

# **University Policy on Service Animals, Emotional Support Animals, and Service Animals in Training**



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## 1.0 Purpose

The purpose of this policy is to establish guidelines for the presence and use of Service Animals, Emotional Support Animals (ESAs), and Service Animals in Training (SAITs) on university premises. This policy ensures compliance with the Americans with Disabilities Act (ADA), the Fair Housing Act (FHA), and applicable New Hampshire state laws, while fostering an inclusive and supportive campus environment.

A violation of this policy may result in the animal being banned from university premises, other potential actions and/or remedies as deemed appropriate, and referral of the Owner/Handler/Trainer for action by the appropriate university official or department.

## 1.1 Scope and Application

This policy applies to all employees and students. This policy also applies to third parties such as guests, visitors, volunteers, invitees, and alumni when they are on campus or participating in University-sponsored activities.

The [Civil Rights and Equity Office](#) (CREO) is responsible for the oversight, implementation, and interpretation of this policy.

## 1.2 Terms and Definitions

**1.2.1 Service Animals** – Any dog\* that is 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. Other species of animals, whether wild or domestic, trained or untrained, may not be considered service animals at UNH. The work or tasks performed by a 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 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
- 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.

\* Under particular circumstances set forth in the ADA regulations (28 CFR 35.136(i)), a miniature horse also may qualify as a Service Animal.

**1.2.2 Service Animals in Training (SAIT)** – A dog that is actively being trained to become a Service Animal. The dog is being trained to perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. SAITs are required to be given the same degree of access to which a Handler assisted by a Service Animal is given. A puppy being raised or socialized is not the equivalent of an adult dog engaged in the actual training process of a service animal. UNH retains the discretion to assess whether an animal qualifies as a service animal in training (SAIT) based on a variety of factors, including the animal's age, behavior, and stage of training. Basic obedience or socialization alone does not meet the threshold for recognition as a SAIT.

**1.2.3 Service Animal Trainer** – Any person who is employed to train dogs for or volunteers to raise dogs for a provider of service animals for persons with disabilities, or an individual trainer who helps a person with disabilities train their own service animal, or an individual trainer who tests an animal. A person with a disability has the right to train the dog themselves.

**1.2.4 Owner/Handler** – A person with a disability who uses a service or emotional support animal. This individual is responsible for the care, control, and supervision of their animal. This includes ensuring the animal is well-behaved, properly trained, and compliant with university policies or applicable regulations.

**1.2.5 Emotional Support Animals (ESA)** – Animals that provide emotional support which alleviates one or more identified symptoms or effects of an individual's disability. Appropriate documentation is required to establish that the ESA is needed for the student to use and enjoy university housing and fully engage as a student at UNH.

Unlike a service animal, an Emotional Support Animal does not perform a task for a person with a disability relating to activities of daily living or accompany that person at all times. As a result, ESAs approved for the residential setting are not permitted in other buildings and are subject to restriction from any area with a no-pet policy. Waiver of a No Pet Policy to allow for an ESA may be a reasonable accommodation in some circumstances.

Animals other than cats and dogs will be considered on an individual assessment that relies on objective evidence about the specific animal's appropriateness and conduct. Generally speaking, non-domestic animals will not be allowed. The evaluation will be based on the type of animal, with primary attention given towards whether the animal would pose a threat to the health and safety of others, would cause substantial physical damage to the property of others, would pose an undue financial and administrative burden, or would fundamentally alter the nature of the university's operations.

**1.2.6 Out of Control Animal** – An animal is considered out of control if it exhibits behavior that disrupts the campus environment, poses safety risks, or fails to respond to handler commands. This includes persistent noise (such as barking or growling), aggressive or unpredictable actions (such as lunging or biting) that endanger individuals or property, destructive behavior that causes damage, or inability to remain calm and appropriately socialized in public settings. Such actions may interfere with classroom learning, campus activities, or university operations, making it

unsuitable for the expectations of service animals, emotional support animals, or service animals in training.

**1.2.7 University Premises** – All land, buildings, facilities, and other property in the possession of or owned, used, or controlled by UNH, including adjacent streets and sidewalks.

## **2.0 Campus Access**

### **2.1 Service Animal and Service Animal in Training Access**

Service Animals must be allowed to accompany Owners/Handlers in all university premises, subject to the restrictions outlined in section 2.3 of this policy. Service Animals can typically be identified by a vest, but it is not required.

When it is not obvious what service an animal provides, only limited inquiries are allowed. Employees may ask two questions:

- 1) Is the dog a Service Animal required because of a disability? And,
- 2) What work or task has the dog been trained to perform?

Employees cannot ask about the person's disability, require medical documentation, require special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

The University restricts the presence of animals in specific locations. For example, only service animals are permitted in many areas of campus, including on-campus residential buildings, dining facilities, campus recreation facilities, and the Memorial Union Building (MUB).

New Hampshire law requires Trainers accompanying a SAIT to be given the same degree of access as an owner/handler assisted by a service animal, subject to certain identification and other requirements outlined below.

### **2.2 Emotional Support Animal Access**

The only additional access that ESAs have than any other animals at UNH is that they are allowed in a student's assigned University Housing unit after approval has been received from Student Accessibility Services (SAS) and University Housing.

There are circumstances that require employees to live in University Housing. Required documentation of the requisite disability for non-student employees will be handled by the Civil Rights and Equity Office and forwarded to University Housing.

ESAs are restricted to the registered student's unit and are only allowed outside the unit to care for the animal outside of the building or to leave the building with the animal. ESAs are not otherwise permitted inside other University facilities. ESAs of visitors or students not residing in the particular university housing facility visited are not permitted in any University facility.

## **2.3 Restrictions to Access**

UNH may prohibit or otherwise restrict the access of Service Animals and Service Animals in Training in certain UNH facilities due to health or safety restrictions and concerns or where their presence may compromise the integrity of research or otherwise fundamentally alter a program or activity of UNH.

Any such prohibition or other restriction on access to any UNH facility pursuant to this Policy shall be determined in writing using the guidance provided by this Policy and other relevant information by the responsible officials of each affected UNH unit. Responsible officials should seek advice from the Civil Rights and Equity Office before making any determination. Copies of the written determination should be provided to Student Accessibility Services (SAS) and the Civil Rights and Equity Office.

Such restrictions include, but are not limited to:

- Food preparation areas
- Teaching or research laboratories
- Classrooms or other facilities or activities involving demonstration or research animals
- Mechanical rooms or custodial closets such as boiler rooms, facility equipment rooms, electrical closets, elevator control rooms, and similar spaces
- Areas where personal protective clothing or equipment are necessary
- Areas where there is a danger to the Service Animal or SAIT such as classrooms or wood/metal /machine shops where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface, where there is hot material on the floor (e.g., molten metal or glass), where there is a high level of dust, where there are harmful chemicals or materials, or where there is moving machinery
- Such other areas where the Service Animal or SAIT may be endangered or constitute a danger to persons or animals
- Areas where the presence of the Service Animal or SAIT would cause or require a fundamental alteration of a UNH program or activity

University Housing may also deny access to an animal if it is too large for the available housing assignments.

## **3.0 Registration or Approval**

### **3.1 Service Animal Registration**

To facilitate seamless integration of service animals within the campus community, we strongly recommend that owners/handlers register their service animals with the Civil Rights and Equity Office (CREO). While registration is voluntary, it serves as a proactive step in ensuring smooth interactions and access to university facilities.

Upon registration, handlers will receive a Service Animal Identification Card, which confirms compliance with campus policies and provides official recognition of the animal's role. This ID card

can be presented to faculty, staff, or campus officials when necessary to clarify the service animal's presence and purpose.

Registration also enables CREO to offer additional resources and accommodations to handlers, fostering an inclusive campus environment while maintaining adherence to applicable laws and university regulations.

### **3.2 Service Animals in Training Approval and Registration**

Trainers who are seeking to have their SAITs to reside in on-campus residential buildings or have access to places where other animals are restricted must seek approval from CREO. CREO will determine if the animal is a SAIT, and grant approval. If approved, the SAIT will be registered and provided an Animal Identification Card, as described in this policy (3.1).

### **3.3 Emotional Support Animal Accommodation Approval and Registration**

ESAs are considered a housing accommodation and must be approved by Student Accessibility Services (SAS) and University Housing prior to an ESA being allowed in an on-campus residential building. Students must complete the accommodation process, which can be found [here](#). Employees who reside in University Housing must initiate the request through the employee accommodation process in the Civil Rights and Equity Office, which can be found [here](#).

Upon approval of the accommodation, the ESA will be registered, as described in this policy (3.1).

## **4.0 Expectations of Owner/Handler/Trainer(s)**

The owner/handler must:

- Take full accountability for the animal's actions, including addressing any disruptive behaviors, maintaining control in public spaces, and preventing harm or damage to individuals, other animals, or property.
- Be responsible for the animal's health, safety, and welfare, including providing appropriate food, water, and veterinary care.
- Maintain the health and safety of the Service Animal, ESA, and/or SAIT at all times.

If the Service Animal, ESA, and/or SAIT is residing in a on-campus residential building, the owner/handler must:

- Ensure the animal is kept within the individual's living space. This does not include the task(s) the Service Animal/SAIT performs(or is being trained to perform), standard care, and safety procedures, such as taking a dog on a walk for exercise and toileting.
- Maintain a safe, clean, and healthy living environment.
- Ensure the animal is not unattended overnight.

Owner/Handler/Trainers are responsible for:

- Ensuring that the animal is contained appropriately when not present in the residence unit for class, work, or other activity. Individuals are not permitted to have other students or employees care for their Service Animal/ESA/ and/or SAIT.
- Providing the name of an emergency contact that does not reside on-campus that will be responsible for the care of the animal in the event that the owner cannot care for the animal.
- Cleaning up of waste, accidents, or messes both within and outside of the living space.
- Providing appropriate care for the Service Animal, ESA, and/or SAIT related to health and safety, including emergency care.

Owner/Handlers/Trainers are responsible for any and all resulting costs when their Service Animal, ESA, and/or SAIT causes damage to UNH facilities or property or injury to persons.

All Service Animals, ESAs, and SAITs must be in compliance with state and local laws regarding health, vaccination, care, and registration.

#### **4.1 Behavioral Expectation of Service Animals and SAITs**

- The animal will remain under the direct control of the individual and perform the required behavior.
- The animal will respond to commands, cues, and corrections from the individual (voice command, hand signal, laser light, sound cue, and behavioral cues).
- The animal will not initiate interaction with other animals or people unless released by the individual.
- The animal will maintain a controlled position, in appropriate proximity and position to the individual, on cue by the individual and/or as appropriate to the behavior.
- The animal should not bark, howl, whine, growl, snarl or display bared teeth or gums (unless panting). These behaviors may be considered a direct threat. Note that some alert dogs are trained to bark to get their individual's attention.
- The individual's commands and/or cues are given in a manner that is understood and consistently responded to by the dog, and in a manner appropriate for a public setting.

#### **4.2 Behavioral Expectations of Emotional Support Animals**

ESAs are not trained for specific tasks related to a disability, and not all behavior expectations are the same as a Service Animal or SAIT. ESAs are expected to be under the control of the owner/handler, see the definition of out of control (1.2.6). ESAs must meet all applicable requirements of an accommodation as outlined on the [SAS Website](#) (students) and the [CREO Website](#) (employees).

#### **5.0 Resolution of Behavioral Concerns**

Concerns that the behavioral expectations of a Service Animal, ESA, or a SAIT are not being met should be reported to CREO.



Under most circumstances, CREO or the appropriate University department will take steps to address the behavioral concern informally by reviewing the behavioral expectations of the Service Animal, ESA, or SAIT, with the Owner/Handler/Trainer.

If the concerns are repeated or the behavior poses a safety concern for a person or property, CREO can determine that the Service Animal, ESA, or SAIT is not allowed on the University premises or take other potential actions and/or remedies. There are rare circumstances, for example, a dog bite, that would result in the immediate ban of an animal from the University premises.

If a Service Animal, ESA, or SAIT is not permitted on the University premises, CREO or SAS will work to accommodate the student or employee's disability through other reasonable accommodations, if possible.

Failure to comply with a CREO determination related to a Service Animal, ESA, or SAIT may result in referral to the appropriate University department or staff member for appropriate follow-up through university policy, which may result in discipline ([UNH Personnel Policy](#) and/or [Student Code of Conduct](#)).

### **5.1 Referral of Behavior Concerns and/or Expectations of Owner/Handler/Trainer**

Owners/Handlers/Trainers are responsible for the behavior of their Service Animal, ESA, and/or SAIT. CREO may refer the Owner/Handler/Trainer to the appropriate university department or staff member for appropriate follow-up through university policy, which may result in discipline ([UNH Personnel Policy](#) and/or [Student Code of Conduct](#)).

## **6.0 Other Resources**

ADA National Network, *Service Animals and Emotional Support Animals*, available at: <https://adata.org/guide/service-animals-and-emotional-support-animals>

U.S. Department of Housing and Urban Development, *Assistance Animals*, available at: <https://www.hud.gov/helping-americans/assistance-animals>