



Information about Service Animals and the ADA

Recent Changes

In 2008, the Service Animal rules changed with the Amendment to the Americans with Disability Act (ADA). The most basic change is that a service animal can only be a trained dog (of any breed). No other animal can be used as a service animal under the ADA. As an exception, the Department of Justice (DOJ) will allow a trained mini horse as a service animal as long as not too large for the room and meets the other criteria of a service dog. *Comfort animals, emotional support, therapy animals, guard dogs, and dogs in training are not service animals under the ADA.* Oregon statutes do allow for *Service Dogs in Training*, as though they are trained service animals, but with a few additional policies that we will discuss below. Otherwise, non-service animals (pets, emotional support animals, and animals that are not tasked with assisting individuals with disabilities) are not permitted on campus pursuant to the Warner Pacific University No Pet Policy, with the exception of on campus housing with approval through Residential Life pursuant to the Fair Housing Act (FHA).

Individuals with an obvious disability and their dog is obviously performing a task, should be allowed in general areas open to the public without intervention. If the animal is not housebroken, the animal is disruptive (i.e. barking for extended periods, running around, or getting on furniture), or is aggressive in nature, the handler should be asked to remove the dog from WPU property. The handler can be allowed back into the public areas after the dog is removed from the campus (not tied up outside a building).

If the disability is not obvious, we are allowed to ask the following questions regarding the animal:

- **Is your dog required because of your disability?**
- **What work or task has the dog been trained to perform?**

The individual cannot be asked for proof of their disability or the type of disability. The individual cannot be asked to have the dog perform the task as proof of training. If you receive a response that does not satisfy your question of whether the dog is a service dog, you may contact campus safety (503.250.1730) to ask them to follow up on your concerns.

Staff cannot request proof of the service dog's certification or training. However, we are allowed to ask the handler for proof of the dog's current county animal licensure and vaccinations as part of campus safety. Service dogs are not required to wear any identifiable vests, halters or tags other than their county animal license tag. Dogs should, for the most part, be tethered by leash or harness to the handler unless this would hinder the animal's ability to perform the task. If the dog is disruptive or aggressive, please contact campus safety immediately for their intervention.

The Animal is Not a Dog

If the animal is not a dog (or trained mini-horse), it is not a service animal and should be removed from the campus. The only exception is if the student is in their living quarters and has approval from DRC to

maintain an emotional support animal in their residence. For all other areas on campus, if the individual states that their dog is a comfort animal or emotional support, the animal should be removed from the campus. You may ask the individual for their name in order to file a report with Student Success and Engagement, or you may contact campus safety to escort the individual off campus with their animal. You may also contact the Disabilities Resource Center with your questions or concerns.

Reasons to Exclude a Service Dog

Basic common courtesy is expected from the handler and the service dog within the public areas of the campus. Service dogs should be house broken, well socialized and non-threatening, never jump up on furniture or people, should not cause any form of extended disruption to the campus environment, nor should the dog cause a safety hazard to others. Any of these types of behaviors can be a reason for the removal of the animal. In the event a student with a severe allergy to an animal is in the room at the time, prior to an individual with a service dog arrives, the handler of the dog should be asked to wait outside until the individual with the allergy has left the area. If the person with the allergy arrives after the individual with the service dog, that allergic individual will need to wait. Additionally, if the animal causes damage to the floor or furniture, the campus has the right to bill the handler for the cleanup, repair and/or replacement of damaged campus property. In other words, staff has the right to request the name and contact information of the individual so that damages can be billed.

Service Dogs in Training

These are dogs that are not yet trained to perform a task. However, by Oregon law service dogs in training are allowed to be admitted to the public areas on the campus as long as they behave in the same respectable manner as a trained service dog. In addition to the two questions above, you may ask for clarification as to their status of training, if they are house broken, and whether they are currently vaccinated and licensed by the county. If you are offered some form of certification or proof that the dog is in training, be aware that there are no Oregon requirements for that type of proof. The important fact for *Service Dogs in Training*, in Oregon, is that they act similar to a trained service dog; house broken, non-disruptive, and non-aggressive, but are not part of the ADA changes of 2008.

Classroom Accommodations for Service Dogs

Classrooms are closed to the general public. Service dogs can be included as an academic accommodations through the Disabilities Resource Center. If the handler has an obvious disability, and the dog is trained, house broken, non-disruptive, and non-aggressive, the student will be allowed equal access to most classes without specialized accommodations. If at any point there is doubt that the animal is a trained service dog, the **service dog handler should be referred to Warner Pacific University's Disabilities Resource Center to ensure appropriate accommodations are made for the service dog's presence in the classroom.**

For additional information, read the up-to-date No Pet Policy maintained on the Disabilities Resource page at <https://www.warnerpacific.edu/academics/academic-resources/disability-resources/>

Disabilities Resource Coordinator
Student Success and Engagement
Warner Pacific University
DisabResource@warnerpacific.edu