SEC-044

Use and Access of Service Animals, Service Dogs in Training, and Emotional Support Animals on University Property or with Respect to University Programs and Activities

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President of the University

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Reason for Policy

The University is committed to equal access for individuals with disabilities in compliance with the Americans with Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973 (Section 504), as well as other applicable federal and state laws and the University's Preventing and Addressing Discrimination and Harassment Policy.

The University has established requirements applicable to Service Animals, Service Dogs in Training, and Emotional Support Animals at the University of Virginia. These requirements provide consistency in the use and access of service animals, including those in training, and emotional support animals on University property, and with respect to all University programs and activities in the Academic Division.[1]

[1]These requirements do not apply to the Medical Center, which has its own policies that are referenced later in Related Information.

Definition of Terms

Emotional Support Animals (ESA)

Description

An animal that provides comfort, and emotional or other support to ameliorate one or more identified symptoms or effects of an individual's disability. An ESA does not qualify as a service animal under the ADA, and an ESA is not required to be trained to perform work or tasks.
(Note: ESAs also are commonly referred to as companion or assistance animals.)

Service Animals

Description

Under the Americans with Disabilities Act (ADA), a service animal is a dog that is individually trained to do work or perform tasks for an individual with a disability. The work or tasks performed by the service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to:

- Assisting individuals who are blind or have low vision with navigation and other tasks.
- Alerting individuals who are D/deaf or hard of hearing to the presence of people or sounds.
- Pulling a wheelchair.
- Assisting an individual during a seizure or change in blood sugar.
- 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-related disabilities.

[Note: See Title II of the Americans with Disabilities Act of 1990, as amended, 28 Code of Federal Regulations (CFR) Section 35.104. See also ada.gov for more information on service animals at Frequently Asked Questions About Service Animals and the ADA.]

University Property

Description

Land or buildings that the University owns or leases and that is under the control of the Board of Visitors. University property also includes premises the University uses for activities of its offices, departments, personnel, or students.

Policy Statement

Schools, units, and departments within the Academic Division must adhere to the following requirements:

1. **Service Animals:**
   Service animals are not pets. In addition, under the ADA, service animals are not required to wear a vest, ID tag, or specific harness.

If there is a reason to question whether a dog is a service animal, University personnel may ask only the following two specific questions:

1. Is the dog a service animal required because of a disability?
2. What work or task has the dog been trained to perform?

An individual's failure to answer the above questions may result in exclusion of the animal.

University personnel may not ask questions about the nature of the individual's disability;[1] require proof that the animal has been certified, trained, or licensed as a service animal; or require that the service animal demonstrate the task it performs.

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[1]The ADA also contains a provision that requires the University to modify policies to permit miniature horses individually trained to do work or perform tasks for individuals with disabilities where it is reasonable to do so. Four factors are assessed in determining whether miniature horses can be accommodated in a facility: 1) whether the miniature horse is housebroken; 2) whether the miniature horse is under the handler's control; 3) whether the facility can accommodate the miniature horse's type, size, and weight; and 4) whether the miniature horse's presence will compromise legitimate safety requirements necessary for safe operation of the facility.

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2. **Service Animal Access:**
Generally, individuals with disabilities are permitted to be accompanied by their service animals in all areas of the University where members of the public, participants in services, programs, or activities, or invitees are permitted to go.

While an individual with a disability is not required to request permission to bring a service animal, including a service dog in training, on University property where the public is permitted to go, an employee who wishes to use a service animal as a reasonable accommodation in the workplace must follow the Procedures for Employees with Disabilities to Request Workplace Accommodations.

3. **Handler Responsibilities for Service Animals:**
A "handler" is the individual responsible for the care, supervision, and behavior of a service animal. Care and supervision include toileting, feeding, grooming, and veterinary care. University officials are not required to supervise or otherwise care for a service animal.

The handler is also responsible for keeping the service animal under control. The service animal must be harnessed, leashed, or tethered unless these devices cannot be used because they would 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.

4. **Removal of Service Animals:**
University officials may ask an individual with a disability to remove a service animal from public areas under two circumstances:

1. The dog is out of control, and the handler does not take effective action to control it.
2. The dog is not housebroken.

The ADA does not define "out of control." Examples of behavior that would qualify as "out of control" include behavior by a service animal that poses a threat to the health or safety of others or disrupts or

interferes with University programs or activities (e.g., aggressive behavior such as lunging or biting toward other University community members). This determination, however, may not be made based on assumptions about the breed of dog or based on past experience with other animals. Further, a service animal may be removed if allowing it to remain would fundamentally alter the nature of the program or service. University personnel will make an individualized assessment when determining whether it is appropriate to remove a service animal from public areas.

"House broken," as generally defined, means that the service animal has been trained to avoid excreting in inappropriate places.

If an individual with a disability is asked to remove a service animal, the individual must be given the opportunity to continue to remain on University property or to enjoy the University programs and activities without the service animal present.

5. **Service Dogs in Training:**
A "service dog in training" is not a service animal under the ADA. However, Virginia state law[2] requires that individuals with disabilities, including those with vision, hearing, and/or mobility impairments, as well as other individuals involved in training as specified below, have the right to be accompanied by service dogs in training in places where the public is normally permitted or invited provided the dog is at least six months of age and at least one of the following criteria is met:

    1. In harness, provided (the individual) is an experienced trainer of guide dogs or is conducting continuing training of a guide dog.
    2. On a blaze orange leash, provided (the individual) is an experienced trainer of hearing dogs or is conducting ongoing training of a hearing dog.
    3. In a harness, backpack, or vest identifying the dog as a trained service dog, provided (the individual) is an experienced trainer of service dogs or is conducting continuing training of a service dog.
    4. (the individual) Is wearing a jacket identifying the recognized guide, hearing, or service dog organization, provided (the individual) is an experienced trainer of the organization identified in the jacket.
    5. (the individual) Is part of a three-unit service dog team and is conducting continuing training of a service dog.

    A three-unit service dog team consists of a trained service dog, individual with a disability, and an adult trained to handle the service dog. The service dog in training and its handler must meet all standards of behavior required of a trained service animal and its handler.

    Service dogs in training are not permitted to reside in University housing unless the student or employee can provide documentation that they have been certified as a trainer by a reputable service dog organization.

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    [2]Code of Virginia, Section 51.5-44 (E).

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6. **Emotional Support Animals:**
Unlike service animals, ESAs are not permitted to accompany individuals with disabilities in public areas of the University, such as classrooms, labs, and offices unless permitted for an employee with a disability

as a reasonable accommodation in the workplace.

As with a service animal, any employee who wishes to be accompanied in the workplace by an emotional support animal as a reasonable accommodation must follow the Procedures for Employees with Disabilities to Request Workplace Accommodations.

ESAs are permitted to reside in University housing in circumstances where such an accommodation is determined necessary to provide the individual with a disability with an equal opportunity to use and enjoy University housing, as required under the federal Fair Housing Act and Section 504.[3] (See additional information for requesting permission below in the section titled, University Housing.)

Pursuant to the Guidelines, ESAs permitted in University housing typically will be limited to cats and dogs that are at least four months of age. Pets are not ESAs. Animals that carry infectious diseases (zoonosis), such as reptiles and amphibians, will not be permitted in University housing.

As with service animals, ESAs may be removed from University housing if they pose a threat to the health and safety of others or interfere with University programs or activities. University personnel will make an individualized assessment to determine whether it is appropriate to remove the ESA from University housing.

The individual with a disability residing in University housing who has an ESA has the same responsibilities as those listed above for handlers of service animals, plus other reasonable requirements that must be met unique to University housing, as set forth below.

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[3]See Title VIII of the Civil Rights Act of 1968, and Housing and Urban Development's implementing Section 504 regulation at 24 CFR Parts 8-9.

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7. **Housing:**
Students who seek to have a service animal or an ESA reside with them in University student housing must contact the University's Student Disability Access Center (SDAC) at (434) 243-5180 or sdac@virginia.edu to request that the service animal or ESA live in housing as a reasonable accommodation. Students requesting an ESA must submit appropriate documentation (as determined by SDAC guidelines) and engage in the interactive process prior to the animal residing with them in University student housing. (For more information about the student accommodation process, see SDAC's website, Accommodations & Services.) Service animals and ESAs are permitted to reside in student housing only after approval from SDAC; SDAC will coordinate with Housing and Residence Life in reviewing housing-related accommodation requests.

Non-student residents on the housing agreement who seek to have an ESA reside with them in University housing must contact the University's ADA Coordinator at (434) 924-3295 or at ADACoordinator@virginia.edu. Service animals and ESAs are permitted to reside in University housing only after approval from the ADA Coordinator, who will consult with Housing and Residence Life in reviewing all such requests.

- For ESAs, individuals will be required to provide documentation from a qualified healthcare professional to confirm that the individual has a disability as defined by the ADA, and that there is a direct connection between the disability and the requested accommodation for an ESA.

- For service animals, any inquiry related to a housing accommodation request from students and employees must be limited only to the two questions listed above in the Guidelines.

ESAs and service animals approved to reside in University housing must comply with the requirements set forth below; failure to meet these requirements may result in removal of the service animal or ESA from housing, although the individual with a disability will be permitted to remain. Documentation of the requirements below must be submitted on an annual basis to the Student Disabilities Access Center (for students) and to the ADA Coordinator (for all non-student residents):

a. Current vaccination records.
b. Proof of flea and tick prevention measures.
c. Designated emergency contacts for alternative care providers should the student or employee experience an emergency which impacts their ability to care for the animal, such as hospitalization or extended absences from the residence.

The individual with a disability will be responsible for expenses incurred by the University for any clean-up or disposal of animal waste and replacement or repair of any damage to University or individual property caused by the service animal or ESA. This individual also has the same responsibilities as listed above for handlers of service animals.

8. **Student Health Center Patients and Visitors:**
Consistent with the ADA and the Centers for Disease Control (CDC) guidance, Student Health and Wellness generally permits service animals to accompany individuals with disabilities in all areas of the facility where the public is normally allowed to go. However, service animals may be excluded from limited-access areas that employ general infection control measures where the animal's presence may compromise patient health or safety. Service animals shall also be excluded from food and medication preparation areas.

9. **Compliance with Policy:**
Failure to comply with the requirements of this policy may result in removal of the animal from University Property or the University program/activity, and/or administrative and/or disciplinary action up to and including employee termination and student expulsion in accordance with relevant University policies.

Direct questions about this policy to the ADA Coordinator in UVA's Office for Equal Opportunity and Civil Rights.

Procedures

Procedures for Employees with Disabilities to Request Workplace Accommodations

Related Information

University ADA Coordinator (for faculty, staff, students, and visitors)
(434) 924-3295
adacoordinator@virginia.edu

University Student Disability Access Center (SDAC) (for students)
(434) 243-5180
sdac@virginia.edu

University Housing and Residence Life (for students)
(434) 924-3736
housing@virginia.edu

University Human Resources (for faculty/staff)
(434) 982-0123
askhr@virginia.edu

Medical Center Policy Service Animals and Animal-Assisted Interventions and Pet Visitation[1]

[1] For purposes of Medical Center policies 0338 and 0246, Medical Center facilities include the University Hospital and all other buildings that the Medical Center owns or leases, such as facilities used for administrative, clinical, or lab activities.

Major Category Safety, Security and Environmental Quality

Next Scheduled Review Monday, September 28, 2026

Revision History
Edited Section 5 1/30/26; Updated Section 6 9/28/23; Deleted Footnote #4 6/25/21.

Category Cross Reference
Human Resource Management

Approved By Policy Review Committee

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