

## **Service, Therapy, and Companion Animals**

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Montana State University enforces a no-pets policy in its residence halls and University-owned housing. Exceptions are always made for service animals, which are provided for in Montana law, and under certain conditions for therapy and companion animals, which are not identified in state or federal civil rights laws.

Disability Services for Students (DSS) serves as the campus authority for the approval for students or their family members to house service, therapy, or companion animals. Students planning to bring a service, therapy or companion animal to any MSU housing facility should notify the Residence Life office and/or Family & Graduate Housing and DSS well in advance to moving, and comply with any local, state, or federal requirements for service animals, or in the case of therapy or companion animals, with this policy.

Individuals with disabilities using service, therapy, or companion animals are responsible for their animals at all times. Use of the animal may not constitute a direct threat to the health and safety of others. The owner is responsible for the health of the animal with verification from a qualified veterinarian or service animal school, for cleaning up after the animal, including the sanitary disposal of animal wastes, for any property damage caused by the animal, 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 marked with identification that informs others that the animal is a service, therapy, or companion animal. MSU reserves the right to enforce all relevant rules for the use of service, therapy, and companion animals through our student conduct code and applicable laws. MSU regards retroactive requests for service, therapy, and companion animals as unreasonable, and therefore may deny such requests.

### **Service Animals**

For service animals used in Residence Halls or Family & Graduate Housing, DSS may require documentation that the animal is indeed a service animal that falls under the protections of federal and state laws. Service animals are animals that are specifically trained to perform a service for people with disabilities. Service animals include dog guides 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 covered under state and federal civil rights laws. See Montana Code Annotated, Title 49 Human Rights:

**[MCA 49-4-214. Right to be accompanied by service animal -- identification for service animals in training.](#)**

### **Therapy Animals**

For therapy or companion animals, DSS requires written clinical support for the use of these animals. Therapy animals are animals owned by a therapist who use the animal as a component of therapy for a person with a disability.

### **Companion Animals**

Companion animals are essentially pets that are necessary for the participation in MSU programs by the person with a disability. "Necessary" means that DSS can verify that the person with a disability may experience discrimination based solely on disability if the animal is not permitted to live with the student in MSU housing facilities, including residence halls or its off-campus apartments.

State and federal laws have no specific provisions for people to be accompanied by therapy and companion animals in places of public accommodation that have "no pets" policies. Therefore, requests for therapy and companion animals in MSU housing fall under the process of reasonable accommodation, as outlined previously in DSS policies. DSS will gather proof from the student and the student's diagnostician/therapist that the therapy or companion animal is necessary to avoid discrimination. Requests that do not carry this evidence that the animal is necessary will be denied by DSS, and MSU will enforce its "No Pets" policy.