Animals on Campus Policy

Accommodations for individuals with disabilities in accessing these policies are available upon request by emailing accessiblepolicy@wcupa.edu

Purpose and Scope

This policy applies to all individuals bringing an animal on West Chester University (WCU) property. WCU does not permit animals in University buildings, facilities, vehicles, or on University grounds except as described in this policy. The University remains committed to creating and maintaining a welcoming and inclusive educational, working, and living environment for people of all abilities. Therefore, WCU allows animals in its buildings, vehicles or facilities when they are serving a University-approved purpose, or meet the definition of Service Animals, Service Animal in Training, or Emotional Support Animals as provided in this policy.

Except as otherwise provided in this policy, animals may not enter any: (a) campus building, facility, or University vehicle, including all office, residence, and educational buildings; (b) enclosed or delineated outdoor athletic or recreational facility; or (c) officially reserved or scheduled outdoor events on campus.

Policy Statement

Service Animals

Students are not required to receive permission from the University prior to bringing a service animal onto University property. The student may be asked whether the animal is needed because of a disability and what work or task(s) the animal has been trained to perform. Students who need a Service Animal accommodation in class are asked to notify the Office of Services for Students with Disabilities (OSSD) before classes begin by completing the Notification of Service Animal at WCU form.
Such notification allows the University to make appropriate arrangements, offer any necessary assistance prior to the student’s arrival on campus, and to notify WCU Public Safety of the animal’s presence in case of an emergency. All documentation should be submitted 30 days before arrival to campus.

OSSD will ask for the following:

- A completed Notification of Service Animal at WCU form
- Veterinary verification that the service animal is healthy, and its vaccinations are current
- Documentation of the disability to the college (e.g., medical records, IEP from high school)
- Description of the specific task(s) the Service Animal performs for the student

The Americans with Disabilities Act (ADA) provides that persons with disabilities the right to be accompanied by a service animal in places of employment, in government buildings with public access, on public transportation, and in places of public accommodation. Under the ADA, a service animal is defined as “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability.” 28 C.F.R. § 35.104. The University must generally permit the use of a Service Animal, subject to several narrow exceptions: (1) if the animal’s presence would fundamentally alter the nature of the University’s services, programs, or activities; (2) if the animal would pose a direct threat to the health and safety of others; or (3) if the animal was out of control or not housebroken. Service animals are permitted to accompany their handler in any environment the handler needs to access to perform the necessary tasks for which they are trained, relative to the handler’s disability.

Service Animals are generally allowed to accompany their handlers anywhere their handlers are permitted on campus (exceptions may exist in areas requiring
protective equipment or clothing for access). Under the ADA, Service Animals must be harnessed, leashed, or tethered, unless these devices interfere with the Service Animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls. In addition, the following must be observed:

- Service Animals must meet all state laws and local ordinances regarding vaccinations and proper licensure.
- The handler is responsible for the actions of the Service Animal. These actions include bodily injury and property damage and may require financial compensation.
- The handler is responsible for caring for and supervising the animal, which includes toileting, feeding, grooming, flea and tick preventions, and veterinary care.
- The handler is responsible for waste cleanup. If the handler is not able to physically pick up the animal waste, they must hire or establish someone who is able to complete the task. The waste must be properly disposed of in a trash receptacle.
- The handler is responsible for instructing others on appropriate interactions with the animal and setting clear and respectful expectations.
- The handler should ensure that the Service Animal does not approach and sniff others, dining tables, or personal belongings of others.
- The handler must assure that the Service Animal does not block emergency exits or aisles.
- The animal must display good behavior and not disrupt others unless alerting the handler as appropriately trained.
- The animal can be asked to leave campus if the animal is out of control, a threat to others, or the animal is ill.
If a student with a Service Animal plans to reside on campus, the student must notify the University of the need of a Service Animal’s presence in advance of beginning residence on University property with the animal and must submit a Service Animal in Residence Agreement to the OSSD. Such notification allows the University to make appropriate arrangements, offer any necessary assistance prior to the student’s arrival on campus, and to notify WCU Public Safety of the animal’s presence in case of an emergency. In addition to the above, students with a Service Animal residing on campus must agree to the following:

- Dogs must wear a current rabies vaccination tag. All animals must be tagged with contact information for the owner, if possible.
- The handler must provide appropriate food, water, and shelter for the animal.
- The animal cannot be cared for or left in the unit of other on-campus residents.
- Recommended vaccinations and annual examinations must be completed. The Office of Residence Life and Housing has the right to request updated veterinary verification annually, or at any time during the animal’s residency.
- The handler cannot leave the animal unattended overnight or for an extended period of time beyond normal working/class hours.
- The handler certifies that the animal is housebroken or will be crated when not present in the unit. The handler is responsible for sanitary clean-up measures.
- The handler will not allow the animal to be neglected or abused.
- The handler will not allow the animal to produce or raise offspring while on campus.
- The handler will bear sole financial responsibility for the actions of the animal including damage that requires replacement of furniture, carpets, blinds, etc. The handler is expected to cover all costs of returning the unit to the same condition it was in at move-in. This may include cleaning all carpets and furniture to remove pet odors, dander, hair, etc. This applies to all areas of the unit, common areas, outdoor landscaping, and other outside improvements. If
items cannot be satisfactorily repaired, the handler will be charged for the complete replacement.

- Permission to reside on campus with the Service Animal may be rescinded if the animal poses a direct threat to the health or safety of others or would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation.

**Students living in USH/Affiliated housing should contact the leasing center for USH for information regarding Service Animals in residence.**

Students who misrepresent a pet or emotional support animal as a service animal or service animal in training will be investigated for fraud and dishonesty and will be referred to the Office of Student Conduct for violations including, but not limited to, Student Conduct Policies 16 and 18. A person commits the offense of misrepresentation of an animal as an assistance animal or service animal if the person intentionally: (1) creates a document misrepresenting an animal as an assistance animal or service animal for use in housing; (2) provides a document to another falsely stating that an animal is an assistance animal or service animal for use in housing; or (3) fits an animal that is not an assistance animal or service animal with a harness, collar, vest, or sign that the animal is an assistance animal or service animal for use in housing. A person who violates this provision commits a summary offense and shall, upon conviction, be sentenced to pay a fine not to exceed $1,000. 2018 Pa. ALS 118

**Service Animals in the Workplace:** Employees should contact their direct supervisor or the Office of Human Resources for information on Service Animals as an accommodation.

**Service Animals in Training**
Service Animals in Training are not protected under the ADA or other federal law. Service Animals in Training are protected under Pennsylvania law for areas of public accommodation, housing accommodation, and commercial property. Any Service Animal in Training that causes an undue disturbance must be removed from the public accommodation area. 43 P.S. § 953. Service Animals in Training must be undergoing training for or from a recognized authority, and trainers/handlers must be able to provide information regarding their qualifications to university personnel upon request. A handler or trainer must be a part of an organization that raises and trains puppies to become guide or support animals to be a puppy raiser. To begin the process to request a Service Animal in Training in WCU campus housing, the student must complete and submit the Request for Service Animal in Training in WCU Campus Housing application form to the OSSD.

Service Animals in Training are allowed in the public accommodation spaces of campus and in private residence on campus with prior approval. An approved Service Animal in Training for an individual who lives in WCU housing is permitted within the individual’s privately assigned living accommodations only unless training is actively occurring. A Service Animal in training outside the private individual living accommodations must be in the presence of the trainer(handler).

Students with a disability who utilize Service Animals in Training should contact and meet with the Office of Services for Students with Disabilities prior to the animal arriving on campus BEFORE each academic calendar school year. For students living on campus, the documentation must be submitted 30 days before occupancy is to commence in on-campus housing.

OSSD will ask for the following:

- A completed Request for Service Animal in Training in WCU Campus Housing Form

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• Veterinary verification that the service animal is healthy, and its vaccinations are current
• Documentation of the disability
• Description of the specific task(s) the animal is training to perform

Students who requests are approved will be permitted to have one Service Animal in Training in residence. The student must then complete and submit a Service Animal in Training in Residence Agreement form. In addition to the restrictions outlined for pets on campus below, Students with a Service Animal in Training residing on campus must agree to the following:

• The handler must provide evidence of the Service Animal in Training’s progress toward the specific task to be performed. This can be through demonstration with the specific person with a disability the animal will be assisting or through documentation from a recognized training organization. The Office of Services for Students with Disabilities (OSSD) and the Office for Diversity, Equity and Inclusion will work in conjunction with Residence Life and Housing Services, if needed, to evaluate the animal’s progress.
• The handler must comply with all state laws and local animal ordinances, as well as all West Chester University Policies and guidelines.
• The handler must comply with all required state and municipal license requirements, including current identification and vaccination tags. Dogs must wear a current rabies vaccination tag. All animals must be tagged with contact information for the owner, if possible.
• The handler must provide appropriate food, water, and shelter for the animal.
• The animal cannot be cared for or left in the unit of other on-campus residents.
• The handler is solely responsible for the care, supervision, and cleanup of the animal, with assistance of others as necessary.
• The handler is responsible for routine maintenance of the animal, which includes flea and tick prevention. Recommended vaccinations and annual examinations must be completed. The Office of Residence Life and Housing has the right to request updated veterinary verification annually, or at any time during the animal’s residency.
• The handler is responsible for instructing others on appropriate interactions with the animal and setting clear and respectful expectations.
• The handler is responsible for excessive noise or behavior that is disruptive to others and which they cannot stop.
• The handler cannot leave the animal unattended overnight or for an extended period of time beyond normal working/class hours.
• The handler certifies that the animal is housebroken or will be crated when not present in the unit. The handler is responsible for sanitary clean-up measures.
• The handler is responsible for properly containing and disposing of all animal waste. Outdoor waste, such as feces, must be immediately retrieved and properly disposed of in an outdoor trash receptacle.
• The handler is responsible for effectively controlling the animal at all times. If the handler is unable to effectively control the animal, or if the animal poses a direct threat to the health or safety of others, the permission to keep the animal will be rescinded until such a time that the problem is rectified.
• The handler will not allow the animal to be neglected or abused.
• The handler will not allow the animal to produce or raise offspring while on campus.
• The handler will bear sole financial responsibility for any action of the animal that causes bodily injury to individuals.
• The handler will bear sole financial responsibility for the actions of the animal including damage that requires replacement of furniture, carpets, blinds, etc. The handler is expected to cover all costs of returning the unit to the same condition it was in at move-in. This may include cleaning all carpets and
furniture to remove pet odors, dander, hair, etc. This applies to all areas of the unit, common areas, outdoor landscaping, and other outside improvements. If items cannot be satisfactorily repaired, the handler will be charged for the complete replacement.

- The handler understands permission may be rescinded if the animal poses a direct threat to the health or safety of others or would cause substantial physical damage to the property of others, that cannot be reduced or eliminated by another reasonable accommodation.

Students living in USH/Affiliated housing should contact the leasing center for USH for information regarding Service Animals in Training residence.

Students who misrepresent a pet or emotional support animal as a service animal or service animal in training will be investigated for fraud and dishonesty and will be referred to the Office of Student Conduct for violations including, but not limited to, Student Conduct Policies 16 and 18. A person commits the offense of misrepresentation of an animal as an assistance animal or service animal if the person intentionally: (1) creates a document misrepresenting an animal as an assistance animal or service animal for use in housing; (2) provides a document to another falsely stating that an animal is an assistance animal or service animal for use in housing; or (3) fits an animal that is not an assistance animal or service animal with a harness, collar, vest or sign that the animal is an assistance animal or service animal for use in housing. A person who violates this provision commits a summary offense and shall, upon conviction, be sentenced to pay a fine not to exceed $1,000. 2018 Pa. ALS 118

Service Animals in Training in the Workplace: Because Service Animals in Training are reasonable accommodations allowed only under the Fair Housing Act, employees may not bring Service Animals in Training to work.
Emotional Support Animals (ESAs)

WCU welcomes the presence of approved ESAs as a reasonable accommodation for individuals with disabilities who reside in WCU housing, including live-in professional staff. Unlike a Service Animal, an ESA is not automatically granted access to places of public accommodation, including areas where residents normally are permitted to go.

In other words, ESAs are not allowed in any other controlled spaces without advance permission. Because emotional support animals are not required to perform a specific task for a student and do not need to be with the student at all times, they are only permitted in the student’s residence. For live-in professional staff, this means an ESA is only permitted in their residential space - not their work space. As such they are considered a housing-based accommodation and requests for emotional support animals are handled as any other request for housing-based accommodation. Students whose requests are approved will be permitted to have one ESA in Residence.

Before requesting an ESA in Residence, the student must have accepted a housing contract to WCU campus housing. These steps should be followed to request an ESA:

1. Student requesting an ESA should complete the student section of the OSSD Request for Emotional Support Animal in WCU Housing form and provide it to the OSSD.
2. A qualified third-party (e.g., psychiatrist, psychologist, or clinical licensed social worker) who is providing treatment to the student should complete the healthcare provider section of the form. Only the information requested on the form should be provided and it must be from a professional provider who is personally treating the student.
3. The qualified third-party who completed the healthcare provider section of this form should submit the completed form to the Office of Services for Students with Disabilities via fax or mail.

4. Upon receipt of the completed form, the OSSD will contact the student to advise how the student should schedule an intake appointment with the OSSD.

The information completed on the form will be reviewed to determine:

1. That the student is a person with a documented disability;
2. The ESA being requested is necessary to afford the student, as a person with a disability, an equal opportunity to use and enjoy the on-campus housing facilities; and
3. That there is an identifiable relationship between the disability and the support that the ESA provides.

The student will be informed of the final determination by email following submission of professional verification and completion of an intake meeting in the OSSD. The OSSD may require the student to provide additional medical information before approval.

An approved ESA for an individual who lives in WCU housing is permitted within the individual’s privately assigned living accommodations only. The individual must complete and submit an Emotional Support Animal in Residence Agreement to the OSSD. In addition to the restrictions outlined for pets on campus below, the following must be observed:

- The handler must comply with all state laws and local animal ordinances, as well as all West Chester University Policies and guidelines.
- The handler must comply with all required state and municipal license requirements, including current identification and vaccination tags. Dogs and
cats must wear a current rabies vaccination tag. All animals must be tagged with contact information for the owner, if possible.

- The handler must provide appropriate food, water, and shelter for the animal.
- The animal cannot be cared for or left in the unit of other on-campus residents.
- The handler is solely responsible for the care, supervision, and cleanup of the animal, with assistance of others as necessary.
- The handler is responsible for routine maintenance of the animal, which includes flea and tick prevention. Recommended vaccinations and annual examinations must be completed. The Office of Residence Life and Housing has the right to request updated veterinary verification annually, or at any time during the animal’s residency.
- The handler is responsible for instructing others on appropriate interactions with the animal and setting clear and respectful expectations.
- The handler is responsible for excessive noise or behavior that is disruptive to others and which they cannot stop.
- The handler cannot leave the animal unattended overnight or for an extended period of time beyond normal working/class hours.
- The handler certifies that the animal is housebroken or will be crated when not present in the unit. The handler is responsible for sanitary clean-up measures.
- The handler is responsible for properly containing and disposing of all animal waste. Outdoor waste, such as feces, must be immediately retrieved and properly disposed of in an outdoor trash receptacle.
- The handler is responsible for effectively controlling the animal at all times. If the handler is unable to effectively control the animal, or if the animal poses a direct threat to the health or safety of others, the permission to keep the animal will be rescinded until such a time that the problem is rectified.
- The handler will not allow the animal to be neglected or abused.
- The handler will not allow the animal to produce or raise offspring while on campus.
The handler will bear sole financial responsibility for any action of the animal that causes bodily injury to individuals.

The handler will bear sole financial responsibility for the actions of the animal including damage that requires replacement of furniture, carpets, blinds, etc. The handler is expected to cover all costs of returning the unit to the same condition it was in at move-in. This may include cleaning all carpets and furniture to remove pet odors, dander, hair, etc. This applies to all areas of the unit, common areas, outdoor landscaping, and other outside improvements. If items cannot be satisfactorily repaired, the handler will be charged for the complete replacement.

The handler understands permission may be rescinded if the animal poses a direct threat to the health or safety of others or would cause substantial physical damage to the property of others, that cannot be reduced or eliminated by another reasonable accommodation.

An ESA outside the private individual living accommodations must be in an animal carrier or controlled by a leash or harness. ESAs are permitted to be in outdoor public areas to the same extent as pets.

The University reserves the right to reassign the student to a space to accommodate the ESA, if there is a potential impact on roommate(s). This move will only accommodate the student and not the roommate(s).

_Students living in USH/Affiliated housing should contact the leasing center for USH for information regarding ESAs in residence._

_Emotional Support Animals in the Workplace:_ Because ESAs are reasonable accommodations allowed only under the Fair Housing Act, employees may not bring ESAs to work.
Therapy Animals

Trained therapy animals are allowed on campus only as a part of an approved therapy animal program.

Pets

Pets generally are not permitted in or on any controlled space on University property and are permitted only in outdoor areas open to the general public. The University permits pets in public spaces provided that the owner:

- Follows local and state laws related to animal control.
- Does not allow the animal to enter controlled spaces.
- Assumes full responsibility for any damage or injury caused by the animal.
- Controls and properly supervises the animal at all times (e.g., animals must be restrained by a leash or other appropriate device that does not exceed 6 feet in length or other device which allows the owner to maintain control of the animal; not tether the animal to stationery objects; etc.).
- Ensures that animal waste is cleaned up immediately and disposed of properly.
- Follows laws prohibiting abuse, neglect, and cruelty to animals. Any evidence of mistreatment or abuse may result in immediate removal of the animal, discipline for the individual, and/or referral to law enforcement where appropriate.
- Ensures the animal is in good health. If the animal appears visibly ill, the handler may be directed to seek veterinarian services for the animal or be asked to remove the animal from University property.

Pets are not allowed in offices or classrooms. Only fish in aquariums no larger than ten gallons are allowed as follows:
Within employee workspaces, such aquariums are allowed only with the express advance, written authorization of the handler’s manager/supervisor. At any time, a manager may revoke approval for such an aquarium, requiring its immediate removal from the workspace; and

• The handler has responsibility for maintaining the aquarium in a clean and sanitary manner and for any damage caused by the aquarium. Animals other than fish are not allowed in such aquariums.

**Other Animals**

This policy does not apply to animals being used in clinical research settings or certified animals accompanying law enforcement personnel.

**Definitions**

**Controlled Spaces**

Controlled spaces are not public spaces. Controlled spaces are defined as any indoor area or facility owned or controlled by the University, such as classrooms and offices, and any outdoor area owned or controlled by the University with limitations on use or access, such as practice fields, stadiums, tennis courts, and officially reserved or scheduled outdoor events. Areas open to the public, such as streets, lawns, or sidewalks with no limitations or access are not controlled spaces.

**Emotional Support Animal (ESA)**

An ESA is an animal (typically a dog or cat, though this can include other animals) that provides a therapeutic benefit to its owner through companionship. The animal provides emotional support and comfort to individuals with psychiatric disabilities and other mental impairments. The animal is different from a service animal because it is not specifically trained to perform tasks for a person who has emotional disabilities. Under 2018 Pa. ALS 118, ESAs are referred to as “assistance animals”.

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Handler
A handler is the owner or person bringing an animal onto University property.

Pet
For purposes of this policy, a pet is any animal that is not a Service Animal, Service Animal in Training, or ESA.

Public Spaces
Public spaces are indoor and outdoor areas that are open to the general public. Classrooms, residence halls and most employee workspaces are not generally considered public spaces.

Service Animals
Service Animals are defined as animals (dogs and occasionally, miniature horses) that are individually trained to do work or perform tasks for people with disabilities. These tasks can include things like pulling a wheelchair, guiding a person who is visually impaired, or alerting a person who is having seizure. The work or task a Service Animal does must be directly related to the person’s disability. Service dogs may accompany persons with disabilities into places that the public normally goes.

Service Animals in Training
Service Animals in Training are dogs and occasionally, miniature horses, that are being individually trained to perform a specific task(s) for people with disabilities. They have already been puppy trained and can complete everyday tasks not related to a disability, such as sitting, staying, or being housebroken. The Americans with Disabilities Act (ADA) does not apply to Service Animals in Training.

University Property
For purposes of this policy, University property includes all areas owned or controlled by WCU.

WCU Housing
For purposes of this policy, University Housing refers to on-campus housing controlled, managed, and operated by WCU.

University Student Housing (USH)
University Student Housing, LLC (USH), a division of the WCU Foundation, a 501(c)(3) non-profit organization, manages six high-end communities located on the WCU campus.

References
- ADA
- 2018 Pa. ALS 118
- 43 P.S. 953 Pennsylvania law
- Fair Housing Act

Forms referenced in this policy:
- Notification of Service Animal at WCU
- Service Animal in Residence Agreement
- Request for Service Animal in Training in WCU Campus Housing
- Service Animal in Training in Residence Agreement
- Request for Emotional Support Animal in WCU Housing
- Emotional Support Animal in Residence Agreement

Reviewed by: Office for Diversity, Equity and Inclusion

Policy Owner: Chief Diversity and Inclusion Officer

Approved by: John Villella
Vice President of University Affairs and Chief of Staff
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