Information

Use of Emotional Support Animals on Campus

Effective

December 2016

Applicability

This policy applies to the University Community (administration, faculty, staff, and students) and campus visitors.

Administrative Authority

Executive Vice President of Legal, Governance, and Enterprise Risk Management

Responsible Unit

Office of the ADA Coordinator

Grawemeyer Hall, Suite 202

2301 S. Third Street

Louisville, KY 40208

Phone: 502-852-0769

Email: adacoord@louisville.edu

History

This policy replaces and supersedes the previous policy “Use of Service Animals and Emotional Support Animals on Campus” effective November 11, 2026

Revision Date(s): March 24, 2020; July 6, 2022; May 28, 2024; November 11, 2026

Reviewed Date(s): March 24, 2020, July 6, 2022; May 28, 2024; November 11, 2026

Categories

Reason for Policy:

This policy ensures that individuals with qualifying disabilities, who require the use of Emotional Support Animals (ESAs) as a reasonable accommodation, receive the benefit of the therapeutic support they provide.

In accordance with the relevant provisions of the Americans with Disabilities Act (ADA) and/or the Rehabilitation Act of 1973, the University of Louisville (University) is committed to accommodating individuals with disabilities, and may consider the use of an ESA on campus as a reasonable accommodation in allowing the individual full participation and equal access to the University's programs, services, and activities.

Statement:

The University recognizes the importance of ESAs to individuals with disabilities and has established the following policy. The University reserves the right to amend this policy as circumstances require.

Use of Emotional Support Animals

It is the general policy of the University that animals/Pets of any type are prohibited in University Housing. However, the University is committed to providing reasonable accommodations and fulfilling its responsibilities under federal, state, and local laws and regulations, such as the Fair Housing Act in order to ensure the resident has an equal opportunity to use and benefit from University Housing. The University will consider and process requests for reasonable and necessary accommodations for a resident with a qualifying disability to allow an ESA in University Housing. **No ESA may be kept in University Housing at any time prior to the resident receiving approval as a reasonable accommodation pursuant to this policy**. The Disability Resource Center (DRC) processes requests and

determines if an ESA is approved as a reasonable and necessary accommodation. Where feasible, the University will attempt to expedite review of requests where immediate disability-related housing needs are identified. If an ESA request is pending review, the University may consider whether any interim or temporary accommodations are appropriate on a case-by-case basis, consistent with applicable law.

If an unapproved animal is brought into University Housing, the resident will be required to remove the animal immediately, even if the resident has submitted a request for an ESA that is pending review. Bringing an unapproved animal to University Housing is a violation of University Housing policy and the resident may be subject to disciplinary measures.

ESAs may be considered for access to University Housing if they meet appropriate qualifications for use under applicable law. ESAs are generally not permitted in other University facilities such as libraries, classrooms, athletic facilities, labs, student center, medical/dental clinics, etc., or at University-sponsored events. ESAs are generally not permitted in common areas of University Housing outside of the approved residential unit, except as necessary for ingress/egress or as otherwise approved through the interactive process.

ESAs must not be inherently dangerous to others, and must be non-aggressive, under the handler’s control at all times (or well-behaved and/or properly contained when the handler is not present to control the animal, as in the University Housing setting), and housebroken. ESAs that pose a direct threat to the health or safety of others, based on an individualized assessment of the specific animal’s actual conduct, may be denied or removed.

In some circumstances, ESAs may be allowed in residence facilities. The DRC will engage in an interactive process with the resident and University Housing to review requests for ESAs on a case-by-case basis to determine if the applicant has a qualifying disability, if the animal is a reasonable accommodation to afford equal opportunity to use and enjoyment of the dwelling in light of the individual’s disability, and to determine an identifiable relationship between the disability and the assistance the animal provides.

If a resident’s request for an ESA is approved, generally only one (1) animal will be permitted unless there is a documented disability-related need for more than one

animal. The University will individually assess requests for more than one ESA where supported by disability-related need. An accommodation may be determined unreasonable if it presents an undue financial or administrative burden on the University, poses a substantial and direct threat to personal or public safety, or constitutes a fundamental alteration of the nature of the service or program. See Requesting an Emotional Support Animal, pages 2-3. Undue burden determinations will be made on an individualized basis consistent with applicable federal guidance.

Contact Human Resources Business Partners (HRBP) at 502-852-6258 or hrbpsvcs@louisville.edu to ask questions relevant to possible use of an ESA in the employment context pursuant to the Rehabilitation Act or the ADA. Contact the ADA Coordinator at 502-852-0769 to ask questions regarding the University's obligations as to ESAs in other contexts.

Related Information:

Conflicting Disabilities

Some people may have conditions such as allergic reactions to, or phobias of, animals that are substantial enough to qualify as disabilities. The University will consider the needs of both individuals in meeting their obligations to reasonably accommodate all individuals with disabilities and to resolve the problem as efficiently and expeditiously as possible. Students who may need accommodations related to being in proximity to an ESA in classrooms, residence halls, or other areas of campus should contact the DRC. Employees who may need accommodations related to being in proximity to an ESA should contact the HRBP. Visitors who may need accommodations should contact the office of the ADA Coordinator.

Emergency Response

The first priority of emergency responders will be to the health and welfare of individuals. While the University expects that emergency responders may be trained to recognize an ESA and be aware that the animal may be trying to communicate the need for help, responders' priority should be toward the handler. While every effort will be made to rescue any ESA, there may be certain emergency evacuation situations that necessitate leaving the animal behind.

Roommates

Residents with an ESA who may not reside in a single occupancy can generally expect one of the following scenarios:

- For residents who make their need for this accommodation known well in advance, University Housing will give future roommates notice that there will be an animal in the housing unit once room selection occurs. Residents may also reach out to roommates in advance if they are comfortable doing so.
    - University Housing is unable to prevent residents with animals and residents with animal allergies from self-assigning together. If this situation occurs, whoever placed themselves in the room first will be given priority to stay in that room, while the person who was assigned to that room later will work with University Housing on a room change. The same residence hall/room type cannot be guaranteed.
- For residents who make their need for this accommodation known after room selection and/or priority deadlines, University Housing will review whether any of the resident's roommates have previously disclosed an allergy to that type of animal or a related accommodation.
    - If there are no known allergies or accommodations, University Housing will give potential roommates notice that there will be an animal in the housing unit. If a roommate has issues living with the animal, discloses an allergy, or has a related accommodation, University Housing will work to identify another room placement for the roommate, and the roommate will be given priority for a room change. The same residence hall/room type cannot be guaranteed.
    - If a roommate has previously disclosed an allergy or a related accommodation, University Housing will work to identify another room placement for the resident with the animal, and the resident will be given priority for a room change. The same residence hall/room type cannot be guaranteed.

Residents should notify University Housing of their intent to bring an ESA at the time that they apply for housing and before priority deadlines for DRC accommodations in University Housing.

Campus Contacts

Disability Resource Center (DRC), Stevenson Hall, 502-852-6938

University Housing & Resident Experience (UHRE), Stevenson Hall, 502-852-6636

Human Resources Business Partners (HRBP), MITC, Room 02C, 502-852-6258

University of Louisville Police Department (ULPD), Floyd Street Garage, 502-852-6111

Office of the ADA Coordinator, Grawemeyer Hall 202, 502-852-0769

Department of Environmental Health and Safety (DEHS), 1800 Arthur St., 502-852-6670

Related Policies

Code of Student Conduct:

https://louisville.widen.net/s/mhjg6ssmcm/code-of-student-conduct

University Housing Policies and Regulations:

https://louisville.edu/housing/housing-policies/university-housing-and-resident-experience-policies

Other Resources

Louisville Metro Animal Control:

https://louisvilleky.gov/government/animal-services/services/make-service-request-animal-control

Jefferson County Animal Licensing:

https://louisvilleky.gov/government/animal-services/services/license-your-pet

Jefferson County Rabies Control:

https://louisvilleky.gov/government/health-wellness/rabies-control

Definitions:

Service Animal

A Service Animal (SA) is a dog (or in some circumstances, a miniature horse) individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability and meets the definition of “service animal” under the Americans with Disabilities Act (ADA) regulations at 28 CFR 35.104. The work or tasks performed must be directly related to the individual’s disability. See the Use of Service Animals on Campus policy.

Examples 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 purposes of this definition.

Emotional Support Animal

An Emotional Support Animal (ESA) is an animal that provides emotional support to individuals with disabilities which alleviates one or more identified symptoms or effects of the individual’s qualifying disability. Unlike a SA, an ESA is not individually trained to perform specific work or tasks directly related to an individual’s disability. The ESA provides support to alleviate one or more identified symptoms or effects of an individual’s disability. ESAs are not Pets.

Pet

A Pet is an animal kept for ordinary use and companionship. A Pet is not considered a SA or an ESA. Pets are not covered by this policy. University Housing residents are not permitted to keep Pets (with the exception of fish in a ten (10)-gallon tank or smaller) on University property or in University Housing.

University Housing

For the purposes of this document, University Housing is defined as University managed housing facilities/properties.

COMPLAINT INFORMATION

Individuals who believe they have been improperly denied access, had an ESA removed, or were otherwise denied a reasonable accommodation under this policy may seek a review through the University's established ADA complaint procedures.

More information is available here for students who may want to file a formal Student ADA Complaint.

More information is available here for employees who may want to file a formal ADA Complaint through HRBP.

Procedures:

Requesting an Emotional Support Animal

To provide the most efficient service to residents, the DRC recommends that requests for an ESA in University Housing be made as soon as practicable. To request an ESA, see the "student request for an ESA in Housing" section in this policy.

The University will accept and consider requests for an ESA as reasonable accommodations in University Housing at any time. However, if the request for accommodations is made after the priority deadline, the University cannot guarantee that it will be able to meet the individual's accommodation needs during the first semester of occupancy. The University will make good-faith efforts to implement approved accommodations in a timely manner regardless of submission date, where feasible. The priority deadlines for DRC accommodations in University Housing are:

- Fall Semester June 1
- Spring Semester November 1
- Summer Term April 1

It is a violation of this policy and state law, KRS 383.085, to misrepresent the use of an assistance animal, referred to an ESA within this policy.

Student Request for an Emotional Support Animal in Housing

The student should submit a Housing Accommodation Request Form, indicate "Emotional Support Animal" as the requested accommodation, and provide by attaching appropriate documentation to the DRC at the time of application to University Housing. While the University will not require disclosure of diagnosis details beyond what is necessary to evaluate the accommodation request, the University may request reliable documentation when the disability and/or disability-related need for the ESA is not readily apparent. Disability-related information obtained through the accommodation process will be maintained confidentially and shared only with University officials who have a legitimate educational or operational need to know. More information is available about the Housing Accommodation Procedure and Emotional Support Animal Documentation.

Please note the KRS 383.085 states "A person commits the offense of misrepresentation of an assistance animal if the person knowingly: (a) Misrepresents as a part of a request for a reasonable accommodation to maintain an assistance animal in a dwelling that the person has a disability or disability-related need for the use of an assistance animal; (b) Makes materially false statements for the purpose of obtaining documentation for the use of an assistance animal in housing; (c) Provides a document to another falsely stating that an animal is an assistance animal for use in housing; (d) Fits an animal, which is not an assistance animal, with a harness, collar, vest, or sign that the Pet is an assistance animal for use in housing; (e) Engages in fraud, deceit, or dishonesty in providing documentation to a person as a part of a request for the use of an assistance animal in housing; or (f) Provides documentation as a part of a request for an assistance animal in housing to a person for the primary purpose of obtaining a fee. (7) Misrepresentation of an assistance animal is a violation with a fine of up to one thousand dollars ($1,000)."

Employee Request for an Emotional Support Animal Work Accommodation

Contact HRBP at 502-852-6258 or hrbpsvcs@louisville.edu to ask questions relevant to possible use of an ESA in the employment context pursuant to the Rehabilitation Act or the ADA.

Emotional Support Animal Control Requirements

- The ESA shall be under the control of its handler and shall have a harness, leash, or other tether every time it is taken outside of the room for exercise or

natural relief.
- The ESA must be housebroken. Animals should be of an appropriate age and condition consistent with reliable housebreaking and safe residential living. These determinations will be made on a case-by-case basis.
- The ESA should be non-disruptive to other individuals in the living environment. To the extent possible, the handler should ensure that the ESA does not sniff, jump on, or otherwise interfere with people or the personal belongings of others.

Responsibilities of Handlers

- An ESA is not exempt from local animal control and public health requirements.
- Handlers are responsible for ensuring their ESA is vaccinated in accordance with the requirements of Jefferson County.
- Handlers are responsible for providing proof of relevant vaccinations (including rabies) and a current color photo of their ESA for identification and emergency response purposes prior to the start of their University Housing License Agreement and before the ESA is brought into University Housing.
- Continued ESA approval is subject to ongoing re-verification requirements. If a resident continues to live in University Housing in a subsequent academic year, current vaccination records for the ESA must be provided prior to the start of their next University Housing License Agreement, regardless of the first semester a resident was approved to have an ESA in University Housing.
- ESAs are subject to local licensing and registration requirements. Handlers are responsible for registering and licensing their ESAs in accordance with requirements of Jefferson County.
- Handlers must take appropriate precautions to prevent property damage or injury caused by their ESA and are responsible for any damage or injuries caused by their ESA.
- The cost of care, arrangements, and responsibilities for the well-being of an ESA are the sole responsibility of the handler at all times. It is the handler’s responsibility to arrange for the care of their ESA in the event of an emergency. If no emergency arrangements are in place, Louisville Metro Animal Services may be called to respond in an emergency related to the animal. Any cost incurred to respond to the ESA is the sole responsibility of the handler.

- Handlers are responsible for identifying an emergency contact who can collect the ESA from campus within a 12-hour period if the animal is removed from the dwelling and/or the handler is not present and the animal is left unattended.
- If the handler's emergency contact cannot/will not pick up the ESA, the ESA will be removed to a local boarding facility and boarded at the handler's expense.

Waste Cleanup

Cleaning up after the ESA is the sole responsibility of the handler. In the event that the handler is not physically able to clean up after the ESA, it is then the responsibility of the handler to hire someone capable of cleaning up after the ESA. The person cleaning up after the ESA should abide by the following guidelines:

- Always carry equipment sufficient to clean up the ESA's waste whenever the ESA is on campus.
- Properly dispose of waste and/or litter in appropriate containers.
- Contact staff if arrangements are needed to assist with cleanup. Any cost incurred for doing so is the sole responsibility of the handler.
- Residents must maintain cleanliness standards per University of Louisville Code of Student Conduct University Housing Policies and Regulations.

Removal of Emotional Support Animals

ESAs may be ordered to be removed for the following reasons:

- The ESA's behavior substantially interferes with the residential environment and the handler does not take prompt and effective corrective action.
- The ESA is not housebroken.
- The ESA is found to be neglected or mistreated and prompt corrective action is not taken.
- The ESA is physically ill.
- The ESA's condition creates sanitation concerns that materially affect health, safety, or habitability.
- The ESA is a substantial and direct threat to the health and safety of individuals.
- The handler/individual fails to abide by all applicable University policies, procedures, and/or applicable laws and regulations related to ESAs.

In such cases, University Housing in collaboration with the Dean of Students Office, the ULPD, and others as appropriate, may review the situation to determine if removal of the ESA is warranted. Removal determinations will include individualized assessment and, where feasible, notice and opportunity for the handler to respond prior to final action, except in exigent safety circumstances.

Where an ESA is properly removed pursuant to this policy, the University will work with the handler to determine reasonable alternative opportunities to participate in the service, program, or activity.

Policy Compliance

Individuals who have violated the requirements of this policy, including misrepresentation of an ESA will be subject to disciplinary action in accordance with applicable University policies, including the University Code of Student Conduct and University Housing and Residence Life policies. Allegations of misrepresentation will be reviewed consistent with applicable due process standards and relevant University procedures prior to final determination.

Forms/Online Processes:

Housing Accommodation Request Form

https://louisville.edu/disability/forms/housing-accommodation