

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

General Information:

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.

The Americans with Disabilities Act (ADA) provides that persons with disabilities have 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.

Housing Information:

If a student with a Service Animal plans to reside on campus in WCU Traditional Housing, the student must notify the Office of Residence Life and Housing Services of the need of a Service Animal's presence in advance of beginning residence on University property with the animal. This 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. Documentation for on-campus housing should be submitted 30 days before arrival to campus.

Residence Life and Housing Services will ask for the following documents:

- A completed [Service Animal in Residence Agreement](#) form
- Veterinary verification that the service animal is healthy, and its vaccinations are current

- Description of the specific task(s) the Service Animal performs for the student

Additional requirements for *all* animals in WCU housing are listed below.

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

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

General Information:

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.

Service Animals in Training are allowed in public accommodations on campus if they are actively undergoing training and must be accompanied by their handler at all times while in areas of public accommodations.

Service Animals in Training 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). Service Animals in Training must be harnessed, leashed, or tethered, unless these devices interfere with specific training. 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 in Training must meet all state laws and local ordinances regarding vaccinations and proper licensure.
- The handler is responsible for the actions of the Service Animal in Training. 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.

Housing Information:

Service Animals in Training are allowed in WCU campus housing only with prior approval. 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 Residence Life and Housing Services 30 days before occupancy is to commence in on-campus housing.

Residence Life and Housing Services will also ask for the following:

- Veterinary verification that the service animal is healthy, and its vaccinations are current
- Description of the specific task(s) the animal is training to perform
- The recognized authority sponsoring training and student qualification documentation

Students whose 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 to Residence Life and Housing Services.

A Service Animal in Training outside the private individual living accommodations must be in the presence of the trainer/handler and training must be actively occurring. In addition, the handler may be required to provide evidence of the Service Animal in Training's progress toward the specific task to be performed to Housing. 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 Educational Accessibility (OEA) 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. Additional requirements for *all* animals in WCU housing are listed below.

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

Service Animals in Training in the Workplace:

Employees should contact the Office for Diversity, Equity and Inclusion for information on Service Animals in Training in the workplace.

Emotional Support Animals (ESAs)

General Information:

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.

Housing Information:

ESAs are allowed in WCU campus housing only with prior approval.

WCU on-campus housing 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 workspace. ESAs 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. After a student has been assigned housing, they must complete a [Request for Exception](#).

The information gathered by the OEA 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.

An approved ESA for an individual who lives in WCU housing is permitted within the individual's privately assigned living accommodations only.

Once approved by OEA, the individual must submit the following documentation to Residence Life and Housing Services:

- An [Emotional Support Animal in Residence Agreement](#)
- Veterinary verification that the service animal is healthy, and its vaccinations are current

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

Additional requirements for *all* animals in WCU housing are listed below.

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.

Information for all animals in WCU housing

For ALL animals residing on campus in WCU housing, the following must be observed, in addition to the restrictions outlined for pets on campus below:

- 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.

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- 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 that 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 for a particular animal 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.

Misrepresentation

Students who misrepresent a pet as an emotional support animal, a service animal, or a 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. This could also be a violation of Pennsylvania law. As such, students may be referred to the University's Department of Public Safety for investigation as deemed appropriate.

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; or (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. (See 68 P.S. § 405.6).

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 stationary 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”.

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, WCU 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

- 68 P.S. § 405.6
- Fair Housing Act

Forms referenced in this policy:

[Service Animal in Residence Agreement](#)

[Request for Service Animal in Training in WCU Campus Housing](#)

[Service Animal in Training in Residence Agreement](#)

[Emotional Support Animal in Residence Agreement](#)

Reviewed by: Office for Diversity, Equity and Inclusion

Policy Owner: Vice President for Diversity, Equity, & Inclusion and Chief Diversity and Inclusion Officer

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