

Therapy and Companion Animal Accommodation Procedures

Montana State University is committed to full and equitable access to its programs, services and facilities by people with disabilities, including those who require the assistance of therapy or companion animals. MSU is also mindful of the health and safety concerns of the campus community. The intent of this policy is to institute procedures by which the prescribed use of therapy and companion animals can reasonably be accommodated and provide requirements of the user/owner of a therapy and companion animal. This policy **does not** apply to service animals and service animals in training. MSU complies with federal and state laws pertaining to service animals and service animals in training.

MSU enforces a no-pet policy in all campus entities. However, MSU will consider requests for accommodations for therapy and companion animals.

MSU also reserves the right to enforce all relevant rules for the use of therapy and companion animals through the student conduct code, MSU Policies & Procedures, and applicable laws. MSU reserves the right to revoke permission granted for the campus presence of any therapy or companion animal whose owner fails to follow the requirements set forth in this procedure.

State and federal laws have no specific provisions for people to be accompanied by therapy and companion animals in places of public accommodations that have a no-pet policy. Requests for therapy and companion animals in MSU housing and campus facilities will be reviewed on a case-by-case basis and documentation must accompany the request or it will be denied.

Definitions:

Service Animals and Service Animals in Training

A "service animal" is a dog or other animal individually trained to provide assistance to an individual with a disability. (§49-4-203(2), MCA) Service animals include, but are not limited to, guide dogs for the blind, hearing dogs for the deaf/hard of hearing, and service animals for people with physical disabilities and seizure disorders. Service animals/service dogs are not considered "pets" and are explicitly permitted under state and federal civil rights laws. (See Montana Code Annotated, Title 49 Human Rights: § 49-4-214, MCA. *Right To Be Accompanied By Service Animal—Identification For Service Animals In Training.*) The University may require documentation that an animal used in campus facilities, or any MSU housing facilities, is a service animal that falls under the protections of federal and state laws. Service animals in training must be appropriately marked. See § 49-4-214(4), MCA.

Therapy Animals

A “therapy animal” is an animal owned by a therapist and selected to play an integral part of a person’s treatment process that demonstrates a good temperament and reliable, predictable behavior. A therapy animal is prescribed to an individual with a disability by a healthcare or mental health professional. A therapy animal is not a service animal, and unlike a service animal, a therapy animal does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times.

Companion Animals

A “companion animal” is a pet that is owned by an individual with a disability. A companion animal is not a service animal and unlike service animals, in some cases, companion animals will not need to accompany the individual with the disability at all times.

Requirements of Animals and User/Owners

Individuals with disabilities using therapy or companion animals are responsible for their animals at all times and must comply with the following requirements: (**Please note:** Failure to follow these requirements may result in the withdrawal of the accommodation).

- The user/owner must have completed the requirements outlined in this procedure.
- The user/owner must register the therapy or companion animal by completing the Animal Registration form included in these procedures.
- The user/owner must acknowledge and sign the User/Owner Statement for Therapy and Companion Animals included in these procedures.
- The animal must wear a leash, collar, cape, harness, backpack or other appropriate visible identification that identifies in writing that the animal is a therapy or companion animal.
- The user/owner of the animal must be in full control of the animal at all times.
- The user/owner must ensure that animals are on a leash at all times. The user/owner must take responsibility for the behavior of the animal in private and public places, and for due care and diligence in the use of the animal on campus.
- The animal must be accompanied by the user/owner at all times while in MSU facilities.
- The user/owner is responsible for any property damage caused by the animal.
- The user/owner must clean up after the animal, including the sanitary disposal of animal wastes.
- Use of the animal shall not constitute a direct threat to the health and safety of others.
- The user/owner must ensure that animals are licensed in accordance with City and County regulations and wear a valid vaccination tag.
- The user/owner is responsible for the health of the animal and must provide verification from a qualified veterinarian that all vaccinations appropriate for that type of animal are current.

- If an owner/user obtains a new/different therapy or companion animal to be used under the provisions of this procedure the new/different therapy or companion animal must be registered and approved. A new MSU owner identification card will be created.

Approval Process

Students

Disability Services for Students (DSS) serves as the campus authority for the approval for students or their family members requesting a therapy or companion animal in any MSU facility. Students planning to bring a therapy or companion animal to any MSU housing facility must notify the Residence Life Office, and comply with this procedure. DSS will gather and assess evidence as necessary from the diagnostician/therapist that the therapy or companion animal is necessary as a reasonable program modification. Requests that lack evidence of the animal's necessity to the student may be denied by DSS.

Employees

Affirmative Action (AA) serves as the campus authority for the approval of companion animals and therapy animals for employees in any MSU facility. A request must be made to AA by the employee using the Reasonable Accommodation Request form. AA will evaluate the request using documentation of disability from the employee and appropriate medical provider to determine if the animal is a reasonable accommodation. The employee will also be required to complete the "Animal Registration Form" and "User/Owner Statement."

Campus Visitors

MSU campus visitors who require the assistance of a therapy or companion animal inside a campus facility must complete the "Animal Registration Form" and "User/Owner Statement" to be approved by the person responsible for the venue. Please visit the following:

<http://www.montana.edu/accessibility/>

Exclusion of Therapy and Companion Animals

- A therapy or companion animal may be excluded from a facility, including a classroom, if that animal poses a direct threat to the health and safety of others, or conflicts with a service animal.
- A therapy or companion animal may be excluded from a facility, including a classroom, if that animal's behavior, such as barking or displaying aggressive behavior, is disruptive to the other participants within the facility.
- A therapy or companion animal will be excluded from a facility where the animal is prohibited due to safety or health restrictions, where the animal may be in danger, or where the animal's use will compromise the integrity of research or other program.

Conflicts over the use of therapy and companion animals

The use of, companion or therapy animals may negatively affect others with allergies, respiratory impairments and other relevant disabling conditions. Conflict resolution will be managed by Disability Services for Students and Office of Affirmative Action for students, employees, and visitors respectively. Evidence of disability and its impact may be required of those negatively affected by the use of the animals by these authorities. For information about the grievance procedure please reference the Discrimination Grievance Procedure at http://www.montana.edu/wwwres/disability/a_discrgriev.shtml

ANIMAL REGISTRATION FORM FOR THERAPY AND COMPANION ANIMALS

ANIMAL USER/OWNER'S NAME: _____

Phone number: (____) _____ - _____

Address: _____

City: _____ State: _____ Zip: _____

Animal's Name: _____

Dog breed: _____ Color: _____

If animal is registered (e.g. TDI, TD Inc., Delta-Society-Pet Partners, etc.) please list registering organization and number: _____

To all visiting, therapy and companion animal user/owners:

Please read and sign the owner statement. If you're visiting, therapy or companion animals fail to conform to all standards listed in the statement; may not be allowed in a Montana State University facility. We appreciate your cooperation.

I have read the above policy and owner statement:

_____ Signature

_____ Print name

_____ Date