

Working with Students who have Service Animals and Emotional Support Animals

Animals on campus are becoming a regular occurrence as they assist individuals with disabilities. The categories of assistance animals are different and therefore, the policies and procedures are different. Below is information on each category of animal and how you can determine whether or not having the animal in your class/building is a reasonable request.

Service Animals

Service animals are defined by the Americans with Disabilities Act, as amended (ADAAA) as dogs or miniature horses that are trained to perform specific tasks. These tasks include, but are not limited to, a seeing eye dog, retrieving items, alerting to adverse situations, and calming pressure during an anxiety or panic attack. While most service animals will have notification of their service, such as a vest, law does not require that they do so. In addition, law does not allow us to request, or require, documentation of a disability, certification cards, or demonstration of the tasks. However, there are two questions that we are allowed to ask:

1. Is the dog (miniature horse) needed because of a disability?
2. What work, or tasks, has the dog been trained to perform?

If the answer to number 1 is yes, and the answers to number 2 contain tasks similar to what was described above, then we must allow the dog anywhere on campus the student goes. There may be safety and health exceptions which would keep a dog from being present in certain locations. However, these situations would be determined on a case by case basis.

Students who have service animals are highly encouraged to register with Adaptive Services and if they do, the service animal will be listed on their accommodation form. However, we cannot require students with service animals to register and therefore, it is possible that an animal will show up in your classroom/department with no prior notice.

Service animals, by definition, are highly trained to not only perform a task, but also for socialization and obedience. Unless barking or nudging is an alert task that the dog has been trained to perform, it is very unlikely that the dog will be disruptive. However, if the dog is disruptive to the environment, you can have the student remove the dog. Students with known service animals are highly encouraged to meet with their instructors one-on-one to discuss the tasks that the dog performs so that all behaviors exhibited by the dog are understood.

Other individuals in the vicinity of the dog may have a fear, allergies, or other aversion to being around the dog. In this case, the individual should be referred to Adaptive Services to see if they have a disability that would warrant an accommodation. Fears and allergies are not reasons to refuse the allowance of the service animal.

In addition to the above, the state of Florida also recognizes service animals in training. These animals are currently in the process of training for the specific tasks that they will perform for the individual with

a disability. The training does not include socialization and obedience training. Anyone training an animal must meet with Adaptive Services in order to review the process of having the animal on campus.

Emotional Support Animals

Emotional Support Animals (ESA) are currently not covered under the ADAAA, but they are covered under other laws and regulations, such as the Fair Housing Act. ESA's are any animal that serves the purpose of providing comfort, or emotional support, to an individual with a disability. Other than providing this comfort, there are no other specific tasks that the animal performs. Due to FGCU's adherence to the Fair Housing Act, ESA's are allowed in our Housing facilities. However, they are not allowed on main campus, unless approved as an accommodation. The process for having an ESA in Housing involves approval by Adaptive Services and having the animal meet the necessary requirements for living in Housing.

Students may use the terms "service animal" and "emotional support animal" interchangeably and some may even purchase vests and have their animal certified online. However, the type of animal and the responses to the two questions are what is used to determine what category the animal falls under. It is recommended that any student who has an animal be referred to Adaptive Services for further information on the appropriate process.