

	Student Guidelines and Procedures for Service Animals, Service Animals in Training, and Emotional Support (Assistance/Comfort) Animals in Institutionally Owned Housing on Campus	
	Responsible Administrative Unit: Disability Support Services/ Student Life	Policy Contact: Katie Ludwin, Director Disability Support Services disabilitysupport@mines.edu .

1.0 BACKGROUND AND PURPOSE

The Colorado School of Mines (Mines) is committed to compliance with state and federal laws regarding individuals with disabilities. All questions regarding service animals should be directed to Disability Support Services (DSS) at W. Lloyd Wright Student Wellness Center office 209 at via phone 303.273.3297, fax 303.384-2009, or email disabilitysupport@mines.edu.

The following guidelines/policies apply to any **student on campus** who lives in Mines owned housing (Residence Halls, Greek Houses, and Mines Park Apartments) and wishes to have a service animal, service animal in training, or emotional support (assistance/comfort) animal.

2.0 DEFINITION

Definition of Student

Student is defined as any person who is registered for coursework at the undergraduate or graduate level at Mines. Students can be degree seeking or non-degree seeking. In the case where a student residing in Family Housing at Mines Park Apartments has a partner/family member needing a service animal or an emotional support animal, the student with whom we have a contract will be responsible for the animal, as outlined below.

3.0 SERVICE ANIMALS

Definition -- Under the Americans with Disabilities Act and Colorado law, a service animal is defined as a dog¹ that has been individually trained to do work or perform tasks for an individual with a disability. The work or task(s) performed by the dog must be directly related to the person's 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")

¹ Under particular circumstances set forth in the ADA regulations at 28 CFR 35.136(i), a miniature horse may qualify as a service animal.

regulations at 28 CFR 35.104. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

3.1 Guidelines

In compliance with applicable law, Mines allows service animals in its buildings, classrooms, residence halls, institutionally owned Greek Houses, Mines Park Apartments, meetings, dining areas, recreational facilities, activities, and events, and all other areas where the public is normally allowed to go when the animal is under the control of an individual with a disability.

Inquiries Regarding Service Animals

Mines does not require documentation, such as proof that the service animal has been certified, trained, or licensed as a service animal.² Generally, Mines employees may not make any inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability). When it is not readily apparent that a dog is a service animal, Mines staff may ask the following:

- Whether the animal is required because of a disability and;
- What work or task the animal has been trained to perform.

Individuals having concerns about a person's use of a service animal on the Mines campus should direct their concerns to the Mines Public Safety Office or the Disability Support Services Office, not to the individual with the service animal.

Responsibilities of Student

Service animals are subject to state and local licensing, registration, and vaccination requirements. The animal's handler is responsible for complying with any current Colorado law and City of Golden ordinances.

Students who wish to bring a service animal to campus are encouraged to contact Mines' Disability Support Services, especially if other academic accommodations will be requested. Additionally, students are strongly encouraged to register their animal with Mines Police Department. To do so, contact Mines Police at 303.273.3333. They will retain your information

² Mines may, however, require documentation demonstrating that a service animal to be living with a student in Mines residences meets local and state vaccination and licensing requirements.

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on file, along with a picture of the animal. Finally, students who plan to live with a service animal in on-campus housing (residence halls, Mines Park Apartments, or institutionally-owned Greek houses) should notify the Department of Residence Life (and Student Activities if in an institutionally-owned Greek House) prior to moving onto campus. Advance notice of a service animal for on-campus housing may allow more flexibility in meeting a student's specific housing needs. Such notification is required each subsequent academic year so Disability Support Services, Residence Life, and Student Activities (if applicable) are aware of ongoing circumstances.

Students who use a service animal are responsible for any damage or injuries caused by their animal and must take appropriate precautions to prevent property damage or injury and have it under their control at all times. The cost of care, arrangements and responsibilities for the well-being of a service animal are the sole responsibility of the student at all times.

In certain circumstances, service animals may be excluded from Mines facilities:

- If admitting service animals would fundamentally alter the nature of a service or program, service animals may be prohibited from the area reserved for that service or program.
- If a service animal behaves in a way that poses a direct threat to the health or safety of others, if it has a history of such behavior, if it is not housebroken, or if it is not under the control of the handler, that service animal may be excluded from a Mines facility.

Service Animal Control Requirements

- The student must be in full control of the animal at all times. Service animals must be harnessed, leashed, or tethered unless these devices interfere with the animal's work, or the individual's disability prevents using these devices. In that case, the individual must be able to control the animal through voice, signal, or other non-disruptive means.
- The animal should be unobtrusive to other individuals and the learning, living, and working environment to the extent possible.
- Students are encouraged to have any service animal wear some type of commonly recognized symbol to identify it as a service animal (appropriate materials are available at no charge through DSS).

Animal Etiquette

The student should ensure that the animal does not:

- Sniff people, restaurant tables, or the personal belongings of others.

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- Display any behaviors or noises that are disruptive to others unless part of the service being provided the student.
- Block an aisle or passageway for fire egress.

Waste Cleanup

- Cleaning up after the animal in all indoor and outdoor campus facilities and grounds, including sidewalks and lawns, is the sole responsibility of the student. In the event that the student is not physically able to clean up after the animal, it is then the responsibility of the student to hire someone capable of cleaning up after the animal.
- Contact staff if arrangements are needed to assist with clean-up.

Removal of Service Animals

Service Animals may be removed immediately by a Mines Police Officer or any representative of Colorado School of Mines for the following reasons:

- *Out of Control Animal:* Student may be directed to remove an animal that is out of control and disruptive and student does not take effective action to control it. If the disruptive behavior happens repeatedly, the student may be prohibited from bringing the animal into any Mines facility until the student can demonstrate that they have taken significant steps to mitigate the behavior.
- *Non-housebroken Animal:* A student may be directed to remove an animal that is not housebroken.
- *Direct Threat:* A student may be directed to remove an animal that Mines determines to be a substantial and direct threat to the health and safety of individuals. This may occur as a result of a very ill animal, a substantial lack of cleanliness of the animal, or the presence of an animal in a sensitive area like a medical facility, certain laboratories, or mechanical or industrial areas.

Where a service animal is properly removed pursuant to this policy, Mines will work with the student to determine reasonable alternative opportunities to participate in the service, program, or activity without having the service animal on the premises.

If at any time the Director of Housing & Residence Life, Mines Police, and/or Director of Student Activities feels that the health or life of an animal or person is at risk, the Department of Residence Life and/or Department of Student Activities is authorized to contact Jefferson County Animal Control and require that the animal be removed and/or taken into custody of animal control. Any suspected incident of animal abuse must be reported immediately to law enforcement.

4.0 SERVICE ANIMALS IN TRAINING

Colorado law allows dogs on campus who are being trained specifically as service animals for individuals with disabilities. Please contact the Compliance & Policy Office for assistance: 303.273.3707 or compliance@mines.edu.

Those bringing service animals in training onto the Mines campus are encouraged to have some distinctive item on the dog identifying it as a service animal in training (available at no cost from SDS). Dogs younger than six months are generally not considered suitably mature to be service animals in training.

It is a violation of Colorado law for a person to intentionally misrepresent entitlement to an animal in the person's possession as an emotional/assistance animal for the purpose of obtaining any of the rights or privileges set forth in state or federal law for an individual with a disability as a reasonable accommodation in housing. Further, a person may violate the Mines Student Code of Conduct if the student makes false representations related to possessing a service animal or emotional support/assistance animal on campus (see, [Student Code of Conduct](#)).

4.0 EMOTIONAL SUPPORT (ASSISTANCE/COMFORT) ANIMALS

Definition -- Under the Fair Housing Act, emotional support animals or assistance animals are not service animals. An emotional support animal is one that is necessary to afford the person with a disability an equal opportunity to use and enjoy Colorado School of Mines housing (residence hall, Mines Park Apartment, and institutionally-owned Greek Houses). An emotional support animal alleviates one or more identified symptoms or effects of the physical or, more commonly, mental impairment of a person with a disability by providing physical assistance, emotional support, calming, stability or another kind of assistance. Emotional support animals do not perform work or tasks that would qualify them as "service animals" under the Americans with Disabilities Act.

5.1 Guidelines

No documentation will be required for students to bring service animals into campus buildings. However, in the case of assistance animals residing in Mines housing, Mines will require that documentation be provided by the treating physician or mental health provider, which permits the University to determine:

1. That the individual requesting approval to have the assistance animal in Mines housing has a disability for which the animal is needed;
2. How the animal assists the individual, including whether the animal has undergone any training; and

3. The relationship between the disability and the assistance that the animal provides.

Although Mines generally prohibits animals in student residential buildings, requests for housing accommodations will be evaluated on an individualized basis. (See Mines' Animals on Campus Policy).

A single emotional support animal may be permitted in Mines housing (residence halls, Mines Park Apartments, or institutionally-owned Greek Houses) pursuant to the Fair Housing Act as an accommodation approved by DSS in coordination with the Office of Residents Life. If a student is allowed to have an emotional support animal, it will be restricted to the student's housing area only, and will not be permitted in other areas of campus, including but not limited to dining facilities, libraries, student center, academic buildings, athletic buildings and facilities, classrooms, labs, offices, and individual centers.

Requests for an emotional support animal in campus housing must be directed to Disability Support Services *prior to* the student moving into campus housing. A request will include documentation from a qualified provider who has worked with the student over time and in-person. The request will be considered if all of the following criteria are met:

- The student has a verifiable disability (and identifies the disabling impairment).
- Documentation demonstrates that the animal is necessary to afford the student with a disability an equal opportunity to use and enjoy a dwelling.
- The animal does not fundamentally alter Mines' housing operations, pose a direct threat to the health and safety of others, or cause substantial property damage.
- Arranging for the animal does not cause undue financial or administrative burden for the Office of Residence Life, Student Activities, the housing community, or Mines.

Following confirmation from Disability Support Services that the request for an emotional support animal is a reasonable accommodation, the Office of Residence Life and/or Student Activities requires 10 business days to determine whether the animal can logistically be accommodated in campus housing.

If a request to have an emotional support animal on campus is approved, the owner is strongly encouraged to register their animal with Mines Police Department so that in cases of emergency, first responders will be aware of the presence of the animal in a Mines residence.

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To do so, contact Mines Police at 303.273.3333. They will ask you to bring in the animal, as well as copies of certifications that demonstrate the animal is licensed or vaccinated in accordance with Colorado law and local ordinances. They will keep these on file, along with a picture of the animal.

Requests for emotional support animals must be re-submitted each subsequent academic year a student is living in institutionally-owned housing to Disability Support Services and the Office of Residence Life.

5.2 Limitations

Mines may consider the following factors, among others, in determining whether the presence of the emotional support animal is reasonable and in making housing assignments:

- The student must show proof of compliance with Jefferson County and City of Golden licensing and vaccination requirements.
- Emotional support animals may not be brought onto campus until Disability Support Services and the Office of Residence Life.
- Animals that may fundamentally alter Mines' operations (including housing operations) may not be allowed. Mines may consider whether the size of the animal is too large for available assigned housing space, whether the animal's presence would force another individual from a housing unit (e.g. serious allergies), and whether the animal's presence otherwise violates any individual's right to peace and quiet.
- Animals that may cause substantial physical damage may not be allowed (e.g., an animal that is not housebroken or is unable to live with others in a manner not disruptive to the purpose of campus residences).
- Animals cannot be a threat to the health or safety of other people or approved animals. Mines may consider whether the animal poses or has posed in the past a direct threat to the individual or others, such as aggressive behavior towards or injuring the individual or others).
- Animals will not be allowed if they pose an undue financial or administrative burden to Colorado School of Mines. Mines may consider whether the animal causes or has caused excessive damage to housing beyond reasonable wear and tear.

6.0 STUDENT RESPONSIBILITIES AND IMPLICATIONS/RAMIFICATIONS FOR FAILURE TO COMPLY

6.1 Animals must be kept under student control (physical or verbal) in public areas of campus:

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- The animal must be in control at all times, even when the animal is not in the company of the student.
- The animal must be well cared for, clean, and hygienic; in good health with regular veterinary check-ups; and meets all state and local licensure and vaccination requirements (documentation is required).
- The student must clean up animal's waste and dispose of it appropriately.
- The student must educate others in the campus community on how to appropriately interact with the animal.

6.1.1 Implications/Ramifications

- *First Offense* - Warning and conversation with Office of Residence Life, Greek Life Coordinator, or Office of Student Life
- *Second Offense* – Appropriate sanction
- *Third Offense* – Animal must be removed from campus within three calendar days.

6.2 Animal Must Not Cause Damages to University Owned Property

6.2.1 Implications/Ramifications

- Student must restore furniture to the condition it was in when they originally occupied unit. If furniture is damaged beyond repair, the student must pay for replacement cost (minus depreciation if applicable) via their student Trailhead account.
- Student must pay the cost of any facility damage via their student Trailhead account.
- Excessive or repeated damage will result in the animal's behavior being evaluated by the Office of Residence Life, Office of Student Activities, or Office of Student Life. If the animal is determined to be too destructive, the student will be given one week to find an off-campus living situation for the animal.

6.3 Animal Must Not Cause Noise

6.3.1 Implications/Ramifications

- *First Offense* - Warning and conversation with the Office of Residence Life, Office of Student Activities, or Office of Student Life.
- *Second Offense* – Animal is required to attend obedience/behavior classes. Student must provide documentation to Office of Residence Life, Office of Student Activities, or Office of Student Life designee.
- *Third Offense* – Animal's behavior will be evaluated by the Office of Residence Life, Office of Student Activities, or Office of Student Life. If the animal is determined to need more behavior

modification than can be reasonably completed immediately, the student will be given one week to find an off-campus living situation for the animal.

6.4 Animal Must Not Bite/Scratch People or Other Approved Animals

6.4.1 Implications/Ramifications

- An animal cannot be a threat to the health and safety of other people or approved animals. An incident will be reviewed the Office of Residence Life, Office of Student Activities, Office of Student Life, or the Department of Public Safety. Outcomes are determined on a case-by-case basis and could result in immediate removal of the animal from campus.

If at any time the Office of Residence Life, Office of Student Activities, Office of Student Life, or the Department of Public Safety feels that the health or safety of an animal or person is at risk, that office is authorized to contact animal control and require that the animal be removed and/or taken into custody of animal control. Any suspected incident of animal abuse must be reported immediately to law enforcement.

7.0 PROCEDURE

Submit required documentation to [Disability Support Services](#). Application forms for approval of the request for an emotional support animal may be obtained at www.mines.edu/disability-support-services/. The preferred date to receive all requests is **May 1** for the following academic year. Requests may be received year-round as needs change. Obtain and submit new or revised documentation.

Students must request renewal of emotional support animal accommodation through the Disability Support Services Office annually. Renewal requires up-to-date licensing and vaccination documentation.

8.0 HISTORY AND REVIEW CYCLE

The guidelines and procedures will be reviewed annually or as needed by the Responsible Administrative Unit.

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