of the Americans with Disabilities Act \(ADA\) of 1990](#)

[Section 504 of the Rehabilitation Act of 1973](#)

#### *State Resources*

[Wisconsin State Legislature UWS 18.08\(1\)](#) Personal conduct with animals on university property

[Wisconsin State Legislature 36.12](#) Student discrimination prohibited

[Wisconsin State Legislature 106.52\(1\)\(fm\)](#) Definition of service animal

*University of Wisconsin System Resources*

[University of Wisconsin System Board of Regent Policy 14-10 Nondiscrimination on the Basis of Disability](#)

*University of Wisconsin Stevens Point Resources*

[University of Wisconsin Stevens Point Discrimination Policy](#)