

# Brevard College Quick Guide to Service Dogs and Emotional Support Animals

## Service Animals and the Americans with Disabilities Act (ADA)

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. The job or task must relate directly to a person's disability. For additional information, refer to [ADA 2010 Revised Requirements](#), US Department of Justice, Civil Rights Division.

### Appropriate Inquiry

It is considered to be a violation of ADA to ask a person directly about their disability or to require the show of certification or documentation that the animal is certified, trained, or licensed (none is nationally recognized). To protect privacy and dignity, the ADA restricts what staff may ask of an individual who wishes to access an area with a reported Service Dog. ***An employee with a work-related need to know may ask two questions if the disability is not obvious:***

1. **“Is this a Service Animal (dog) that is required for you because of a disability?”** “If no, the dog may be denied access. If yes, then ask,
2. **“What disability-related work or task has the animal (dog) been trained to perform?”** (Emotional support, comfort, well-being, and companionship are not specific work or tasks for purposes of analysis under the ADA).

*If the student cannot sufficiently answer these questions, it is appropriate to request the removal of the animal from the building/campus venue. The student may be referred to the Office of Student Accessibility and Disability Services for advisement.*

## Assistance/Emotional Support/Comfort Animals

The **Fair Housing Act (FHA)** states that in addition to the ADA Service Dog, an untrained “assistance animal” (not limited to just dogs) can be prescribed to an individual with a disability by a healthcare or mental health professional to live in the student’s residence and assist in alleviating the symptoms of that individual’s disability. An animal defined through the Fair Housing Act as an “Assistance Animal” is one that is prescribed through a healthcare or mental healthcare provider to be part of a treatment plan in alleviating symptoms of the individual’s disability.

1. An ESA does not have to be trained, nor limited to be a dog, and therefore is not a Service Animal.
2. When approved, an ESA is only authorized to live in the student’s campus residence. An ESA is NOT authorized to accompany a person with a disability in places other than in the student’s residence.
3. Students who wish to have an ESA in campus housing are required to register with the Office of Student Accessibility and Disability Services and to seek approval before bringing an animal on campus.
4. An ESA does not have to perform a work task and is NOT allowed to accompany a person with a disability in places other than in the student’s residence. (In rare cases, an ESA could theoretically be approved to be in other places as an ADA accommodation.)
5. The animal must be registered with the Housing Office with proof of health certification requirements.
6. ESAs are not permitted on school-sponsored field trips nor are allowed to accompany a participant during school-sponsored athletic trips and events. (Note: Theoretically, an ESA could be approved through OSADS to be permitted to accompany the Owner in settings other than the student’s residence but must meet the unlikely standard of being a necessary and non-disruptive reasonable disability-related accommodation under ADA guidelines).

## Summer Camps and Special Events

During special short term events such as summer camps and conferences that provide housing, Service Dogs are allowed as defined by the ADA. Emotional Support Animals as defined by the Fair Housing Act are not permitted to reside in campus housing nor to accompany an Owner during summer camps or programs since the FHA does not apply to transient housing intended for a temporary sojourn.

## Service Dog Etiquette Guidelines

The Brevard College community should follow these rules of etiquette when a **Service Dog** is present (remember, ESAs should not be present in campus buildings other than the student's residence):

1. The Service Dog and its Owner are a working team. A Service Dog should remain with its owner and be under owner control.
2. It is not legally required for service dogs to wear an identifying vest.
3. Do not distract or attempt to pet or touch the Service Dog without permission.
4. Do not offer food or treats to the service dog without permission.
5. Do not ask personal questions about the handler's disability.
6. Remember that a Service Dog is not a pet; it is a worker.
7. Service Dogs should be well trained and under their owners' command. Sometimes a service dog will make a mistake and must be corrected to maintain its training. This correction usually involves a verbal admonishment coupled with a leash correction.
8. Service Dogs go where their owners go: inside campus buildings and offices, inside the residence halls and rooms, in classrooms, in public restrooms, and in the cafeteria, for example. When the student service dog handler is seated, the dog will stay by the student's side. The dog will sit at the student's feet, next to the student's chair, or sometimes – if the Service Dog can fit – underneath the student's chair. A Service Dog is not allowed to “visit” with other persons in the classroom.
9. Service Dog handlers, or another designated third party, are responsible for the care for the dog and cleaning up after them.

## Excluding a Service Dog from the Premises

There are a few instances where a Service Dog can be denied access to the premises: *1) if the dog is out of control and the handler does not take action to control the animal or 2) if the dog is not housebroken 3) if the presence of the dog compromises health and safety such as in some clinical/la/experiential learning settings.* Any specific concerns regarding allowing a service dog in a particular setting due to reasons related to health or safety should be addressed with the Office of Student Accessibility and Disability Services. If a trained service dog cannot be in a particular setting with its handler, accommodations must be made for the individual to receive similar assistance still.

## Other Invalid or Illegal Practices to Avoid

1. Exclusion of the Service Dog due to allergies of others in the area; fear of dogs for others in the area; or that the establishment sells/prepares food
2. Isolation of the handler and dog
3. Extra fees or damage deposits
4. Attempt to obtain access for an animal under the pretense that it is a Service Animal

Also, be aware that Service Dogs that do not reside in campus housing are not legally required but are encouraged to be registered with the Office of Student Accessibility and Disability Services.

For additional information, please contact: Kathleen Koontz, Director of Student Accessibility and Disability Services

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