



HEMHA
HIGHER EDUCATION MENTAL HEALTH ALLIANCE



Animals On Campus: Current Issues and Trends

A HEMHA Guide

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About the Higher Education Mental Health Alliance

Envisioned and formed in September 2008 under the leadership of the American College Health Association (ACHA), the Higher Education Mental Health Alliance (HEMHA) is a partnership of organizations dedicated to advancing college mental health. The Alliance affirms that the issue of college mental health is central to student success, and therefore is the responsibility of higher education. The current membership is:

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This resource was made possible by generous support from these HEMHA member organizations:

The American Academy of Child and Adolescent Psychiatry (AACAP)

Representing over 10,000 child and adolescent psychiatrists worldwide, the American Academy of Child and Adolescent Psychiatry is the leading

authority on children's mental illnesses. AACAP members actively research, diagnose, and treat psychiatric disorders affecting children, adolescents, and their families. For more information, please visit aacap.org.

The American College Counseling Association (ACCA)

The American College Counseling Association, a division of the American Counseling Association, is made up of diverse mental health professionals from the fields of counseling, psychology, and social work whose common theme is working within higher-education settings. Visit collegecounseling.org for more information.

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Since 1920, the American College Health Association has linked college health professionals in order to provide advocacy, education, communications, products, and services, as well as promote research and culturally competent practices to enhance its members' ability to advance the health of all students and the campus community. See acha.org for more information.

College Student Educators International (ACPA)

College Student Educators International, headquartered at the National Center for Higher Education in Washington, D.C., is the leading comprehensive student affairs association that advances student affairs and engages students for a lifetime of learning and discovery. ACPA celebrates 100 years of contribution to student affairs and higher education in 2024. Learn more at myacpa.org.

The American Psychiatric Association (APA)

The American Psychiatric Association is the medical specialty society representing over 37,400 psychiatrists in the U.S. and around the world. The APA, founded in 1844, is the largest and longest-serving psychiatric medical association. Its member physicians work together to ensure humane care and effective treatment for all people with mental disorders. The APA works to promote the highest quality care for individuals with mental disorders, promote psychiatric education and research, and advance and represent the profession of psychiatry. Visit psychiatry.org for more information.

The American Psychological Association (APA)/Society of Counseling Psychology (SCP)

The American Psychological Association was founded in 1892 with 31 members and grew quickly after World War II. Today, the APA has more than 133,000 members and affiliates and 56 divisions in subfields of psychology. The APA's mission is to advance the creation, communication, and application of psychological knowledge to benefit society and improve people's lives. The Society of Counseling Psychology brings together psychologists, students, professionals, and international affiliates dedicated to promoting education, training, scientific investigation, practice, diversity, and public interest in professional psychology. See www.apa.org for more information.

The Association for University and College Counseling Center Directors (AUCCCD)

The Association for University and College Counseling Center Directors assists college and university directors in providing effective leadership and management of their centers according to professional principles and standards, with special attention paid to inclusive excellence and social justice. See www.aucccd.org for more information.

The Jed Foundation (JED)

JED is a nonprofit that exists to protect emotional health and prevent suicide for our nation's teens and young adults. We're partnering with high schools and colleges to strengthen their mental health, substance abuse, and suicide prevention programs and systems. We're equipping teens and young adults with the skills and knowledge to help themselves and each other. We're encouraging community awareness, understanding, and action for young adult mental health. Learn more at jedfoundation.org.

Student Affairs Administrators in Higher Education (NASPA)

NASPA is the leading association for the advancement, health, and sustainability of the student affairs profession, serving a full range of professionals who provide programs, experiences, and services that cultivate student learning and success in concert with the mission of our colleges and universities. See www.naspa.org for more information.

DISCLAIMER

This guide is not intended to serve as legal guidance or be considered instruction or advice. Practitioners should seek local legal opinion for concerns related to implementation of policies regarding animals on their campus.

Please note that throughout this document the terms "students," "patients," and "clients" are interchangeably used when a professional health-care relationship is referenced.

Advisory Board

HEMHA is grateful to our Animals on Campus Guide Advisory Board, who provided resources, reviewed materials, and generously took the time to share anecdotes and insights from their own experiences with policy and practice issues pertaining to animals on campus.

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Animals On Campus: Current Issues and Trends

A HEMHA Guide

Service animals have been widely used for nearly a century. Often the disability with which a service animal assists is observable (e.g., seeing eye, mobility assistance, etc.). In recent years, however, the use of service dogs to aid with psychiatric disabilities (e.g., seizure and diabetic alert dogs, post-traumatic stress disorder, and autism) has grown. Simultaneously, high-profile media coverage of emotional-support animals has raised awareness in the general population about the benefits and challenges associated with these animals' presence in public spaces. Therapy animals have been increasingly featured in the media for the comfort provided after traumatic situations, such as school shootings and natural disasters, etc. As a result, the general population understands the benefits of the human-animal bond, but there is confusion about the roles of each of these categories of animals and where they are allowed to go. Coupled with the widespread adoption of pets during the COVID-19 pandemic, this has increased requests to bring animals to campus.

At the time of publication, the COVID-19 pandemic had been ongoing for nearly three years. Early in the pandemic, there was a significant increase in pet adoptions as humans spent more time at home and physically separated from their support networks. The 2021-2022 National Pet Owners Survey indicated that 70% of households in the United States own a pet. That number was 56% in 1988, the first year of the annual

survey (American Pet Products Association, 2021). Dogs and cats are the most commonly owned pets at 69% and 45.3%, respectively. Fish are the next most popular animals, followed by birds, small animals, reptiles, and horses. It is anticipated that, in addition to the pre-pandemic increase in requests to bring animals to campus, individuals who experienced the benefits of pet ownership during the pandemic or who may have experienced mental health concerns related to isolation and anxiety induced by the pandemic, will want to bring their animals to campus. Now more than ever, it is critical to develop campus policies that set the stage for protecting the welfare of humans and animals on campus while accommodating legitimate purposes for animals coming to campuses.

The Process of Developing the Animals on Campus Guide

In response to this trend, HEMHA assembled a multidisciplinary advisory board of professionals with expertise related to animals, mental health, and higher education, with input from each HEMHA member organization. HEMHA was careful to avoid conflicts of interest by excluding individuals from the advisory board who had vested interests in any for-profit products related to the topic. The advisory board provided resources and practical knowledge, and reviewed drafts of the document. The document was then reviewed by HEMHA representatives and approved by each member organization prior to publication.

Several presentations on this HEMHA project were delivered at our annual meetings, during which audience members offered insights that have been incorporated. Recent literature on the topic was examined, and the quality of the available evidence was evaluated. When there was a paucity

of evidence, we relied on clinical best practices and the consensus of conventional wisdom. The guide was funded by HEMHA member organizations: AACAP, ACCA, ACHA, ACPA, American Psychiatric Association, American Psychological Association, AUCCCD, JED, and NASPA.



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Scope and Timeliness of This Guide

Service animals have been employed for decades, but the concept of emotional support animals (ESAs) and the use of therapy animals for animal-assisted interventions and animal-assisted therapy are emergent. This guide acknowledges the tensions that exist between accommodating students with legitimate needs for assistance animals, ambiguity in the laws related to each category of animal likely to be present on campus (service, ESA, and therapy animals), and the need to balance campus health and safety, and recognizes that fraudulent ESA requests are a reality. Prior to the COVID-19 pandemic, ESA requests were on the rise; the pandemic led to a significant increase in pet adoptions, which may have had ripple effects on student requests to bring animals to campus as well as the implementation of therapy animals on campus. Institutions of higher education (IHEs) have had to forge ahead in developing policies for animals on campus because requests to bring ESAs to campus continue to increase despite vague guidance in the laws (Foster et al., 2020).

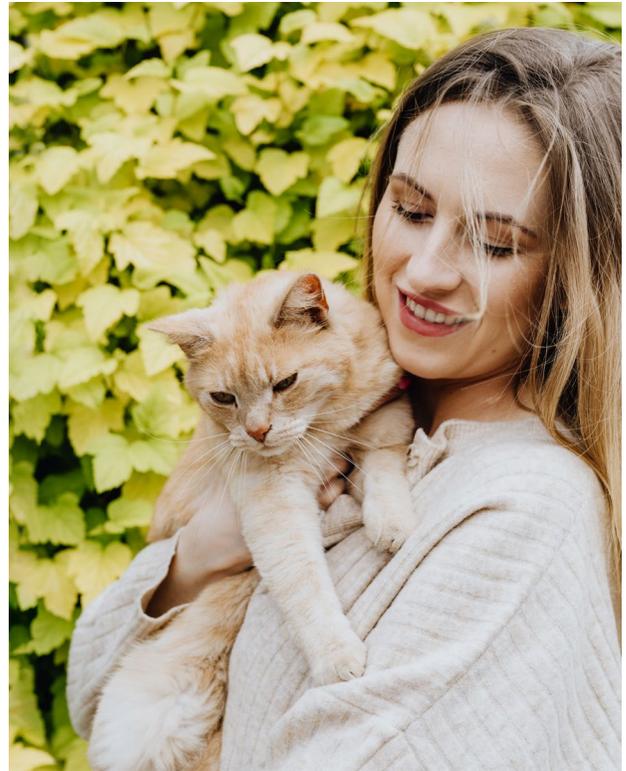
College admissions professionals indicate growing interest in “pet-friendly” schools among prospective students. Some campuses have designated themselves as such as a marketing tool. Others have set aside pet-friendly housing, and others are still figuring out how they will handle ESA requests. A quick Google search for “pet-friendly colleges” will result in several lists (e.g., [20 Pet Friendly Colleges](#), Pittman, 2022). Meanwhile, legal precedents are slowly being set regarding service and emotional support animals. (See Appendix A for brief summaries

It is important for IHEs to develop humane policies; comply with federal, state, and local laws; and limit public health and welfare risks to animals and humans.

of relevant laws and precedents.) It is important for IHEs to develop humane policies; comply with federal, state, and local laws; and limit public health and welfare risks to animals and humans. Some guidelines exist for what IHEs should do in response to an ESA request, but best practices have yet to be codified. The question that remains is how to discern and accommodate legitimate ESA requests without infringing on the rights of others on campus (Foster et al., 2020).

If you are uncertain about the distinctions among service animals, ESAs, and therapy animals, you are not alone. Schoenfeld-Tacher et al.’s. (2017) study of public perceptions of dogs in these three categories revealed confusion over the definitions and rights of access afforded each type of animal. The inconsistency in terminology used to refer to these animal categories (see the definitions section below), along with high-profile media attention to cases of fraudulent ESAs, has only added to the confusion. The lack of standardized training or certification requirements for these animals further contributes to the public’s misunderstandings.

The focus of this guide is to explain the differences among typical categories of working animals that may be present on campuses (service dogs, ESAs, and therapy animals), their rights of access, and current issues and trends in higher education related to animals on campus. Legal and ethical considerations are highlighted. Particular focus will be given to the issues around ESA certification letters. Though therapy animals are discussed in this guide, it is not a “how to” for implementing therapy animal programs. It is not HEMHA’s role to take a position on whether and where animals should be allowed on campuses. This guide is a tool to aid IHEs interested in developing policies and procedures that are congruent with the IHE’s mission and values, as well as state and federal laws.



The information in this guide was current at the time of publication. Where legal statutes are involved, readers are encouraged to search for any updates. The purpose of this guide is to:

- Inform campus professionals about the various definitions of animal supports.
- Help mental health and other health-care practitioners, student affairs professionals, and campus administrators engage in discussions about this topic in order to develop appropriate policies and procedures for their campuses.
- Connect readers to resources on the topic of animals on campuses.
- Inform stakeholders so each campus can develop policies appropriate to their setting, mission, and student population.

How to Use This Guide

This is an interdisciplinary guide. It is our hope that this document will help facilitate conversations among stakeholders from a variety of roles in the IHE (including service providers, administrators, and students) about how to address students' needs and the roles of animals in providing services while protecting the health and welfare of the animals and campus community.

This is an interactive guide; case examples and exercises are used throughout the document to prompt readers to think about critical considerations in developing policies regarding animals on campus. Higher education policy makers will need to consider the different categories of animals that may be present on campus, and their roles and functions, rights of access, and documentation of their presence. Throughout the following sections, readers will find **Points to Ponder** that invite them to think through critical questions as they relate to the unique needs of their institutions. Practitioners and administrators are encouraged to develop a healthy dialogue and work collaboratively to make the best decisions for their institution and the students they serve.

Collaborating With Stakeholders: Who Should Be at the Table?

All stakeholders need to participate in the conversation about campus policies regarding animals on campus and the implications for the health and safety of students, staff, and the animals involved, while ensuring compliance with legal and ethical standards. Stakeholder input will be key to the design and implementation of equitable policies

that respect the needs of disabled individuals who depend on service animals, benefit those who bring approved ESAs to campus, and provide clarity for those who wish to implement therapy animal programming.

Below is a list of stakeholders (in no particular order) you may wish to include, as appropriate to your campus organizational structure.

- IHE's legal counsel
- Counseling services
- Student health services
- Disability/accessibility services
- Wellness and health promotion
- Residence life/housing
- Senior student affairs officer
- Student conduct representative
- Psychiatry (if medical services are included)
- Dean of students
- Representation from the office that handles discrimination complaints
- Campus police, security, or public safety
- Representatives from colleges or departments that use animals on campus for academic purposes
- Faculty, staff, and students
- Veterinarian or an animal welfare advocate or behaviorist
- Facilities-management personnel

The Benefits of the Human-Animal Bond

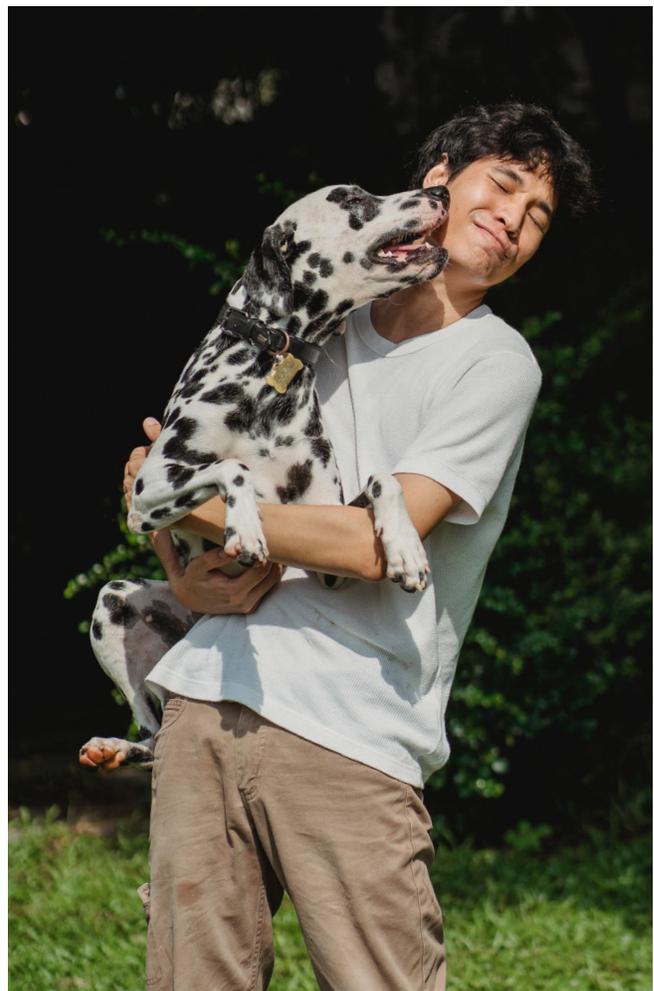
Interest in the human-animal bond has increased over the past few decades as a result of mainstream media and popular press coverage of animals' effects on humans' lives (Fine & Beck, 2015; Trevathan-Minnis et al., 2021). The American Veterinary Medical Association (AVMA) has defined the human-animal bond as:

...a mutually beneficial and dynamic relationship between people and animals that is influenced by behaviors essential to the health and well-being of both. This includes, among other things, emotional, psychological, and physical interactions of people, animals, and the environment (AVMA, n.d., para. 1).

According to Wisdom and colleagues (2009), research supports the stress reduction and improvements in emotional, cognitive, and physical health benefits associated with dog interactions. Pet owners report that pets enhance their lives in eight domains of wellness, including: (1) emotional and physical nurturance, (2) sense of family, (3) sense of responsibility and purpose, (4) friendship and/or companionship, (5) social interaction and connections, (6) personal values and/or spiritual meaning, (7) fun and play, and (8) physical health (Centers for Disease Control [CDC], 2019; Chandler, 2017; Hughes et al., 2021).

There are many ways in which pets can positively affect human health through the human-animal bond: (1) decrease loneliness and depression; (2) decrease anxiety and arousal of the sympathetic

nervous system; (3) caring for the animal can serve as a motivating force to exercise, which may improve physical health (Friedmann et al., 2015; Hughes et al., 2021), and having a pet can increase happiness, opportunities for outdoor activities, and socialization (CDC, 2021). Cardiac patients with pets tend to experience quicker recovery times and increased longevity over their petless peers (Chandler, 2017; Fine & Beck, 2015; Hughes et al., 2021).





Results from a mixed-method study of the role of pet ownership in recovery from serious mental illness indicated that pets assist by “(a) providing empathy and ‘therapy’, (b) providing connections that can assist in redeveloping social avenues, (c) serving as ‘family’ in the absence of or in addition to human family members, and (d) supporting self-efficacy and strengthening a sense of empowerment” (Wisdom et al., 2009, p. 430). Brooks and colleagues (2016) studied the role of pets in the personal networks of individuals with long-term mental illness. Their findings indicated pets play a role in emotion and symptom management, particularly when relationships with others in one’s personal circle are limited or challenging. Participants’ treatment plans, however, gave little attention to the role of their animals in

Even brief positive interactions between dogs and humans can increase oxytocin, endorphins, and dopamine in both the human and the dog.

treatment. Though there are many benefits of the human-animal bond, there can be challenges associated with it as well. (See Brooks et al., 2018, for a systematic review of this literature.) Future research should continue to address the ways in which pets can contribute to managing mental health, as well as developing interventions that harness the benefits of pets’ contributions to mental health management (Brooks et al., 2016; 2018; Hughes et al., 2021; Wisdom et al., 2009). The benefits associated with the human-animal bond extend to the animal as well as the human (Hughes et al., 2021). In 2019 an interdisciplinary public health consortium was initiated to address these and other issues (Hughes et al., 2021).

Pet ownership is not the only way to benefit from the human-animal bond. Even brief positive interactions between dogs and humans can increase oxytocin, endorphins, and dopamine in both the human and the dog, and decrease humans’ blood pressure, cortisol, stress, cholesterol, triglycerides, loneliness, and anxiety (CDC, 2019; Chandler, 2017; Johns Hopkins University, n.d.). Children with developmental disorders exhibit more socially appropriate behaviors when interacting with a therapy pet (Chandler, 2017). It is clear that there are many benefits from short- and long-term positive interactions with animals.

According to Adams and colleagues (2017), college students as a population may have benefitted from the physical and mental health effects of the human-animal bond with family pets in the years leading up to college. Students living away from home may suddenly find themselves separated from their animal support system. Missing a pet can contribute to homesickness or friend-sickness, both of which can be related to mood, physical, and academic issues. Research on college students and attachment to pets indicates that dogs can fulfill the four attachment theory criteria: proximity maintenance, safe haven, secure base, and separation distress. Therefore, when students have to leave pets behind to attend school, they may experience difficulties associated with the loss of contact with the pets to whom they are attached. A related issue is grieving the death of a pet while away at school. “[G]rief in response to the loss of a pet may be more intense due to the ‘pure’ nature of people-pet relationships (i.e., unconditional love without the complicated dynamics found in

interpersonal relationships)” (Adams et al., 2017, p. 310). Because loss of a pet does not usually garner similar validation and social support to the loss of a person, students may experience disenfranchised grief after the loss of a pet (see Adams et al., 2017 for a more thorough review on grief counseling with college students after loss of a pet). Given the level of attachment students have to their pets and the emotional consequences of separation from them, Adams and colleagues recommend that counselors evaluate attachment to pets on student assessments.

Widespread acceptance of the benefits of the human-animal bond and its applications to benefit college students has increased the visibility of animals on campus through institution-sanctioned therapy animal programs, approved ESAs on campus, and student clubs that train service animals. Given the aforementioned benefits, it is important to understand the differences between pets and service, emotional support, and therapy animals.

Definitions of Animal Categories

It is not always clear to the outside observer whether an animal is a pet or working animal. Because the terminology can be confusing, it is important to begin with definitions. Commonly people refer to service animals, emotional support animals, and therapy animals interchangeably. However, there are significant differences among these three types of animals, as well as subcategories. Each animal category has different purposes, training requirements, and rights of access. There is little regulation

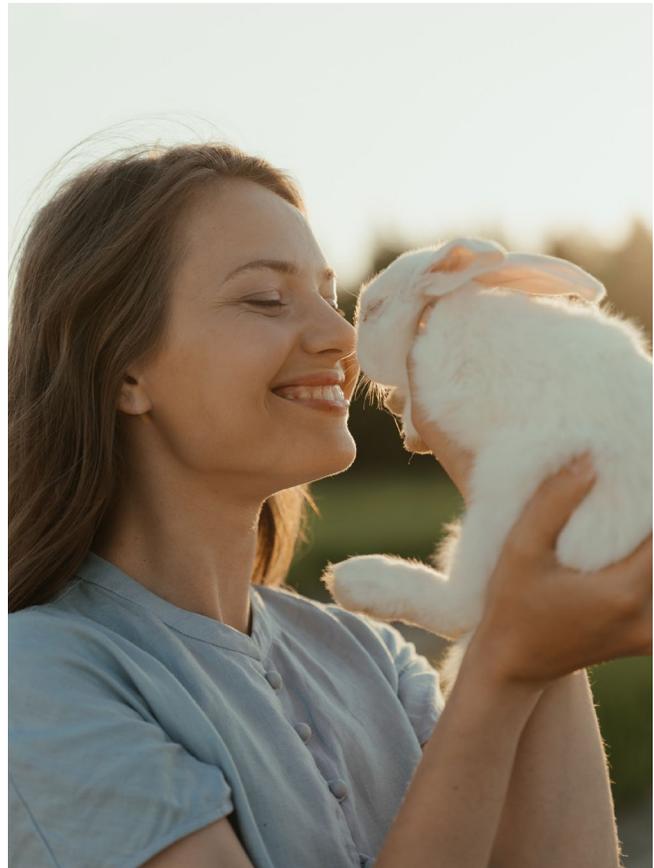
or oversight over the designation of types of animals, standards for training, and documentation of the human’s eligibility for service or emotional support animals. In 2020 the U.S. Department of Housing and Urban Development (HUD, n.d.b) reported that 60% of Federal Housing Act (FHA) complaints involved denial of reasonable accommodations and disability access, and that these types of complaints are on the rise (HUD, n.d.b). Recognizing that the majority of discrimination complaints against

housing providers occur when a requestor's disability is not "readily observable," coupled with confusion around the validity of assistance animal accommodation documentation, HUD updated its frequently asked questions regarding the FHA and assistance animal regulations. HUD now acknowledges that fraudulent requests to designate pets as assistance animals is an issue. In particular, purchasing documentation from the internet when there is no established relationship with the requestor is problematic.

In HUD's view, such certificates, issued in the absence of a personal medical relationship, are not meaningful and a waste of money. In some instances, these appear to be employed by persons who do not meet the requirements for a reasonable accommodation, sowing confusion among housing providers (HUD, n.d.b, p. 3).

The revised FAQs are available [here](#). The issue of fraudulent assistance animals is of interest across a wide array of disciplines, including the [AVMA](#), which put out a whitepaper on the issue in 2017 that was updated in 2022.

Identifying and understanding the differences among service animals, ESAs, therapy animals, and pets can be confusing. There are a number of subcategories within these groups, as well as variable language in how they are referenced in legal documents. In some cases an animal may belong to multiple categories. A therapy animal is often a person's pet, for example, or a service dog may also provide emotional support in addition to being trained to perform a task for a person with a disability. We begin by defining terminology, rights of access, training and skills expectations, and credentialing and documentation requirements for each type of animal.



Companion Animal or Pet

A pet is "a domesticated animal kept for pleasure rather than utility" (Merriam-Webster, n.d.). According to the American Society for the Prevention of Cruelty to Animals (ASPCA, n.d.a), "companion animals should be domesticated or domestic-bred animals whose physical, emotional, behavioral, and social needs can be readily met as companions in the home, or in close daily relationship with humans." The ASPCA (n.d.b) recognizes the following species as suitable companion animals: dogs, cats, horses, rabbits, ferrets, guinea pigs, birds, small mammals, small reptiles, and fish. In some instances local laws allow for domestic-bred farm animals to be companions when kept responsibly. According to the Animal Legal Defense Fund (n.d.), the Animal Welfare Act is the primary federal legislation that protects companion animals. The majority of companion animal legislation occurs at the state and local levels.

Rights of Access

Companion animals and pets are not granted any special rights of access.

Role Functions

Companion animals and pets are not trained to perform a service or particular function for an individual. Instead, they are kept for pleasure. Though their associated humans likely experience many of the health benefits associated with the human-animal bond, they are not kept explicitly for these purposes. Because they are not considered working animals, there is no documentation necessary to have them designated as a pet. However, local licensing and vaccination laws and regulations must be observed.

Training and Certification Requirements

Pets are not required to be trained in obedience or other specialized skills. Dogs in particular, however, often engage in obedience training. Other specialized training intended for the pet's enjoyment may be pursued, such as the American Kennel Club's (AKC) Canine Good Citizen training, agility, and tricks.

Assistance Animal

According to HUD (n.d.a), "[a]n assistance animal is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or that provides emotional support that alleviates one or more identified effects of a person's disability. An assistance animal is not a pet" (para. 1). "Assistance Animal" is an umbrella term that encompasses both service and emotional support animals.

The term "assistance animal" has created some confusion in recent years. HUD and FHA define

an assistance animal quite broadly. Other organizations, such as Assistance Dogs International, Inc. (ADI), a global nonprofit dedicated to setting standards for training assistance animals, defines an assistance dog more narrowly and excludes ESAs from its definition. Without a universally accepted definition of the term "assistance animal," it is easy to understand the confusion regarding the roles, functions, rights of access, training, and documentation requirements for these animals. The ADI definition of assistance dogs is more akin to the ADA service dog definitions than the HUD definition.

Resource Highlight

Assistance Dogs International has several helpful resources.

- [FAQs](#) (n.d.a) include how ADI defines assistance dogs and distinguishes them from ESAs and therapy animals.
- [Infographic](#) (n.d.b) summarizes the differences among the three types of dogs, including rights of access.



Service Animal

According to the U.S. Department of Justice (2011), as of March 15, 2011, a service animal is defined as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including physical, sensory, psychiatric, intellectual, or other mental disability. They are not considered pets. The tasks the dog is trained to perform must be connected to the disability. “Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA” (U.S. Department of Justice, 2011, para. 2). Service dogs may be of any breed or size as long as they have been specifically trained to perform a task related to a person’s disability.

There is a provision in the ADA for miniature horses to be designated as service animals; miniature horses must meet the same criteria

as service dogs. Where reasonable, ADA-covered entities are required to modify their policies to allow miniature horses. There are four assessment factors used to ascertain whether miniature horses can be accommodated by an entity in their facility, including whether: (1) it is housebroken; (2) it is under the owner’s control; (3) the facility can accommodate the type, size, and weight of the horse; and (4) its presence will compromise legitimate requirements necessary to safely operate the site (U.S. Department of Justice, 2011).

Training and Certification Requirements

In addition to being housebroken and well-behaved, service animals are required to be individually trained to provide a service or do work for people with disabilities. These services may be visible, such as pulling a wheelchair, guiding a blind person, retrieving things for a physically disabled person,

or invisible, as in service dogs for post-traumatic stress disorder, mental illness, seizures, diabetes, and autism. Although organizations exist that focus specifically on training and pairing service dogs with disabled individuals, it is not required that a service dog be formally trained by one of these organizations. An individual may select and train their service animal independently.

Documentation

A prescription for a service animal is only needed to secure the service animal from an agency providing the animal. People with documented disabilities are not required to go through an agency and can train their own service animal (or hire a trainer to train the animal), but service animals are required to meet local ordinances regarding licensing and vaccinations.

Rights of Access

The ADA specifies that service animals are generally allowed to accompany people with disabilities wherever covered entities offer public access. Covered entities include state and local governments, businesses, and nonprofit organizations (U.S. Department of Justice, 2011). In some settings the appropriateness of a service animal's access may vary. For example, it would be inappropriate to deny access to a service animal from hospital patient rooms, exam rooms, cafeterias, and clinics, but appropriate to limit access to spaces where the animal's presence may compromise a sterile environment, such as operating rooms or burn units. Covered entities are not required to grant a service animal access if its presence would "fundamentally alter the nature of the goods, services, programs, or activities provided to the public" (U.S. Department of Justice, 2011, p. 1).



Key Concept

When encountering an individual with an animal and it is NOT obvious the animal is a service animal, the following questions are allowed to be asked, according to the ADA (1990a).

- Is the dog a service animal required because of a disability?
- What work or task has the dog been trained to perform?

It is a violation of the ADA to ask the person about their disability, require documentation of the dog's training or an identification mechanism (e.g., card, vest, or tags), or request a demonstration of the service the dog provides (U.S. Department of Justice, 2011).

The ADA prescribes that service animals must consistently be under the handler's control at all times, be housebroken, and have a tether (e.g., harness or leash) to the person unless it would undermine the animal's ability to safely perform its tasks (Americans With Disabilities Act, 1990a). There are two circumstances under which a person with a disability can be asked to remove their service animal from the premises: (1) the dog is not under the handler's control or the handler's efforts to gain control are ineffective, or (2) the dog is not housebroken (Americans With Disabilities Act, 1990a). In the event a service animal is legitimately

asked to be removed, the person with a disability must be offered an opportunity to secure goods or services unaccompanied by the animal.

The ADA specifically addresses the issue of allergies and fear of dogs as it pertains to service animal access. Service dogs cannot be denied access due to others' allergies or fear of dogs. If an individual with a disability who uses a service dog and a person with a dog allergy or phobia must be in the same space, such as a classroom, both should be accommodated, such as by assigning them to separate locations within the shared space or different rooms in the site (U.S. Department of Justice, 2011). Disabled individuals who use service animals cannot be separated or segregated from other consumers of services, or "treated less favorably than other visitors" (U.S. Department of Justice, 2011, Inquiries, Exclusions, Charges, and Other Specific Rules Related to Service Animals section). Fees associated with pets must be waived for individuals with service animals, except in instances of damage caused by a person with a disability or their service dog, provided the business would charge any other customer for damages (Americans With Disabilities Act, 1990a). These regulations are particularly relevant to university-owned housing and other spaces.

Resource Highlight

The ADA has a [Frequently Asked Questions](#) document that can help covered entities, such as public and private IHEs, determine their obligations to members of the campus community who use service animals.



Psychiatric Service Dog

Psychiatric service dogs (PSDs) are a particular type of service animal; the ADA (1990a) does not distinguish them from other types of service animals. They are described in additional detail to eliminate confusion between PSDs and ESAs, and because students may request support from their clinicians in documenting a psychiatric disability to qualify for a service animal.

PSDs are most common among individuals diagnosed with depression, PTSD, panic disorder, agoraphobia, autism spectrum disorder, and others (Tedeschi et al., 2015). These service dogs are used to alleviate the negative effects of psychiatric disorders. They often are familiar to the individual, whereas people who receive service dogs trained by established non-profits, such as Guiding Eyes for the Blind, are often matched with an unfamiliar animal after it has had years of training. Like any other service dog, PSDs are specially trained to address an individual's psychiatric disability. Typical trained PSD tasks include assistance with medical crises, coping with emotional overload,

security enhancement tasks, and treatment-related assistance (Tedeschi et al., 2015). Examples include interrupting repetitive or self-harming behaviors, nudging a person experiencing a flashback to come back to the present, deep pressure therapy, gaining the individual's attention to calm them down before or during an anxiety attack, securing a room before a person enters, creating a space buffer in close situations, assisting with social anxiety by being a point of focus and responsibility in public, and alerting others to help the individual when necessary (Cattet, 2021; Meikle, 2018; Yamamoto & Hart, 2019). Unfortunately, there are not enough organizations training PSDs to meet the demand. Unique to PSDs is the wide variety of breeds employed, ranging from small to large breeds, as opposed to the medium breeds (e.g., labrador and golden retrievers, German shepherds) that one might typically associated with service animals (Tedeschi et al., 2015).

PSDs are a more recent service animal application; research on the effects of this category is emergent compared to other types of service dogs. Concerns in the literature include the limited research on risks to the emotional and physical well-being of the animal, as well as the possibility of harm or cruelty at the hands of their handler, placement, or family (Tedeschi et al., 2015). Dogs have emotional needs, such as social companionship, predictability, and coping skills for stressful situations. Some animal-welfare groups have expressed concerns for animals serving as PSDs when a handler's symptoms might limit the dog's social and mental stimulation and predictability of routines. For dogs placed with autistic individuals, there may be limited opportunities for "off-duty" recreational time, which could cause distress. The diagnostic criteria for PTSD (e.g., angry outbursts, hypervigilance, exaggerated startle response) could negatively affect the welfare of an animal living with an individual with these symptoms. The high

co-occurrence of substance abuse, domestic violence, and suicide among veterans diagnosed with PTSD also make for a situation that could be high risk to the animal. PSDs should be monitored regularly for signs of distress that could interfere with their ability to perform their responsibilities (Tedeschi et al., 2015).

ADA regulations require a disability associated with one's psychiatric diagnosis in order to qualify for a PSD; the dog must be trained to assuage this disability. Impairment due to a mental illness also is not sufficient to qualify; one must be unable to function in some way due to their mental illness to qualify as a disability. A dog's natural behaviors are not sufficient to qualify as a service animal. The PSD's role is to aid the handler in overcoming or improving that impairment in function (Cattet, 2021).

Psychiatric Service Dog Resources

- Click [here for a TedTalk](#) demonstrating typical training for PSDs.
- For more information, visit the [ADA National Network: Information, Guidance, and Training on the Americans with Disabilities Act](#) website.
 - [Service Dogs and Emotional Support Animals](#) (Brennan & Nguyen, 2014)
 - [Service Animal Resource Hub](#)



Service Dog in Training

Training a service animal takes time, but federal law does not give rights of access to service dogs in training. In addition to performing tasks for an individual with a disability, service dogs must be socialized to handle a vast array of situations, be responsive to commands, and have excellent dog manners. A dog's training often begins as a puppy and can take as long as two years. These dogs must also be in good health. A dog could be excellent at following commands and be disqualified due to a health concern or if the purpose for which they were being trained doesn't match their strengths. So-called "failed" service dogs are often repurposed to perform other work tasks, such as therapy dogs, police

work, and search and rescue. Because of long wait lists for dogs trained by organizations, many disabled individuals opt to train their own service dog.

The ADA (1990a) does not grant service dogs in training any rights of access, but many states recognize its importance in their training and have laws to grant them access. College campuses offer exposure to large numbers of people, loud noises, and other unique situations, so many organizations seek them out as part of their service dog training programs. Some IHEs have embraced service dog training opportunities on campus by allowing students living in campus housing to volunteer as puppy raisers or puppy sitters for service animal organizations. These programs are sometimes a student organization (see [University of Delaware PRoUD club](#)) or embedded in a related curriculum. Canine Companions (n.d), a nonprofit that trains service dogs, offers FAQs about collegiate puppy raising [here](#).



Action Item

IHE policy makers are encouraged to review state and local laws regarding service dogs in training to ensure compliance prior to developing policies regarding their rights of access on campus.

Emotional Support Animal

An ESA is an animal that provides companionship and comfort to a person who has a qualifying medical, mental, or chronic health condition that rises to the level of disability, and has been documented by a licensed health-care provider. Though these animals are excluded from the ADA, they are covered under the FHA. Unlike service animals, any domesticated animal can be designated as an ESA. The ESA's presence is intended to provide comfort and companionship through the human-animal bond, among other goals. Their presence can relieve loneliness, and help with anxiety and even some types of phobias (Yamamoto & Hart, 2019). The ESA's only mission is being present for their person.

Training and Certification Requirements

No temperament testing or training to perform specific tasks is required of ESAs.

Documentation

To qualify for an ESA, one must be diagnosed with a disability and have a health-care provider who can attest that the animal helps alleviate some of their disability symptoms (Cattet, 2021; Yamamoto & Hart, 2019).

Rights of Access

Individuals supported by ESAs have the right to nondiscrimination in housing. The animal is viewed as a "reasonable accommodation" under the [Fair Housing Act](#) (HUD, 2020), which would result in an exception to animal size and breed restrictions, as well as "no pets" rules and fees in housing communities only. Just as a wheelchair provides a person with a physical disability the equal opportunity to use and enjoy a dwelling, an ESA provides a person with a mental or psychiatric disability the same opportunity to live independently. Landlords may ask for supporting documentation of the requested accommodation if the disability is not observable and recover costs due

to animal-caused damage. They may not ask about the nature or severity of the disability or illness. Landlords may place limits on accommodated animals if specific animal conduct issues or accommodation poses a direct threat or a fundamental alteration (HUD, 2020). Landlords cannot charge additional fees for the accommodated animal.

A key difference between ESAs and service animals is that ESAs are not granted the right of public access. An individual with an approved ESA cannot bring the animal to other settings, such as a classroom, dining hall, or sporting event. At one time, ESAs were covered under the Air Carrier Access Act. This act was revised in 2020 to bring the definition of animals allowed on airplanes in line with the ADA (1990a) definitions of service animals. According to the final rule, air carriers can treat ESAs as pets (Air Carrier Access Act, 2020). Click [here](#) for a summary of the ACAA changes and [here](#) for the full statute.



photo courtesy of George V. Alessandria

Therapy Animal

Therapy animals are intended to serve many people. Therapy animals are pets that are highly social and enjoy interacting with a wide variety of people other than their handlers. They are temperament tested, and together with their handlers (who are not always their owners) receive special training to interact safely with others in a wide variety of environments (e.g., hospitals, schools, and rehab facilities) and with many populations (e.g., children, disabled individuals, older adults and veterans). Dogs are the most common therapy animal species, but many other domesticated species may be involved in therapy work, including horses, cats, rabbits, ferrets, and other small animals.

Roles and Functions

Therapy animals are usually volunteers accompanied by their owner or a handler. There are many therapeutic applications of animals, including animal-assisted interventions (AAI), animal-assisted activities (AAA), animal-assisted therapy (AAT), animal-assisted education or pedagogy (AAE), and animal-assisted coaching or counseling (AAC). Regardless of the category, the work is always goal-directed and the handler is responsible for being attuned to the animal's welfare. The handler's training and education (e.g., a credentialed professional vs. a layperson) can influence the type of therapy animal activity offered. Each category of therapy animal activity has been defined below, according to the [International Association of Human-Animal Interaction Organizations definitions \(IAHAIO\)](#).

Animal-Assisted Intervention: *an animal-assisted intervention is a goal-oriented and structured intervention that intentionally includes or incorporates animals in health, education, and human services (e.g., social work) for the purpose of therapeutic gains in humans. It involves people with knowledge of the people*

and animals involved. Animal-assisted interventions incorporate human-animal teams in human services such as animal-assisted therapy, animal-assisted education, or animal-assisted activity. They also include animal-assisted coaching. Such interventions should be developed and implemented using an interdisciplinary approach (Task Force for the IAHAIO Definitions for Animal-Assisted Intervention and Guidelines for Wellness of Animals Involved, 2014-2018, p. 5). This is the broadest category of therapy animal applications.

Animal-Assisted Activity: *AAA is a planned and goal-oriented informal interaction and visitation conducted by the human-animal team for motivational, educational, and recreational purposes. Human-animal teams must have received at least introductory training, preparation, and assessment to participate in informal visitations. Human-animal teams who provide AAA may also work formally and directly with a health-care, education, or human service provider on specific documentable goals. In this case they are participating in AAT or AAE that is conducted by a specialist in his or her profession. Examples of AAA include animal-assisted crisis response that focuses on providing comfort and support for trauma, crisis, and disaster survivors, and visiting companion animals for "meet and greet" activities with residents in nursing homes. The person delivering AAA must have adequate knowledge about the behavior, needs, health, and indicators of stress of the animals involved (Task Force for the IAHAIO Definitions for Animal-Assisted Intervention and Guidelines for Wellness of Animals Involved, 2014-2018, p. 5).*

Final Exam de-stress events are common AAA activities on college campuses.



Animal-Assisted Therapy: animal-assisted therapy is a goal-oriented, planned, and structured therapeutic intervention directed or delivered by health, education, or human service professionals, such as psychologists and social workers. Intervention progress is measured and included in professional documentation. AAT is delivered or directed by a formally trained (with active licensure, degree, or equivalent) professional with expertise within the scope of the professionals' practice. AAT focuses on enhancing physical, cognitive, behavioral, and socio-emotional functioning of the particular human recipient either in the group or individual setting. The professional delivering AAT (or the person handling the animal under the supervision of the human service professional) must have adequate knowledge about the behavior, needs, health, and indicators and regulation

of stress of the animals involved (Task Force for the IAHAIO Definitions for Animal-Assisted Intervention and Guidelines for Wellness of Animals Involved, 2014-2018, p. 5).

On a college campus, AAT may involve the use of therapy animals for therapy or treatment goals and be implemented by licensed professionals in the campus counseling center.

Animal-Assisted Education (or Animal-Assisted Pedagogy): animal-assisted education is a goal-oriented, planned, and structured intervention directed or delivered by educational and related service professionals. AAE is conducted by qualified (with degree) general and special education teachers either in a group or individual setting. An example of AAE delivered by a regular education teacher is an educational visit that promotes responsible pet ownership. AAE, when done by special (remedial) education teachers, is also considered therapeutic and a goal-oriented intervention. The focus of the activities is on academic goals, pro-social skills, and cognitive functioning. The student's progress is measured and documented. The professional delivering AAE, including regular school teachers (or the person handling the animal under the supervision of the education professional), must have adequate knowledge about the behavior, needs, health, and indicators and regulation of stress of the animals involved (Task Force for the IAHAIO Definitions for Animal-Assisted Intervention and Guidelines for Wellness of Animals Involved, 2014-2018, p. 5).

An example of AAE may be a reading program with kindergarten students who read to the animals on a weekly basis. The teachers may track their progress, but volunteer handlers and animals may be used to implement the intervention.

Animal-Assisted Coaching or Counselling: *Animal-Assisted Coaching or Counselling is a goal-oriented, planned, and structured animal-assisted intervention directed or delivered by professionals licensed as coaches or counsellors. Intervention progress is measured and included in professional documentation. AAC is delivered or directed by a formally trained (with active licensure, degree, or equivalent) professional coach or counsellor with expertise within the scope of the professionals' practice. AAC focuses on enhancing personal growth of the recipient, on insight and enhancement of groups processes, or on social skills and socio-emotional functioning of the coachees or clients. The coach or counsellor delivering AAC (or the person handling the animal under the supervision of the coach or counsellor) must have adequate training about the behavior, needs, health, and indicators and regulation of stress of the animals involved (Task Force for the IAHAIO Definitions for Animal-Assisted Intervention and Guidelines for Wellness of Animals Involved, 2014-2018, p. 6).*

Rights of Access

Therapy animals have no special rights of access. These animals are not covered under the [ADA](#), [Fair Housing Act](#), or [Air Carrier Access Act](#), since they are not specifically trained to provide services to a designated individual with a disability. Therapy animals are only allowed to enter spaces where they have been invited or approved.

Training and Certification Requirements

There are many organizations that will certify therapy animals. Typically they are nonprofit organizations and may be local organizations or branches of widely recognized national therapy animal organizations. [Pet Partners](#) (formerly the Delta Society) and [Therapy Dogs International](#) are two of the largest national

organizations. There are no official therapy animal certification standards. The certification process generally requires a temperament test to ensure the domesticated animal enjoys the attention of humans, is nonreactive to loud noises, and can tolerate being around commonly encountered equipment (e.g., wheelchairs and crutches.) Therapy dogs, in addition to being nonaggressive, house trained, and actively seeking the company of humans other than their owner, must meet general obedience-training standards, such as sit, down, stay, heel, and those included in the AKC [Canine Good Citizen](#) certification). Typically the handlers are trained in how to recognize stress in their animal, prevent zoonotic diseases, and best practices for animal welfare and human safety. Liability insurance is also required for therapy animal teams. Animals typically have a scarf, bandanna, vest, or other indicator of their therapy animal status.

Documentation Requirements

In addition to meeting local pet-licensing and vaccination requirements, therapy animal handlers must have proof of rabies and other species-appropriate vaccinations available upon the request of the location visited. Certifying organizations may require a veterinarian to document the animal is in good health and approved for this type of work. Typically these animals are recertified annually, requiring confirmation that vaccinations are up to date and the animal is in good health. Liability insurance is also required, in the event of injury to (or by) the animal while working.

Facility Animals

Facility animals are working animals used therapeutically in facilities and are not an individual person's pet. Facility dogs, in particular, are trained in general obedience and may also be trained as therapy animals or to perform specific behaviors for the needs of the facility. Examples of places you may find facility animals are in courts to offer comfort to those who have to testify (particularly

children and assault victims), rehabilitation facilities, schools, and dental clinics. A facility dog in a college counseling center may participate in outreach, as well as individual and group therapy (see Daltry, 2018 for recommendations on how to embed a therapy dog in a college counseling center). The [Virginia Tech Cook Counseling Center](#) (n.d.a; n.d.b) is an example of a center that employs facility dogs in its therapy dog program. The dogs all have staff profiles on the website. Typically a facility dog is under the care of an individual staff member employed at the facility. Facility and therapy animals are similar in many ways, including being highly social and enjoying interaction with a wide variety of humans. The main difference is that therapy animals may only work a few hours at a time as volunteers with their handler. Facility animals are more like full-time employees at the facility. The significantly shorter lifespan of animals, coupled with the popularity of facility animals who become embedded in the campus culture, means campuses should be prepared to notify and assist the campus community in grieving the retirement or loss of beloved four-legged community members.

Resource Highlight

Examples of facility animal death and retirement announcements.

- [Obituary for Moose](#) (Virginia Tech, 2020), the first Virginia Tech facility dog, who garnered national attention.
- [Retirement announcement for Beau](#) (Sadikun, 2020), University of Southern California's wellness dog.

According to Cattet (2021), facility animals have an important role in motivating and encouraging clientele to engage in activities, fostering trust in the clinician or handler, and increasing social interaction among facility clientele and staff. Other examples of the type of work facility dogs may do include:

- Deep pressure therapy (e.g., climbing into a person's lap) may help a person calm down. This could be useful in first-responder settings and rehabilitation centers to aid with lowering arousal after experiencing traumatic situations.
- Retrieving objects or assisting with socialization in retirement or skilled nursing facilities.
- In occupational therapy, to encourage movements in individuals recovering from accident or injury. Caring for the animal may motivate a person to accomplish fine and gross motor skills, such as feeding kibble one by one, attaching a leash, walking the animal, walking toward the animal, and reading to the animal.

Facility animals do not have public access rights. They must be specially approved by the administration of the facility or school.

Other Working Dogs

There are many other categories of working dogs that are beyond the scope of this guide, including, but not limited to, search and rescue, cancer detection, COVID-19 detection, explosive detection, and law enforcement.

Summary of Types of Animals and Rights of Access

Category	Definition	Rights of Access	Regulations	Training Requirements
Pet	“A domesticated animal kept for pleasure rather than utility” (Merriam-Webster, n.d.).	None.	Local and state licensing and vaccination regulations.	None required.
Assistance Animal	A broad category used to encompass service animals, service animals in training, and emotional support animals. “An assistance animal is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or that provides emotional support that alleviates one or more identified effects of a person’s disability. An assistance animal is not a pet” (HUD, n.d.a, para. 1).	Varies by animal subtype. See specific categories below.	Fair Housing Act Air Carrier Access Act Local and state licensing and vaccination regulations.	Varies by animal subtype. See specific categories below.
Service Dog	“A dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person’s disability” (U.S. Department of Justice, 2015).	“State and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is allowed to go” (U.S. Department of Justice, 2011, Where Service Animals Are Allowed section). “A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it, or (2) the dog is not housebroken” (U.S. Department of Justice, 2011, Inquiries, Exclusions, Charges, and Other Specific Rules Related to Service Animals section).	Americans With Disabilities Act Local and state licensing and vaccination regulations.	Must be trained to perform a specific task for an individual with a disability and prepared to do so in a wide range of situations.

Category	Definition	Rights of Access	Regulations	Training Requirements
Service Dog in Training	Animals in training are not considered service animals and generally do not have the same rights as service animals, though there may be state-by-state regulations affecting the rights of access of this category of animal.	None granted by ADA (1990a); individual states may grant similar access as service animals.	Local and state licensing and vaccination regulations.	Animal is under training to become a service animal capable of performing a specific task for an individual with a disability.
Emotional Support Animal	An emotional support animal, sometimes referred to as a comfort animal, is a pet that provides therapeutic support to a person with a mental illness. To be designated as an emotional support animal, the pet must be prescribed by a licensed health-care professional for a person with a mental illness. The prescription must state that the individual has an impairment that substantially limits one or more major life activities, and that the presence of the animal is necessary for the individual's mental health.	Per the ADA (1990a), individuals with emotional support animals do not have the same rights to public access as individuals with a service dog. Emotional support animals may only accompany their owners in public areas with the express permission of each individual venue or facility management. Emotional support animals may live with their owners in locations covered by the Fair Housing Amendments Act (FHAA) regardless of a "no pets" policy. Although most frequently dogs, other species may be prescribed as emotional support animals (Pet Partners, n.d.). The Air Carrier Access Act has been updated to reflect the ADA regulations for service animal rights of access. Individual air carriers may allow ESAs. Individuals should check with their air carrier for guidance and documentation requirements.	Fair Housing Act Air Carrier Access Act Local and state licensing and vaccination regulations.	None required.

Category	Definition	Rights of Access	Regulations	Training Requirements
Therapy Animal	<p>“Therapy animals can provide physical, psychological, and emotional benefits to those they interact with, typically in facility settings such as health care, assisted living, and schools. Although most frequently dogs, therapy animals can include other domesticated species such as cats, equines, and rabbits.... These pets are evaluated on their ability to safely interact with a wide range of populations, and their handlers are trained in best practices to ensure effective interactions that support animal welfare. Therapy animal handlers may volunteer their time to visit with their animals in the community, or they may be practitioners who utilize the power of the human-animal bond in professional settings” (Pet Partners, n.d., Therapy Animal section).</p>	<p>No special rights of access. Access is granted by invitation only, as approved by the site.</p>	<p>Local and state licensing and vaccination regulations.</p>	<p>Basic obedience, temperament testing, and certification by a therapy animal organization.</p>
Facility Animal	<p>“A facility animal is an animal who is regularly present in a residential or clinical setting. These animals may be a variety of species, from dogs and cats to birds or fish. They might live with a handler who is an employee of the facility and come to work each day, or they might live at the facility full time under the care of a primary staff person. Facility animals should be specially trained for extended interactions with service recipients or residents of the facility, which may include AAA, AAE, or AAT” (Pet Partners, n.d. Facility Animal section).</p>	<p>“These animals do not have special rights of access in public unless they are accompanying and directly supporting an individual with a disability” (Pet Partners, n.d.).</p>	<p>Local and state licensing and vaccination regulations.</p>	<p>Training will vary depending on animal’s role, function, and species.</p>

Stop and Think Scenarios: **Is This Animal Allowed on Campus?**

Below are several scenarios to apply your understanding of the different types of animals and their rights of access. Review each scenario to determine whether and where the animal would be allowed on your campus.

Fluffy

Fluffy is a 7-year-old cat Calista adopted when her parents got divorced. Fluffy has been a constant comforting presence. Neither parent was willing to take custody of Fluffy while Calista is at college. Calista felt she would need Fluffy's support at school, so she found a therapist to write a letter designating Fluffy as an emotional support animal. They live in a co-ed residence hall in a suite-style situation.

- Where on campus can Fluffy accompany Calista?
- Calista is thinking of moving off campus next semester, but most places do not allow pets. Does Fluffy's ESA status allow her to live in these "pet-free" apartments?

Bella

Bella is a 6-year-old golden retriever therapy dog. She has been certified through Pet Partners and frequently volunteers at the local college, elementary schools, nursing homes, and hospitals. She loves to socialize with people. She has been invited to the Student Union for a final exam de-stress event hosted by the Counseling Center.

- Is Bella allowed on campus? If yes, who, if anyone, had to grant her permission to come to campus?
- Bella's handler, Melanie, is the parent of a student on campus. Melanie knows her son, Kyle, will be in the Chemistry building at the same time she'll be leaving the event and that Kyle would love to see Bella. Melanie walks over to the Chemistry building and hangs out inside the foyer to wait for Kyle. Is Bella allowed in the Chemistry building? Why or why not?

Luke

Dan, a freshman at USA University, has a seizure disorder. Luke is Dan's 7-year-old seizure alert service dog who can alert him prior to a seizure. Dan's parents felt more comfortable sending him to campus with Luke because Dan sometimes forgets to take his medications and having Luke around reminds him.

- Where can Luke go on campus, if anywhere?
- Is Luke required to wear a service dog vest?
- What questions can faculty and staff ask Dan about his dog and his disability?
- Is Dan required to document his need for Luke with the Disability/Accessibility Services Office?

Charlie

Charlie is professor Jones' 20-week-old service dog in training. Dr. Jones cannot bear to be away from Charlie, who is growing fast and needs frequent bathroom breaks. Dr. Jones has decided he will bring Charlie with him on long days at school to avoid getting a dog sitter and limit Charlie's accidents in the house. On these days, Dr. Jones brings Charlie to class and his meetings on campus. Because Charlie is small and very personable, everyone loves him and Dr. Jones enjoys the positive attention. However, Charlie has had potty accidents in the classroom and a colleague's carpeted office. Dr. Jones has never asked students if anyone has a dog allergy or phobia.

- Is Charlie allowed on campus? Why or why not?
- What legal and ethical issues do you see?
- Whom should the faculty or students who are bothered by Charlie's presence contact?

Tye Dye

Tye Dye is a service dog in training being raised by Maya, a junior animal science major who is also president of the Puppy Raiser club on campus. The club is a registered organization on campus and has a partnership with Guiding Eyes, a nonprofit that breeds and trains seeing eye dogs. Tye Dye is expected to live with Maya for 13 to 18 months, and needs to learn basic obedience and be socialized and exposed to a wide variety of experiences. After this time, Tye Dye will be returned to Guiding Eyes for further training. The Puppy Raiser club has designated campus housing and permission to bring the service animals in training to university-owned spaces. However, bringing the animals to class requires permission from the individual instructor. Maya is taking a biochemistry course that requires labs involving chemicals and glass tools, and she would like Tye Dye to come to class. The class is right before lunch, and it would be inconvenient to go home to get Tye Dye between class and lunch so she can be exposed to dining facilities.

- Should Tye Dye be allowed to attend this class? What are the risks?
- What rights of access does Tye Dye have?
- Can Tye Dye go to this class with Maya? Why or why not?
- Can Tye Dye go to dining facilities or athletic events? Athletic events?
- Under what circumstances can Maya be asked to remove Tye Dye from the premises?

Buttercup

Buttercup, a flop-eared rabbit, is a facility animal in the campus counseling center. She lives full-time in a cage in a counselor's office. Occasionally, Buttercup is seen outdoors at counseling center outreach events on campus, such as on the quad or on the lawn in front of the counseling center. Buttercup is active on social media such as Instagram, Facebook, and Twitter so students can follow her adventures. The counseling center uses this as a way to share mental health and wellness tips.

- What rights of access does Buttercup have?
- Is she allowed inside any buildings other than the counseling center?
- Who on campus needed to approve Buttercup to be a facility animal?
- If the counselor responsible for Buttercup would like to bring her to another space on campus, from whom should she seek approval?

Animal Welfare

Where animals are present, there is the possibility of animal neglect and abuse. Animal welfare encompasses how animals survive the conditions in their environment, physiologically, behaviorally, and medically (Broom as cited in Ng et al., 2015). There are five criteria used to evaluate animal welfare: “(1) freedom from thirst, hunger, and malnutrition; (2) freedom from discomfort; (3) freedom from pain, injury, and disease; (4) freedom from fear and distress; and (5) freedom to express most normal behavior” (Ng et al., 2015, p. 359). These freedoms can be grouped into three domains: physical, affective, and nature, referred to as the Animals Quality of Life.

NOTE

Service and emotional support animals are not exempt from state animal neglect laws. According to the Fair Housing Act, if a tenant becomes unable to properly care for their assistance animal or is neglecting their assistance animal and it rises to a level of endangerment, it may become a criminal matter. If any animal is being neglected, local law enforcement or animal control can intervene. Moreover, a tenant would also be subject to all the other provisions of the lease, such as maintaining his or her residence in a sanitary manner (HUD, n.d.a; Wisch, 2021).

Helpful Resources

[Michigan State Animal Legal & Historical Center FAQs on Emotional Support Animals](#)

[HUD Assistance Animals Summary](#)

Freedoms one through three fall under the physical domain, which includes concerns about the animal's health and functioning. Access to proper nutrition and veterinary care fall under this category. This domain also covers freedom from diseases carried by humans, known as reverse zoonoses. The affective domain refers to freedom from concern about pain, fear, or distress. The ability to express the animal's natural or normal behaviors is the third category. Animals need time to exercise, rest, and play without having to “perform” for their humans (Ng et al., 2015). In other words, we need to allow animals to be animals, without imposing human behavior expectations upon them. This is particularly relevant for therapy and service animals, who may suppress some of their natural behaviors in order to appropriately interact with many humans. Animals can experience cardiovascular, hormonal, and endocrine benefits from socialization with humans and other animals. However, they also need time off to rest. The handler is critical to ensuring the animal's interactions are beneficial by monitoring its ability to perform the tasks requested (Ng et al., 2015).

Animals need time to exercise, rest, and play without having to “perform” for their humans.

Aggressive animals pose a public health risk to animal and human welfare. There may be many benefits of ESAs, but not every animal is suited to this work. Aggressive, shy, or antisocial animals do not make good ESAs (Fine et al., 2019). Assistance animals (and pets, if allowed on campus) may not be used to the sounds, smells, structures, and quantity of people with whom they may interact on campus. Currently, no formal policies or laws require veterinarians to evaluate an animal's suitability for ESA designation (Fine et al., 2019). Is it fair to put ESAs in situations where they are unlikely to succeed? Animal handlers should be prepared to recognize signs of distress in their animals to protect the animals' welfare. Handlers should observe their



animals for signs of distress or maladaptation. Individuals who notice their animal is not thriving in their on-campus environment should seek veterinary consultation.

Service Dog Access and Animal Welfare

One of the limitations on service animal access is when access would “fundamentally alter the nature of the goods, services, programs, or activities provided to the public” (U.S. Department of Justice, n.d.b., When a Service Animal Can Be Kept Out section). There may be times an individual would like to bring their service animal with them to a situation that may not be safe or appropriate for the service animal or the purpose of the location. For example, a student in a veterinary medicine program may be on clinical rotations where they must treat a wide range of animals, some of which would naturally be prey of the service animal. It is possible the service animal's presence could interfere with the examination of patients, or, in the case of surgery, introduce pathogens into a sterile environment. It is important to work with the disability or accessibility services office to assist with identifying and addressing issues when limitations on the access of a service animal is warranted.

Another challenge or risk for service animals is the potential for harm caused by other animals on campus. Service animals are trained to be nonreactive around other animals; a service dog is not likely to defend itself if another animal approaches. There have been cases where service animals, which are not easily replaced, have been harmed by ESAs. Attention to the service animal's health and well-being is important. If a service animal begins to display health issues, veterinary guidance should be sought.

Recognizing Animal Neglect and Abuse

Every state in the U.S. has laws against cruelty to animals, some of which have felony provisions. If campus professionals become aware of animal cruelty, there exists a moral and ethical responsibility to address the issue. Harmful behaviors toward animals that constitute cruelty range from neglect to malicious killing. Unintentional neglect is the most common type of cruelty investigated by humane officers, which can often be addressed through education. Recognizing that it can be difficult to determine whether one has witnessed animal cruelty, the Humane Society of the United States (n.d.) offers the definitions below to aid bystanders in identifying when and how to respond. Campus staff who supervise housing in which approved animals reside should be educated in the signs of animal cruelty and whom to contact in the event of suspected neglect or abuse. The list below is not exhaustive, but addresses the most likely forms of animal cruelty that may occur on college campuses.

Intentional cruelty can run the gamut from knowingly depriving an animal of food, water, shelter, socialization, or veterinary care to maliciously torturing, maiming, mutilating, or killing an animal (Humane Society of the United States, n.d.).

Neglect is failure to provide for an animal's basic needs. It encompasses lack of clean food and water, adequate shelter, socialization, or veterinary care, as well as tethering, abandonment, or other forms of abuse (Humane Society of the United States, n.d.).

Case Study: Clementine

Cassie lives on campus at State University with her ESA cat, Clementine, and her roommate, Molly. Cassie has severe anxiety; Clementine's presence brings her great comfort. Lately, Molly has noticed Clementine's litter box is full and she's begun making messes outside the box. The litter-box smells have become overwhelming. Cassie has not attended class for weeks. Yesterday Clementine scratched Cassie on the face when she tried to rouse her from bed to feed her. Molly is unsure whether Cassie is feeding Clementine and is becoming concerned for Clementine's welfare. Molly called the counseling center to express concern for Cassie and complained to the RA about the smell and Clementine's well-being.

1. What issues do you see?
2. Should Cassie be allowed to keep Clementine on campus with her? Discuss the complicating factors in this situation.
3. Does your response change if you were the professional who wrote the ESA approval letter?

Direct abuse is direct violence toward an animal, such as beating or physically attacking an animal. Violence toward animals is often part of a larger pattern of violence that can include people as well. It is important to intervene quickly to help the animal and prevent future abuse (Humane Society of the United States, n.d.).

Lack of veterinary care can be a form of abuse. Animals can be expensive to maintain, not just for routine supplies (food, toys, treats, bedding, etc.), but routine and emergency veterinary care are also necessary. According to the HSUS, untreated wounds, emaciation, scabs, and hair loss can be warning signs of untreated illness. If they are noticed, the first step is to bring the animal's condition to the attention of the owner. If alerting the owner is not an option, or if the owner takes no action to address the animal's condition, authorities should be notified of the potential neglect as soon as possible (Humane Society of the United States, n.d.).

Abandonment causes the deaths of many animals each year when they're left behind after their people move out of their residences. Abandoned cats and dogs may alert neighbors with their voices. Landlords would be prudent to keep an eye out for abandoned animals in recently vacated residences. Small animals in cages or tanks are easy to overlook and may sustain neglect in the event of a pet parent's sudden departure or passing (Humane Society of the United States, n.d.).

Stop and Think

Students may have a legitimate need and desire to have an animal on campus. At the same time, they may not have the financial resources to adequately care for their animals. If neglect is determined, difficult decisions lie ahead for the individual and IHE regarding whether the student can keep the animal and/or potential exposure to parasites or zoonotic diseases. Below are several questions to consider as you develop your policies and procedures.

- What responsibility, if any, does the IHE have to determine the student's ability to provide adequate care for their animal?
- What are the consequences if a student is determined to have neglected or abused an animal?
- What might be the consequences if there is an increase in separations of animals from owners due to policy violations, abuse, or neglect?
- What consequence might this have on town/gown relations if animals end up in local shelters?

The transience of college students makes it wise to track animals on campus to limit the potential for abandonment. Animals-on-campus policies and procedures should include expectations for the owner to arrange care for the animal in the event of a temporary or permanent separation, including a pet emergency kit (see Appendix C for [CDC Pet Emergency Checklist](#)). Separation situations may include campus break periods, travel related to IHE responsibilities, hospitalization or death of a student, and evacuation in the event of a natural or manmade disaster.

Inadequate Shelter –especially in extreme temperatures– can be deadly to animals. Similarly, pets left in cars are susceptible to extreme heat and cold. The HSUS recommends documenting the situation with a camera and contacting local animal control services (Humane Society of the United States, n.d.).

Chained Dogs who are tied up continuously can sustain trauma from social isolation and exposure to the elements and predators (Humane Society of the United States, n.d.).

Points to Ponder

- As the number of animals on campuses climbs, should the campus community be educated about the signs of animal abuse and neglect and how to notify local animal control agencies or the institution?
- Should the policy and permission forms include information about consequences of animal abuse or neglect, including campus conduct procedures and potential loss of the privilege to bring their animal to campus (for pets and ESAs)?

Risks Associated With ESA on Campus

Because ESAs are not trained to assist individuals and are not required to be temperament tested or socialized in a variety of situations, it is possible situations may arise where an ESA could: (1) harm or interfere with the duties of a trained service animal; (2) cause distress for members of the public; or (3) be exposed to stressors detrimental to the ESA. Negative interactions between a student's ESA and others could cause distress to the ESA's associated student, not to mention the consequences associated with potential conduct issues and sanctions. It is important that when animals are brought to campus, they are put in situations in which they are set up for success and have an opportunity to coexist with their humans while being able to act like their species normally would. Campus policies and guidelines must be clear to ensure public health and safety along with animal well-being.

Public Health

As animals arrive on campus, it becomes important to designate areas for pet relief and Dumpsters for indoor animal waste products. The IHE should assess whether installing pet waste stations and designated Dumpsters, as well as any associated maintenance, are needed. To prevent the transmission of parasites and zoonotic diseases, animals should be required to be vaccinated in accordance with state and local regulations and veterinary best practices. Animals should receive preventive treatment for parasites such as fleas and ticks, when species-appropriate. Proof of vaccination should be part of the animal approval process. Handlers should be required to commit to regular vaccine

It is important that when animals are brought to campus, they are put in situations in which they are set up for success.

maintenance, routine veterinary care, and prevention of common parasites. The IHE may wish to determine a verification procedure and a schedule of verification if a student lives in campus housing with their ESA for multiple years.

Allergies and Phobias

Animal allergies and phobias are common. In order to protect the rights of individuals with documented disabilities, housing forms may need to request information about a student's openness to living with an animal. Doing so will avoid placing students who are allergic to or afraid of animals in spaces where ESAs will be housed. By asking all students about their interests, the IHE can prevent disclosure of a student's disability and right to bring an assistance animal to campus. The consequence of this approach is that asking everyone who lives on campus about the possibility of living with animals could imply that the campus is animal-friendly.

Aggressive Animals

In the event an animal becomes aggressive or menacing, it is important to have procedures to diffuse the situation and remove the animal from the space. The consequences of a student bringing an

aggressive animal to campus should be made explicit in the policy and animal approval contract. Similarly, students who are approved to bring an animal to campus should be reminded of the circumstances under which their animals can be asked to be removed from the campus, and attest to their understanding of these rules. Training in how to identify and remove an aggressive animal is particularly important for housing staff, public safety, faculty, and other staff who may encounter students bringing their ESAs to their spaces.

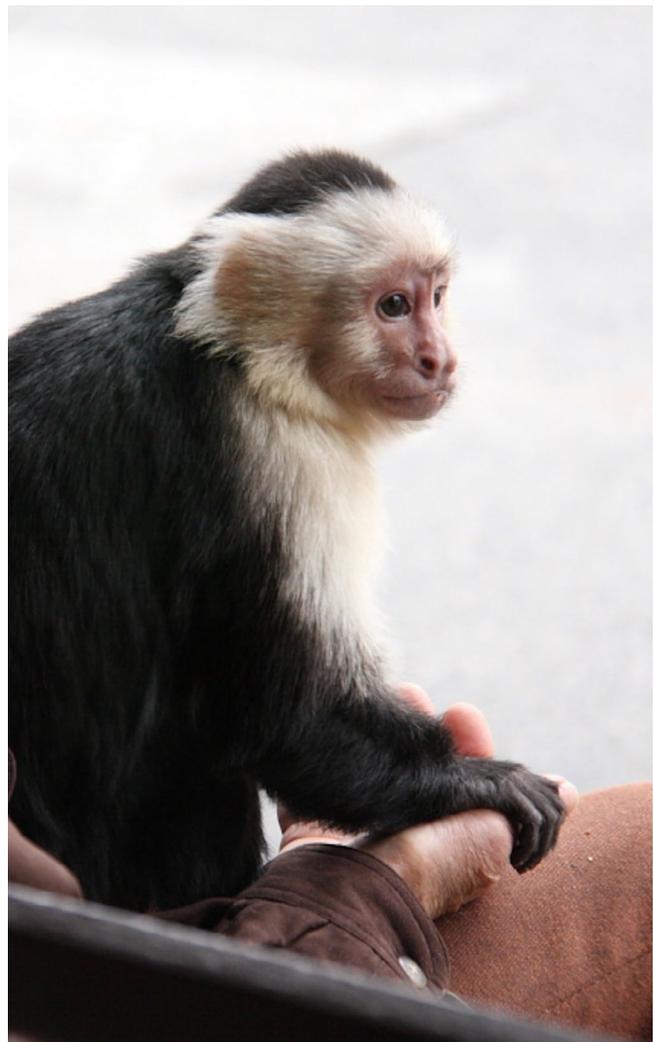
Parasites and Zoonotic Diseases

Protocols for addressing parasite infestations in campus housing must be prepared. Policies and forms must be explicit in identifying when inspections occur and, in the event of a parasite issue, who bears the cost of treatment or extermination when the ESA is determined as the cause. For a deeper discussion of parasites and zoonotic diseases, it is recommended that IHEs consult with local veterinary, public health, and infectious disease specialists.

ESA Fraud

As ESAs have gained popularity, several issues have arisen. Some individuals seek fake or fraudulent credentials in order to circumvent no-pet policies or avoid fees for pets in housing. The internet makes it easy and affordable to access ESA certification letters and service animal gear such as tags and harnesses to make an animal appear legitimate. The lack of training of fraudulent animals can be hazardous to service animals who have been trained to be nonreactive to other animals. Passing off an ESA as a service animal contributes to confusion about the differences between legitimate service animals and ESAs. This can pose a hardship to individuals with service ani-

mals who may receive inappropriate questions about their disability or be asked to remove their animal from locations where they indeed have the right of access. The lack of training of ESAs coupled with individuals who bring them to places in which they do not have the right of access can not only cause harm to service animals, but also to other humans. At least three states—Michigan, Florida, and California—have enacted laws to address fraudulently passing off animals as service dogs or ESAs. These laws establish parameters for who can write ESA letters and consequences for professionals who write letters for fraudulent animals.



ESA Letters of Support

The widespread understanding of the psychological and physical benefits of animals has led to a rise in requests for ESAs on college campuses. Increasingly, students are arriving to campuses with mental health diagnoses such as depression and anxiety. The COVID-19 pandemic, and the subsequent isolation associated with travel and social restriction policies (colloquially termed “lockdowns”) and prolonged social distancing, resulted in a significant rise in pet adoptions. Animal shelters were cleared, and many people benefited from animal companionship. Students whose high schools and IHEs continued with remote learning options for several terms may have experienced more than 18 months of learning with their pets in close proximity. ESAs may offer a significant benefit to some students, but they are not an appropriate option for everyone. Animals are a significant responsibility and require financial resources in order to provide adequate care.

To qualify for an ESA, a licensed health-care professional must write a letter documenting the human has a disability and the animal is necessary to alleviate one or more disability-related symptoms (Yamamoto & Hart, 2019). Evaluation of the animal is not required. Furthermore, evaluating the temperament of prospective ESAs is beyond the scope of practice of most health-care professionals, unless they have specialized training in the human-animal bond and animal behavior. The following section reviews HUD standards for assistance animal certification letters, ethical and professional issues related to ESA letters, and guidelines when a provider elects to write a letter of support. This information is not intended to reflect an official HEMHA position on the topic.

Rather, it is intended to inform practitioners so they can make informed decisions on how to respond to ESA letter requests.

HUD Assistance Animal Documentation Guidance

HUD has outlined best practices in providing assistance animal documentation. In addition to the person’s name, documentation should include whether the health-care provider has an existing professional relationship delivering disability-related services to the individual, and the type of animal for which they seek “reasonable accommodation.” For the purposes of fair housing, a disability “exists when a person has a physical or mental impairment that substantially limits one or more major life activities. ... Addiction caused by current, illegal use of a controlled substance does not qualify as a disability” (HUD, 2020, p. 17). HUD suggests that individuals seeking assistance animal certification ask their health-care provider to document whether (1) their impairment is mental or physical and if it “substantially limits at least one major life activity or major bodily function” (HUD, 2020, pp. 17-18); (2) the animal is necessary due to work or assistance provided to the person (e.g., it performs tasks beneficial to the person because of their disability or it provides emotional support to alleviate symptoms of a disability); and (3) the provider should include their contact and licensure information, signature, and date on the letter.

In the event a person seeks professional support for the designation of an atypical assistance animal species, HUD encourages individuals to request that the provider document in the letter (1) when they last consulted with the person about the animal,

(2) special circumstances that warrant their need for the identified animal or unconventional type of animal (e.g., already owned), and (3) “whether the health-care professional has reliable information about this specific animal or whether they specifically recommended this type of animal” (HUD, 2020, pp. 17-18). Typical assistance animal species are defined by HUD as a dog, cat, rabbit, small rodent (e.g., hamster or gerbil), fish, turtle, or other small domesticated animal. Anything outside of these categories would be considered atypical (see pp. 17-18 of HUD Assistance Animal Notice, 2020 for further details).

Ethical Issues

The majority of the information HUD recommends incorporating in assistance animal documentation seems standard and easy enough to provide. However, there are two points that can be challenging. First, not all licensed health-care providers are equipped to determine if a concern rises to the level of a disability, and second, most health-care providers have not been trained to evaluate the human-animal bond and whether the animal is suitable for assistance animal designation. Some would argue that determining an animal’s suitability for assistance animal designation should be made in collaboration with veterinary or animal-behavior specialists. This section reviews ethical issues for practitioners in implementation of ESAs in treatment.

The ethical issues regarding mental health practitioners writing ESA certification letters are many, including (1) practicing beyond the boundaries of their competence, based on their education, training, supervision, experience, and credentials; (2) evidence-based practice is the standard of care, and the body of evidence to support ESA benefits is limited; (3) animal and human welfare concerns; and (4) vicarious liability in the event of harm to an animal or harm to others by an animal for which

DISCLAIMER

The information provided is intended to aid practitioners in making informed decisions about if and when they will support the use of ESAs and provide documentation, based on the current state of the field. It should not be considered a position statement. The application of ESAs in treatment is an emerging trend that warrants further study. Readers are encouraged to review the literature for updates on this topic to further inform their decisions on whether to support or deny ESA letter requests.

they certify a need (King et al., 2021). Increasingly, states are implementing civil and criminal liability consequences for practitioners who contribute to assistance animal fraud.

Some practitioners argue that ESA letter evaluations are best provided by a neutral third party, much like forensic evaluations (King et al., 2021). The rationale for this stance is that harm to the therapeutic relationship may occur if the clinician disagrees with the person’s request for ESA certification. While the best practices outlined below reference the importance of an ongoing therapeutic relationship with the counselor, some individuals seek appointments solely for the purpose of ESA certification and refuse to engage in treatment. This again raises clinician concerns over liability if the individual becomes distressed by their assistance animal, the animal harms the individual they are intended to support (or others), or the animal’s welfare is compromised. Clearly this is a complicated issue. When ethical and professional concerns about writing ESA letters of support are apparent, clinicians

should apply an ethical decision-making model and pursue peer or professional consultation services associated with their professional organization.

Guidance for Practitioners Writing ESA Letters

The guidelines for practitioners range from advising against writing ESA letters altogether to offering models for how and when to write them. The theme is to be consistent and intentional about deciding whether and when to write these letters. In recent years, a few states have passed laws to address fraudulent ESA letters, including Michigan (2019), Florida (2020), and California (2021) (see appendix A). Common concepts among these laws are: (1) instituting minimum criteria for clinician qualifications to write an ESA letter (e.g., licensure, minimum length of time to establish a professional relationship, in good standing with professional organizations) (2) requiring letters to be from providers licensed in the state where the letter will be applied, and (3) consequences for writing fraudulent letters (Cal-

ifornia Health and Safety Code, Article 4: Emotional Support Animals, 2021; Florida SB 1084 – Emotional Support Animals, 2020; Michigan Misrepresentation of Emotional Support Animals Act, 2019). These laws also outline criminal and civil consequences for contributing to service and assistance animal fraud. Such fraud includes practitioners who write letters when they do not have personal knowledge of the individual, and consequences for individuals, businesses, and health-care providers who pass off an animal as a service or assistance animal or provide or sell certificates, tags, or vests, to enable a person to fraudulently pass off an animal as a service or assistance animal (California Health and Safety Code, Article 4: Emotional Support Animals, 2021; Florida SB 1084 – Emotional Support Animals, 2020).

An important ethical concern about writing ESA letters is the risk of rupture in the therapeutic alliance if the clinician determines the ESA is not warranted and refuses to support the request. As a result, some



practitioners believe these evaluations should be done by an independent third party. Hoy-Gerlach et al. (2019) recognize the benefits of the human-animal bond, which can translate into supporting ESAs for individuals living with chronic mental health issues. They view the ESA as part of the person's treatment plan and argue that an individual's clinician is uniquely positioned to assess their case because of their therapeutic relationship, as opposed to a neutral third party (see Hoy-Gerlach et al., 2019 for a sample ESA certification letter). Hoy-Gerlach et al. (2019) imply that clinicians may inadvertently feed into the fraudulent ESA letter industry by sending students to find independent third parties to write letters. When a clinician declines to write an ESA letter, they need to be ready with referrals to credible providers who are knowledgeable about the human-animal bond and able to make these assessments. Recognizing the importance of animal welfare in the ESA process, they offer an "ESA Bill of Rights" (see Hoy-Gerlach et al., 2019). Some would argue that ESA approval should include a veterinarian's evaluation of the animal's suitability to perform as an ESA.

In response to the limited guidance and best practices for writing ESA letters, coupled with the ethical concerns associated with these evaluations, Younggren et al. (2020) proposed a four-pronged approach to conducting ESA certification assessments. Their approach is intended to be cyclical, not linear, and suggests that assessment of (1) the relevant laws (e.g., ADA, FHA, Rehabilitation Act section 504), (2) the student, (3) the animal, and (4) interactions between the student and animal, should be made before writing an ESA certification letter. Prior to conducting assessments for ESA certification eligibility, practitioners should inform the student of the possibility the evaluation will not support the request and remind the student that certification letters cannot supersede laws or policies pertaining to animals on campus. Furthermore, Younggren and colleagues emphasize the importance of discussing

with the student what it means to be diagnosed with a disability, including that it becomes part of the person's medical record. Requesters should be made aware that questions about mental disability can be asked for purposes of employment and obtaining licenses; can have implications for eligibility to own a firearm; and can be used in child custody disputes. The four foundational guidelines of the model are listed below (see Younggren et al., 2020 for more information).

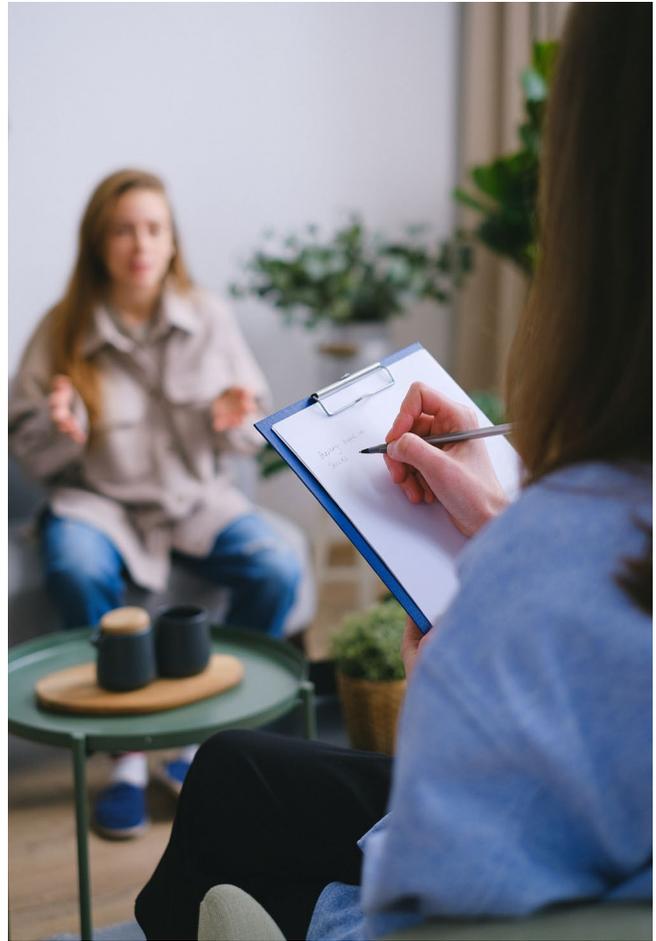
Guideline

- 1 The mental health professional must be able to understand, recognize, and apply the laws that regulate emotional support animals.
- 2 The mental health professional should conduct a thorough assessment of the individual requesting an emotional support animal certification in order to establish a disability and disability-related need.
 - 2a A necessary component of the comprehensive disability assessment includes an evaluation of malingering.
- 3 The mental health professional should consider if the animal in question is capable of performing the functions of an emotional support animal.
 - 3a When necessary, the mental health professional should seek collateral information regarding the capability of the animal in question to serve as an emotional support animal.
- 4 The mental health professional should assess the interaction of the client with the animal to determine whether the animal's presence has a demonstrably beneficial effect on the patient (Younggren et al., 2020).

Resource Highlight

In 2021, the Human Animal Interaction Bulletin published a [special report](#) that summarized considerations for mental health providers when responding to ESA letter requests (King et al., 2021). This document provides detailed lists of potential risks to clients, animals, mental health providers, and the public. This special report offers a balanced view of the issues to assist professionals in making determinations on how to respond to letter requests.

In addition to the interdisciplinary overview of ethical issues presented here, health-care providers should check with their professional organizations for resources and guidance on this topic. The American Psychiatric Association published an action paper that outlines the ethical and legal issues associated with ESAs and ESA fraud (Hovav & Hyder, 2019), but as of this writing has no formal position statement. In 2019 the American Counseling Association published a position statement on the issue of writing ESA letters, but it has since been removed from the organization's website. Both the American Counseling Association and the American Psychological Association have special-interest groups that focus on the human-animal bond and animal-assisted therapy. Readers are encouraged to check with these groups for additional guidance and resources.



Some college counseling centers have implemented policies against writing ESA letters. When considering such policies, whether on the part of an individual clinician or an agency, a balance must be struck between the needs of students and the risks ESAs might have on the client, clinician, general public, animals, and practitioner's discipline. Consideration should also be given to issues of equity and fairness in the event that refusing to write letters creates an undue burden on students with limited resources to obtain them off campus. If a counseling center elects to implement a policy against writing ESA certifying letters, it is best to have this decision anchored in a strong rationale, particularly if the office provides other types of documentation to disability and accessibility services.

Case Study: Serena

Serena has been seeing Phyllis, her counselor at Southern State's counseling center, for homesickness and loneliness. Serena is feeling left out of the family's activities at home and has had difficulty connecting with peers due to pandemic precautions on campus (mask requirements, social distancing expectations, and high community spread of COVID-19 in the county), rusty social skills, and her own concerns about staying healthy because her grandmother is immunocompromised and lives with the family. Serena thinks having a cat would help with her loneliness and homesickness and asked Phyllis to write her an ESA letter of support. The campus counseling center has put in place a policy against writing ESA letters due to ethical concerns over competence, scope of practice, multiple roles with students, and other concerns. When Phyllis informed Serena that she could not write a letter on her behalf, Serena said, "That's OK, I'll just buy a letter online. They're not too expensive. Because of confidentiality, you won't tell my RA, will you?" The school's animals-on-campus policy has harsh consequences for ESA fraud. Serena attends the next session with her kitten, Shadow, in her backpack, eager to introduce him to Phyllis.

1. What issues do you see?
2. What complicating factors do you see?
3. How might you respond to Serena?
4. Does your response change if you believe the cat would be beneficial to Serena?
5. How will you address the cat in the office? What if you are allergic to cats?
6. How might your response change if the letter was written by Serena's primary-care doctor?

Resource Highlight

[American Counseling Association Animal-Assisted Therapy Competencies](#) (Stewart et al., 2016)
[American Counseling Association Human-Animal Interactions in Counseling Interest Network](#)
[American Psychological Association Division 17, Section 13: Human-Animal Interaction](#)



Evaluating ESA Requests

Assistance animal letter mills online pose challenges to IHEs trying to support legitimate ESA requests while limiting pets on campus (Salminen & Gregory, 2018). According to HUD (2020), 60% of FHA complaints concern denial of reasonable accommodations and disability access, with complaints for denial of reasonable accommodation of assistance animals on the rise. This trend, coupled with recognition of fraudulent ESA requests, led HUD to issue a Frequently Asked Questions document (HUD, 2020) to help housing entities identify legitimate requests, though disability-services professionals may also find the document useful. The document acknowledged that internet documentation alone may not be adequate to establish a legitimate disability-related need for an assistance animal. Recognizing the tension that exists between legitimate telehealth services by licensed professionals with personal knowledge of the individual and those delivered by questionable outfits, HUD supports the housing provider's right to "request reliable documentation when an individual requesting a reasonable accommodation has a disability and

disability-related need for an accommodation that are not obvious or otherwise known" (HUD, 2020, p. 11). Reliable documentation per HUD is "a note from a person's health-care professional that confirms a person's disability and/or need for an animal when the provider has personal knowledge of the individual" (HUD, 2020, p. 11). IHEs need to determine and advertise who on campus will evaluate requests to approve an assistance animal on campus. In most instances it will be the disability or accessibility services office. The rise in ESA letter requests may increase the workload for staff. In response to the proliferation of entities selling assistance animal documentation, some IHEs have tried to keep running lists of online letter mills that offer documentation for a fee. Others use informal networks, such as listservs or colleagues, to verify an outfit's legitimacy or create and update these lists. Disability and accessibility staff may need to collaborate with other campus stakeholders to assess not just whether the student qualifies for the accommodation, but also whether the animal meets IHE criteria for the types of animals allowed on campus in IHE housing. The following page shows two scenarios to illustrate this point.

Suspected ESA Fraud Case Study: Trevor

Trevor is a junior at Holy Foundations University. He comes to the Office of Accessibility Initiatives a week before classes start and presents a letter for an ESA dog with yesterday's date. The letter is from an LCSW from across the country and reads, "I am familiar with this student's mental health history and have determined they have a differential disorder diagnosis that is a disability. The student thinks an ESA would be beneficial for their diagnosis, and I agree. Under FHA guidelines, you will need to allow the student to have their ESA on campus. Legal ramifications may occur from not approving this request." Upon checking the information on the letter, you notice the professional is licensed in the state on the letter but not in your state or Trevor's home state. At the bottom of the letter, you see a URL for esas4all.com. Trevor tells you he needs the request expedited because he has already paid the deposit to pick up the animal next week.

1. What complications arise from the statements in the letter?
2. Would you accept this documentation for Trevor's request? Why or why not based on your institution's policy?
3. If you rejected the documentation, what wording would you use to respond to Trevor?

ESA Approval and Species Considerations Case Study: Malavika

A sophomore education major at Southern State Community College, Malavika, submits a letter from her advanced practice nurse practitioner about her ESA bearded dragon, Ike. The nurse provides a diagnosis of F43.0, acute stress reaction. She has worked with Malavika for years and thinks Ike would be a great pet for Malavika to develop responsibility and have motivation throughout her day. Further, the documentation says the nurse has seen Ike in the office and she has noticed how Malavika is more interactive and cheerful when Ike is around. Malavika tells you that she has a small terrarium (48 by 24 by 24 inches) with a low-wattage heat lamp that will fit nicely on her desk in her part of the room in Southern State's residence apartments.

1. What concerns would you need to address in this scenario?
2. Does the documentation meet your institution's documentation policy for ESA requests? If not, what pieces are missing or violate your policy?
3. Think of your on-campus housing options. Would the terrarium Malavika described work for her living space? Does your policy address the size of crates or enclosures as a consideration for accepting requests?

Institutional Considerations in Animals-on-Campus Policy Development

As stakeholders convene to establish comprehensive animals-on-campus policies, it is helpful to determine how many policies will be needed. For example, are separate policies and procedures needed for approval of ESAs versus therapy animals? Policy makers are encouraged to clearly outline the rights and responsibilities of both the IHE and the student or requestor. It is important to accommodate the presence of ESAs on campus without taking on responsibility for the animals' or handlers' actions (Salminen & Gregory, 2018). Policies should make clear that the student is responsible for all aspects of the animal's care, maintenance, and well-being. A comprehensive animals-on-campus policy will clearly outline (1) the process for requesting an ESA accommodation; (2) who is responsible for evaluating and approving these animals; and (3) the criteria for determining whether the animal's presence is reasonable. Service animals and ESAs are generally addressed through disability or accessibility services. If therapy animals are likely to visit campus, policies should address where to direct these approval requests and any differences in policies and procedures. Policies should be written with an eye toward enforceability and clearly identify procedures and consequences for policy violations, including consequences for fraudulent requests to bring animals to campus. IHEs should establish a regular schedule of review with relevant parties (refer to the stakeholder activity above) to ensure policies are updated to reflect recent statutes and case laws.

Stakeholders should consider how they will keep track of requests to bring animals to campus and their approval status, as well as approved animals

on campus. A system of tracking violations of this policy should be determined prior to implementation of the policy. Determine what information is necessary to keep on file (e.g., animal's vaccination and licensing status, veterinarian on file, a point of contact to care for the animal in the event of requestor's incapacitation), where it will be housed, and who will have access to it. The final steps for stakeholders to consider are how to inform the community about campus policies and how to make them easy to find (see Appendix B for policy examples).

Student Conduct Considerations in Policy Development

When developing policies that are likely to result in violations addressed by the Student Conduct office, it is important to collaborate with these professionals. The IHE's code of conduct is an important tool and should be aligned with the institution's policies and procedures regarding animals. When policy violations occur, administrators enforcing them should be fair in evaluating the needs of both the animal and the handler. It is important that students understand that having an ESA is an exception to no-pet policies and a reasonable accommodation of a disability, not an exception to other residential policies.

In 2019, the Association for Student Conduct Administration (ASCA) published Emotional Support Animal Considerations for Housing and Residential Life. It provides key considerations for developing policies and procedures; many of the suggestions in this guide are informed by the ASCA document.

It summarizes key concepts from the HUD/FHA regulations that apply to campus housing facilities, and highlights the importance of incorporating local laws and ordinances related to animals. These include: (1) licensing, (2) physical abuse or mistreatment, (3) animal care and maintenance, (4) animal waste removal, (5) animals that engage in menacing behaviors, (6) unsanitary conditions, and (7) instances of ESAs preventing the enjoyment of public spaces by community members. It further outlines setting reasonable limitations on ESA species based on local ordinances and the safety of others in IHE-owned residences, and it highlights the importance of collaboration across IHE divisions once ESAs are approved to reside on campus. The document offers workflow recommendations from the point of ESA approval to notification of housing, and expectations from each division involved. It is critical that the IHE

code of conduct address consequences for policy violations, including issues related to animal welfare such as neglect, abandonment, animal cruelty, and direct abuse. Consequences for other issues, such as unauthorized animal access to public and private campus spaces; property damage; violations of pet waste disposal, cleanliness, and sanitation standards; and aggression toward other humans or animals, should be addressed in the policy. The ASCA (2019) recommends treating the approved animal as if they are a student on campus with their handler responsible for their actions. The ASCA (2019) document offers policy considerations for (1) the removal of an ESA; (2) ESAs that go missing, are damaged, or die; and (3) roommate conflicts due to the presence of an ESA. Policy makers are encouraged to review this document and consider the recommendations in developing their policies and procedures.

Points to Ponder

- Who is responsible for reviewing the IHE's animals-on-campus policy and code of conduct information?
- Are there any conflicting messages in the IHE policies related to animals on campus and the consequences outlined in the code of conduct?
- What is the process for reporting violations of the animals-on-campus policy? Has it been explained to the campus community?



Case Study: Peaches

Peaches is a 12-week-old beagle puppy who was brought to the dining hall by her owner. Peaches was tied to a table while the owner went through the dining line. She slipped out of her collar and got into a low-lying bin of snacks. When approached by staff, the owner said the puppy was a service animal (which is not possible because it is a 12-week-old puppy not performing any tasks). The student then claimed Peaches was a service dog in training, but that does not remove the responsibility to keep the animal under the handler's control at all times. The issue was referred to the student conduct office. After discussing the requirements of a service dog in training (and whether the state gives them the same rights as a service animal) with the conduct officer, the student was reminded that even service animals in training must be well behaved and under control of the handler at all times. The student was fined the cost of the bin of snacks ruined by Peaches. The student subsequently registered Peaches as an ESA and never brought her to the dining hall again.

1. How should the student conduct office be informed of the incident to follow up?
2. Was the sanction appropriate?
3. What can be learned from this incident to inform policies and procedures for confronting students who fraudulently present a pet or ESA as a service animal?

Housing

Once the IHE determines which categories of animal are allowed on campus, decisions must be made about where they will be allowed on campus. A complicating issue in housing is when a dining facility, fitness center, classroom, or other resource is embedded in a residence hall. These situations can create ambiguity as to where an ESA is allowed. Signage may be useful in these spaces. Housing policy makers should consider how to respond to requests for multiple ESAs to live in the same dwelling. Below are some questions IHEs are encouraged to carefully consider as they determine which housing spaces will be designated for ESA access.

Once housing policies and procedures are established, residence life staff will need training on the access rights of the animals allowed in residence halls and how to address policy violations. This may necessitate training in how to safely interact with species allowed on campus. Consultation with an animal-welfare specialist may be helpful. It will be important to establish which staff members need to be informed of the animals' presence in their building and balance this with students' privacy rights regarding their disability. Consultation with the IHE's disability or accessibility services office is recommended to address these issues.

Points to Ponder: Where Will the ESA Live?

Which stakeholders should be included in these conversations?

1. Are there housing formats available that are more conducive to the animal and human thriving together?
2. What is the building's proximity of the building(s) to appropriate spaces for animals to relieve themselves or the disposal of indoor pet waste?
3. Is there a limit on the number of animals allowed per student? Per dwelling? E.g., if Judy has a bonded pair of guinea pigs, can she bring both as her ESAs?
4. Can multiple students with approved ESAs be roommates?
5. What is the jurisdiction of the IHE's housing services? Is there affiliated housing that is not owned or operated by the IHE for which it has responsibility to address issues of conduct (e.g., Greek life)? Does the policy adequately address these circumstances ?

A formal contract between the IHE and a student with an approved ESA should outline the circumstances under which residents can leave their approved animal unattended, if and when it can be transported out of their room, and protocols for disposing of pet waste to limit unwanted odors and contact with zoonotic diseases. Housing policies and procedures should also speak to the possibility of an ESA escaping their designated room and who is responsible to secure the animal and return it to its space. Residence life staff should not be expected to chase ESAs around the building. Finally, the possibility of abandoned animals is real. Checklists for closing the residence hall for holidays and semester breaks may need to include animals.

Animals have species-specific behaviors and needs, which include (1) prey or predator drives, (2) socialization needs, and (3) unique personalities that influence behavior. Animals sometimes respond to their environment through vocalization (barking, meowing, etc.), chewing, or emitting odors, among other behaviors. It may be helpful to set expectations for what is considered “normal” animal behavior and what is considered problem behavior or signs of animal distress (e.g., occasional barking vs. incessant barking when a student is in class). When multiple ESAs are housed on campus, it is possible some could be typical prey for others (e.g., an ESA rabbit and an ESA dog). It may be useful to consider where incompatible species (e.g., predator/prey) will be housed to limit the potential for stress on the students and animals in the event of accidental interactions. It is wise to require students to acknowledge their responsibility to monitor the health and well-being of their approved ESA, including recognizing and addressing distressed animal behavior, and to explicitly state it is not the role of the IHE.

Housing Policy Scenario Considerations

Scenario: Mike and Larry are best friends and want to live together on campus. Mike has ESA approval for his pitbull, Sunny, and Larry has ESA approval for his cat, Bazinga, to be on campus.

- Can Mike and Larry live together with Sunny and Bazinga? If so, what are the expectations for ensuring the animals can get along and reside together? Who is responsible for determining this?
- Could allowing Sunny and Bazinga to live together create an animal-welfare issue?
- If Mike and Larry are allowed to live together with their animals, what are the risks to the students and animals? Could this put a strain on the animals and their owners?

Scenario: Mike and Larry have applied to live in IHE-owned apartment-style housing that would have three bedrooms and a common area.

- What, if anything, should the IHE communicate with the other roommates about the possibility of living with an animal?
- How can this be done without breaking Mike and Larry’s confidentiality regarding their disability diagnoses?

Violations of ESA Housing Policies

When a student's ESA request is approved, it is important to educate the student and confirm their understanding of where the approved animal is authorized to go. For example, a dog may only be in the student's room and the path to egress or a cat must remain in the student's room at all times. Consequences of violating these policies should be explicit. Staff may need basic training in acceptable animal behavior, how to identify possible animal neglect and cruelty, and whom to contact if it occurs. Protocols for how to safely intervene in the presence of an aggressive animal may need to be developed. It may be helpful to partner with local animal-behavior specialists such as animal-control professionals or veterinarians to develop safety protocols.



Case Study: Clover

Taylor lives on campus at State University with Clover, her ESA dog. Taylor has anxiety, and Clover brings her comfort. Lately, Clover has been spotted in the lounges of the building, is known for barking excessively at people, has lunged at a service dog on campus, and jumped up on a dining hall window, startling other students. Taylor has said Clover is anxious when she is left behind, which is why she brings her into lounges and other student rooms in the building. Multiple students afraid of Clover have submitted reports, including the student whose service dog Clover lunged toward.

1. What issues do you see?
2. Should Taylor be allowed to keep Clover in her room or on campus with her? Discuss the complicating factors in the situation.
3. Does your response change if you learn that Clover doesn't have anyone she could go to off campus?
4. Does your response change if you learn that Taylor brings in a note or certificate that says Clover is now her service dog?

Roommate Conflicts

When completing housing forms, the possibility of living with an animal may seem like a good one. However, conflicts between roommates may occur due to smells, inadequate caretaking of the animal, and animal noise and property destruction (Foster et al., 2020). Housing staff need to be trained and prepared to address these types of conflicts while being sensitive to the disability status of the individual with an approved ESA. Room changes may be necessary. Below are a couple scenarios to guide policy makers in considering real-life application of proposed policies and procedures.

Animal Welfare in Housing

Often when we look at ESA approvals, consideration is given only to the needs of the student. However, we have a responsibility to also consider the needs of the animal. How can we set up the student and animal for success? Will the living situation be appropriate for the type of animal? In the case of an ESA dog, is there a nearby space that can be designated for the animal to toilet? A simple question we could ask is, "What is in it for the animal?" Is the animal likely to experience distress when separated from its human? Consultation with a veterinarian may be necessary if an animal experiences stress from the communal living environment, which could manifest in anxious behaviors or aggression. These consultations should be the student's responsibility. If a student cannot afford such consultations, the IHE should consider alternative forms of assistance.

Roommate Conflict Case Study: Chewie

Max lives on campus at State University with Chewie, their ESA cat, and Alex, their roommate. Max has mental health concerns, and Chewie provides support and comfort. Over the weekend, Max called their RA in great distress and shared that they found Chewie dead in their room. Chewie was an older cat, but it was unexpected. The RA went to the room and found Max to be inconsolable and Alex bewildered.

1. What issues do you see?
2. What complicating factors do you foresee?
3. Does your response change if Alex says they would like to move out?
4. What factors do you consider if Max adopts a kitten the next week but does not go through the ESA process for the kitten before bringing it into the halls?
5. Should any referrals be made? If yes, to whom?

Roommate Conflict and Unapproved Animal on Campus Case Study: Tiger

Gianna and Priya are high school friends who attended the same college and roomed together last year. Priya was approved to have Tiger, an ESA cat who was adopted during the COVID-19 pandemic. Tiger's presence is approved for Priya, but he was selected and adopted by both Gianna and Priya and they consider him a shared pet. The majority of Priya and Gianna's classes were online last year and Tiger was rarely alone. Tiger occasionally urinated outside the litter box, but Priya and Gianna assumed it was because the litter was not always fresh due to their budget issues. They could not afford veterinary care to have him tested for a urinary-tract infection. In the summer after freshman year, Priya and Gianna had a falling out and Priya decided to take a year off to address her mental health. She did not feel able to care for Tiger and left him in the care of Gianna, who has no ESA approval and cannot leave Tiger with her parents. Gianna felt it would be irresponsible to return Tiger to a shelter and brought him to campus. Gianna is now in a suite-style living situation with five other roommates whom she did not know ahead of time. This year the majority of Gianna's classes are in person and she has a job on campus. She is unable to spend as much time with Tiger as in the past. Lately, Tiger has been meowing loudly when Gianna is not home and has urinated outside the litter box several times. Two of the roommates are fed up with the noise and smells, and have complained to the RA. Gianna has a mental health diagnosis and has been trying to get documentation to make Tiger her ESA, but to no avail.

1. What are the issues in the case?
2. What consequences should Gianna have for keeping Tiger on campus without an ESA designation? Do her efforts toward ESA designation make a difference in the consequences?
3. How would you handle this roommate conflict?
4. Are there any animal-welfare concerns that need to be addressed?

Points to Ponder: Being Equity Minded

In what ways can your IHE promote equitable access to ESA evaluation and documentation?

Therapy Animal Programs

AAT is the application of therapy animals to foster therapeutic growth. It is implemented by a credentialed mental health professional with training in AAT. Chandler (2017) outlines five benefits of AAT for individuals in therapy: (1) increased motivation to attend and participate in treatment; (2) enhancing sense of emotional safety and calm in session; (3) increased focus and attention during session; (4) nurturance from the animal; and (5) growth and healing via interactions with the therapy animal. Evidence indicates that when animals are incorporated in counseling they can aid in facilitating the therapeutic relationship and act as a neutral point of conversation (Fine, 2015). Incorporating animals into counseling and outreach services can be an affordable way to benefit students (Adams et al., 2017; Stewart et al., 2014). This can be done through facility animals or volunteer therapy animal teams brought to campus.

Counselors and other health and wellness professionals on college campuses may use therapy animal programming to offer students an opportunity to have positive interactions with animals while separated from their pets, and others may use these animals therapeutically. Outreach programming is a popular AAA intervention. Many IHEs bring therapy animals to campus throughout the semester or during stressful periods, such as final-exams weeks, offering students a way to de-stress while informing them of other campus resources. Typically, certified therapy animals are involved in these interventions (Adams et al., 2017; Daltry & Mehr, 2015). These types of AAA programs offer students an opportunity to cope with stress through positive emotions from interacting with the animals, emotional contagion



photo courtesy of Kathryn P. Alessandria

through animals transferring their positive emotions to the humans, social interactions with fellow students while attending events, and an expectancy or placebo effect from students believing the event will lower their stress (Adams et al., 2017, Crossman & Kazdin, 2015). Studies of college campus therapy animal stress-relief events during final exams indicate students report lower levels of stress and improved mood after interacting with the animals (McArthur & Syrnyk, 2018; Silas et al., 2019). These types of programs (also referred to as animal visitation programs or canine-assisted interventions) are affordable since they are mainly staffed by volunteers, serve a large number of students, and are quite popular (Adams et al., 2017; Crossman & Kazdin, 2015; Daltry & Mehr, 2015).

Campuses have leveraged the popularity of their therapy animal programs by creating social media accounts for the animals to promote campus resources, events, and health and safety updates. In addition, these social media accounts can provide an on-demand dose of cuteness. The [NPR Joy Generator project](#) has an entire segment dedicated to the impact of cuteness on creating joy, and it features animals. Facility animals in particular have great potential for social media and outreach campaigns. [Virginia Tech](#) and the University of Southern California are two institutions that have significant social media presences for their facility dogs to address wellness on campus. Virginia Tech has downloadable coloring pages for each of their facility dogs.



photo courtesy of Kathryn P. Alessandria

Research supports the short-term benefits of exposure to a therapy dog in an unfamiliar setting (Polheber & Matchock, 2014). This study evaluated the effect of the presence of a dog (using a standardized friendly dog) versus a friend (selected by individual participants) during a stressful situation. Results indicated that the presence of the dog reduced college students' cortisol and heart rates, while the group with a friend present did not experience the same stress-relieving benefits.

Research supports the short-term benefits of exposure to a therapy dog in an unfamiliar setting.

Research by Silas and colleagues (2019) indicates that students are not the only beneficiaries of therapy dog visitation programming. The purpose of this study was to assess the effects of the animal visitation program on the dogs' stress levels. Results of this study, which evaluated the stress levels of handlers, their therapy dogs, and the students participating in the animal visitation program, indicated that students and handlers both experienced significant decreases in stress during the program. The dogs' stress levels mainly remained unchanged from the program's start to its finish. For dogs whose stress was higher at the end of the program, a correlation was found with their handlers' self-reported stress, suggesting the possibility of a negative emotional contagion between handlers and their dogs. When considering bringing therapy dogs to campus, it may be important to screen both the handlers and the dogs to ensure a good fit for the program (e.g., a large-scale program with many dogs and visitors simultaneously in the space, versus small-scale programs with fewer interactions in the same space). Some IHEs have elected to use facility animals (most often dogs) for these purposes or to mix their facility dog with volunteer therapy animal teams.

Points to Ponder

Campuses considering the implementation of therapy animal programs should consider the following:

1. What or who is driving the increased interest in and demand for these programs? What need is the institution trying to meet?
2. How might this program contribute to or fit into any overarching local policies and cultures about animals on campus?
3. Will the presence of these animals impact the rights of access for service animals on campus?
4. What policies and procedures are required when a therapy animal is on campus interacting with students?
 - Do students need to sign a waiver before interacting with the animal? It is recommended to consult with campus legal counsel on this issue, and any potential forms that may be employed.
5. Who is responsible for approving and formally inviting therapy animals to campus?
6. Who is responsible for approving a facility animal? Are these procedures different?
7. What documentation is required to verify that therapy animals are certified and insured?
 - Where will you find the therapy animals for campus programs? Collaboration with national or local therapy animal organizations such as Pet Partners, Therapy Dogs International, or Alliance of Therapy Dogs?
 - Who on campus is responsible for scheduling animals coming to campus and tracking and verifying credentials of animals brought to campus?
8. What, if any, cleaning protocols must be followed after a therapy animal event to address potential allergens such as animal dander and fur? Are there any off-limits buildings on campus? Are there sufficient areas nearby for the animals to relieve themselves?

What procedures must be followed in the unlikely event of an incident resulting in harm to a therapy animal or human?

Pandemic Considerations and Emergency Preparation

In addition to addressing the ongoing COVID-19 pandemic, it is important to be prepared for the possibility of future pandemics. Scientists have warned that pandemics are likely to become more frequent. As of this writing, the data indicate that the risk of animals transmitting COVID-19 to humans is low (AVMA, 2021). Because ESAs and service animals should not be in direct contact with people other than their handler, concerns regarding transmission of illness between animals and humans for these categories of animals is relatively low. When ESA dogs are out for a walk on campus, however, they may encounter other people. Issues may arise if students crowd around and ask to pet the dog, which

may be a violation of social-distancing requirements on campus or the ESA approval policy. Standard penalties for these offenses should be clearly stipulated ahead of time and enforced. Individuals approved to bring an animal to campus should be accountable for maintaining social-distancing practices with their animals.

Therapy animals are intended to interact with a wide array of people other than their handlers. During periods of pandemic, it is important to consider the likelihood of illness transmission across species and whether it is safe for both animals and humans to participate in animal-assisted activities.



Precautions such as mask wearing, social distancing, hand washing before and after touching animals, and bathing the animal before and after events should be in place. Virtual therapy animal visits may be an alternative if health and safety concerns are high.

It is possible for humans to pass COVID-19 to animals, but it is a greater concern with specific species. The [AVMA](#) is an excellent resource for information related to [animal health and welfare](#), including [COVID-19](#) (AVMA, 2020). The AVMA advocates for pet owners to protect animals by being prepared for their care in the event they or their animal contracts COVID-19. This is particularly important for individuals who are the only person in their household, or, in the case of students on campus, are the sole care provider due to campus rules and regulations. Contingency plans for the possibility of short-term incapacitation



(such as an illness or hospitalization) or long-term incapacitation of the animal's handler (such as a long-term illness or death) should be made in advance. Students should be made aware of these expectations ahead of time and document their emergency plans, as well as designate an alternate animal care provider. If these plans include someone who is not local (e.g., a parent, guardian, or family member) becoming the animal's caregiver, then the designated individual should be required to sign off or attest that they have agreed to be the alternate caregiver.

The Centers for Disease Control and Prevention has many resources available on the CDC's (2021) [Information About COVID-19, Pets, and Other Animals](#) site, including guidance for [handlers of service and therapy animals](#) (CDC, 2021) and guidance for [pet care when either an animal or its caregiver has contracted COVID-19](#) (CDC 2022). The CDC's (2021) [Pet Safety in Emergencies](#) page is an excellent resource. It includes information about pet-friendly hotels and downloadable checklists for creating an emergency-preparedness kit. If a student must quarantine or isolate due to exposure to or contracting COVID-19 or some other infectious disease, a medical event, or a natural disaster or evacuation that results in separation from the animal, it would be helpful to require students to have an emergency-preparedness plan and resource kit ready. In the case of a health-related incapacity to care for the animal, it is advisable to have students identify a designated individual on standby to care for the pet if the student is unable to bring the animal to the medical facility or quarantine, isolation, or evacuation location. IHEs could adapt the CDC's (2018) [Pet Disaster Preparedness Kit](#) into a template students could be required to file with the institution when they are approved to bring an animal to campus. Students should be required to update it regularly.



Activity: Creating an Action Plan

Educating Campus About Approved Animals on Campus: Policies, Rights, and Responsibilities

Make a plan for educating the campus community about policies and procedures regarding animals on campus, including their responsibilities to contribute to campus health and safety. Before you begin, it may be helpful to revisit the **stakeholder and communication collaborator activities** above to determine who needs to be involved in developing and implementing the education plan.

1. Who needs to be trained (students, faculty, staff, administrators)? Prioritize which constituencies you will begin with.
2. What information should be included in the training e.g., how to assess whether an animal is a service dog and how to address the situation if it is not)?
3. Who has the expertise to create and deliver the training?
4. When will you deliver the trainings? Is it necessary to track completion and learning outcomes? If so, how will they be tracked?
5. Will employees be required to take refresher trainings? If so, how often?
6. Who will create the training materials?
7. How will the training be delivered (e.g., in person, prerecorded video, or online modules)?
8. How will campus constituencies be informed about the training and how to complete it?

Communication Ideas

- Provide information via a newsletter to student affairs and academic affairs divisions.
- Develop an easy-to-find webpage with links to resources specifically dedicated to these issues, including how to request permission to bring an animal to campus and associated forms and contact information for the appropriate office on campus.
- Inform the campus community of the consequences of bringing an unapproved animal to campus. Provide links to the student code of conduct and institution policies so all constituencies are aware of the rules pertaining to their roles on campus.
- Train faculty and staff on questions that can be asked about service animals and protocols to follow when an animal is in an unauthorized location, such as a dining hall, classroom, or public residence hall space.
- Role playing may be a helpful training tool.

Points to Ponder: Signage About Approved Animal Access

Create a communication plan for your campus environment. Who needs to be involved in developing and implementing it?

1. Identify the types of animals who live on or visit your campus.
2. To whom are they visible? Where are they allowed to go?
3. Is signage needed on campus to identify whether animals other than service animals have access or when access is prohibited to any animals other than service dogs?

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Appendix A

Relevant Laws and Legal Considerations

Below are summaries of relevant laws or case law that may be helpful to reference as an IHE develops its policies. This information is provided as a resource, and should not be considered legal advice.

Americans With Disabilities Act

Disability is a legal concept based on six federal laws that have differing definitions. For a mental health professional working with a student, disability is not just a matter of discomfort, but a psychological disorder or problem that interferes with the patient's ability to perform major life activities. See sec. 12102: Definition of disability and § 35.136 Service animals (Americans With Disabilities Act, 1990a).

Animal Welfare Act

Passed in 1966, this is the only federal law in the United States that regulates the treatment of animals in research, exhibition, transport, and by dealers.

Rehabilitation Act of 1973, Section 504

Section 504 of the 1973 Rehabilitation Act forbids discrimination against people with disabilities in programs that receive federal funding, including public colleges and systems of higher education.

Fair Housing Act (U.S. Department of Justice, n.d.a)

The Fair Housing Act, 42 U.S.C. 3601 et seq., prohibits discrimination by housing providers on the basis of race, color, religion, sex, national origin, familial status, or disability (see <https://www.justice.gov/crt/fair-housing-act-1>).

Animal Legal and Historical Center Map of Fraudulent Service Dog Laws (Animal Legal and Historical Center, 2022)

Thirty-three states have laws against fraudulent service dogs. Follow the link to an interactive map that provides links to specific state laws.

California A.B. 468, Chapter 168

Existing law regulates the sale of dogs and cats. Existing law also makes a person who knowingly and fraudulently represents, through verbal or written notice, the person to be the owner or trainer of a canine licensed as, to be qualified as, or identified as, a guide, signal, or service dog guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six months, by a fine not exceeding \$1,000, or by both that fine and imprisonment.

The bill would require a person or business that sells or provides a dog for use as an emotional support dog to provide a written notice to the buyer or recipient of the dog stating that the dog does not have the special training required to qualify as a guide, signal, or service dog and is not entitled to the rights and privileges accorded by law to a guide, signal, or service dog, and that knowingly and fraudulently representing oneself to be the owner or trainer of any canine licensed as, to be qualified as, or identified as, a guide, signal, or service dog is a misdemeanor. The bill would require a person or business that sells or provides a certificate, identification, tag, vest, leash, or harness for an emotional support animal to provide a written notice to the buyer or recipient. The bill would also prohibit a health-care practitioner from providing documentation relating to an individual's need for an emotional support dog unless the health-care practitioner complies with specified requirements, including holding a valid license, establishing a client-provider relationship with the individual for at least 30 days prior to providing the documentation, and completing a clinical evaluation of the individual regarding the need for an emotional support dog. The bill would make a violation of the written notice requirements or knowingly and fraudulently representing, selling, or offering for sale, or attempting to represent, sell, or offer for sale, an emotional support dog as being entitled to the rights and privileges accorded by law to a guide, signal, or service dog, subject to a civil penalty. The bill would state that this provision is not to be construed to restrict or change existing federal and state law related to a person's rights for reasonable accommodation and equal access to housing (quoted from Legislative Counsel's Digest section of https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB468).

Florida SB 1084 – Emotional Support Animals, 2020

In 2020 Florida enacted a law to combat fraudulent housing requests for emotional support animals. Effective July 1, 2020, SB 1084 provides that animal registries, certifications, and similar online documents are insufficient to support these requests. Significantly, the law also provides a basis for professional discipline for health-care practitioners who issue supporting documentation without personal knowledge. Further, it imposes criminal penalties for those who make or support fraudulent requests for these animals in housing (quoted from <https://www.adatitleiii.com/2020/08/florida-enacts-law-to-combat-emotional-support-animal-fraud-in-housing/>).

Michigan Bills HB 4910-4911

To validate an emotional support animal, the health-care provider would have to be practicing in Michigan for at least 180 days and have an office located in the state. They also would have to provide a notarized letter saying they had been treating the pet owner for at least six months. The penalty for fraud is 90 days in jail and/or a \$500 fine (Michigan Misrepresentation of Emotional Support Animals Act, 2019). (quoted from <http://www.legislature.mi.gov/documents/2019-2020/billenrolled/House/pdf/2019-HNB-4910.pdf>)

United States v. University of Nebraska-Kearney

In this 2013 case, a federal district court determined that the university, as a provider of student housing, is obligated to meet Fair Housing Act standards for emotional support animals, regardless of no-pet policies. A summary of this legal precedent is available at <https://www.animallaw.info/case/united-states-v-univ-neb-kearney> (Animal Legal and Historical Center, 2013).

United States v. Kent State University

In this 2016 case, the United States government sued Kent State University because of a failure to adhere to the Fair Housing Act by not having a policy to consider ESAs in university housing. Although the suit was resolved via a consent decree, the government asked the court to approve the decree, which resulted in recommended additions for the university to address. These included (1) specifying criteria for designation as a “qualified third party” for the purpose of documenting the need of an emotional support animal; (2) a review of logistics for managing animals in its housing and ensuring their care; and (3) to review transition times between classes to ensure students have time to check on their animals and avoid the potential for routine animal neglect (Animal Legal and Historical Center, 2016).

Velzen and Fair Housing Center of West Michigan v. Grand Valley State University

In this 2012 case, Velzen and the Fair Housing Center of West Michigan alleged that Grand Valley State University unlawfully discriminated against the student by refusing accommodation of the ESA animal request, thus violating the Fair Housing Act, Federal Rehabilitation Act, and Michigan Persons With Disabilities Civil Rights Act. The district court dismissed all but two of the claims: (1) the plaintiff’s claims under the FHA to seek injunctive relief from the individual defendants, and (2) the plaintiff’s claims for compensatory damages and injunctive relief against all defendants under the Rehabilitation Act (Animal Legal and Historical Center, 2012). Ultimately, the case was settled out of court for \$40,000 (Agar, 2013).

Evolving Functions of Service and Therapy Animals and the Implications for Public Accommodation Access Rules

This 2009 resource is not case law, but it is a summary of different working animal categories, their roles and functions, and relevant federal and state laws. In particular, federal and state laws regarding public accommodation and transportation are addressed. It should be noted that some of these laws may have been updated since the time of publication. Ultimately, the authors suggest the implementation of a consistent licensing and tagging system could mitigate the murkiness of the existing laws (Ensminger & Breitkopf, 2009).

FAQs on Service and Assistance Animals in Housing

This resource was updated in 2021 and offers frequently asked questions about service and assistance animals and how to evaluate requests to accommodate them in housing (Wisch, 2021).

Appendix B

Animals-on-Campus Policy Examples

Below are links to some publicly available policies concerning animals on campus. Inclusion in this list is not an endorsement of the policy as an exemplar. Readers should review examples and consider what could be useful in the context of their unique IHE.

- Catholic University: This institution has separate policies for pets, service, and support animals.
 - Pet Policy
<https://policies.catholic.edu/safety/pets.html>
 - Service Animals Policy
<https://policies.catholic.edu/faculty-staff/employment/eo/serviceanimals.html>
 - Support Animal Policy
<https://policies.catholic.edu/students/studentlife/disabilitysvcs/supportanimals.html>
- Colorado State University
<http://policylibrary.colostate.edu/policy.aspx?id=747>
- Kutztown University (Adams et al 2017 article)
https://apps.kutztown.edu/SZ_001_POLICY_REGISTER/Policy/DIV-003
- University of California Irvine
<http://www.policies.uci.edu/policies/pols/501-05.php>
 - Emotional Support Animals in Housing Policy
<https://www.policies.uci.edu/policies/pols/501-05.php>
 - Policy on Non-Research Animals on Campus
<https://www.policies.uci.edu/policies/pols/905-40.php>
- West Chester University
https://www.wcupa.edu/_admin/diversityEquityInclusion/animalsOnCampus.aspx

Appendix C

Recommended Readings, Resources, and Websites

Animal-Assisted Interventions in Practice

[Alternatives to Traditional Animal-Assisted Interventions: Expanding Our Toolkit](#), (APA Human-Animal Interaction Section and Animal-Assisted Intervention International, 2020)

This free e-book is for individuals or groups delivering animal-assisted interventions. Activities were contributed by advanced AAI professionals with a focus on activities and interactions implemented during the COVID pandemic when face-to-face contact was contraindicated. This resource offers virtual and touch-free AAI activities.

[Animal-Assisted Therapy in Counseling Competencies](#) (Stewart et al., 2016)

The American Counseling Association endorsed competencies for the practice of animal-assisted therapy. This document was developed in collaboration with the Animal-Assisted Therapy in Mental Health Interest Network of the American Counseling Association.

[Recommendations for Transdisciplinary Professional Competencies and Ethics for Animal-Assisted Therapies and Interventions](#) (Trevathan-Minnis et al., 2021)

This open-access article summarizes professional and ethical competencies for practitioners interested in applying animal-assisted therapies and interventions using a transdisciplinary lens.

Animal Health and Welfare

[American Veterinary Medical Association: Assistance Animals, Rights, Access, and Fraud](#) (2022)

This peer-reviewed whitepaper, updated in 2022, discusses the differences between assistance animals, emotional support animals, service animals, and therapy animals, including definitions, summarized legal rights, how to differentiate between these animals, and information about fraud.

[American Veterinary Medical Association: Caring for Your Pet With SARS-CoV-2](#) (2020)

This document provides information about SARS-CoV-2 (the virus that causes COVID-19 in people) and how to care for your pet when they have contracted this virus.

[American Veterinary Medical Association: SARS-CoV-2 in Animals](#) (2021)

This website provides information about SARS-CoV-2 in animals.

[Association of Human-Animal Interaction Organizations Position Statement: Zoonoses and Animal-Assisted Interventions](#) (2019)

This document reviews the International Association of Human-Animal Interaction Organization's position statement on zoonoses and animal-assisted interventions.

[Centers for Disease Control and Prevention Pet Disaster Kit Checklist](#)

This is a downloadable checklist to prepare a disaster kit for your animal, including documents, water, food, and other supplies as recommended by the CDC.

[Centers for Disease Control and Prevention Guidance for Handlers of Service and Therapy Animals](#) (2021)

CDC guidance for service dogs during the COVID-19 pandemic. This page includes information about ways to protect service and therapy animals.

[Centers for Disease Control and Prevention Information about COVID-19, Pets, and Other Animals](#) (2021)

This webpage provides guidance for handlers of service and therapy animals as it pertains to the COVID-19 pandemic.

[Centers for Disease Control and Prevention Pet Safety in Emergencies](#) (2021)

This website provides information regarding pet safety in emergency situations. The CDC gives detailed information about what to do with your pet before, during, and after an emergency, including fires, hurricanes, earthquakes, tornadoes, floods, violent storms, and even terrorism.

Animals, Social Media, and Wellness

[NPR's Joy Generator: The Power of Cute](#)

This website provides research-based information about the joy-inducing effects of connecting with animals. Photos and links to other free resources to promote health and well-being are available on the site.

[Virginia Tech Cook Counseling Center](#)

This is an example of a counseling center that has a strong facility animal presence, as well as many outreach activities. It includes staff profiles for each of the facility dogs, social media accounts, and downloadable coloring pages.

Disability

[ADA Frequently Asked Questions About Service Animals and the ADA](#)

This webpage provides access to frequently asked questions about service animals and the ADA, including the definition of a service animal, general rules about service animals, certification and registration information, breeds, exclusion of service animals, and other miscellaneous questions pertaining to service animals.

[ADA National Network Service Animal Resource Hub](#)

This website provides resources to answer many questions about service animals. Topics include differences between service and emotional support animals, basic facts about service animals, resources for bringing them to work and school, emergency situations, resources for traveling with service animals, information about accommodations by small businesses and public entities for service animals, and misconceptions about service animals.

[ADA Title III News and Insights](#)

This website provides access to news articles and updates that involve service animals.

[Americans With Disabilities Act, Title II State and Local Governments, Regulations § 35.136 Service Animals](#) (1990b)

This link directs you to the Americans With Disabilities Act Title II Regulations in regards to service animals.

[Americans With Disabilities Act, Title III Public Accommodations and Commercial Facilities, Regulations § 36.302 Modifications in Policies, Practices, or Procedures](#). (1990c)

This link directs you to the Americans With Disabilities Act Title III Regulations in regards to modifications in policies, practices, or procedures.

[Cujo Goes to College: On the Use of Animals by Individuals With Disabilities in Postsecondary Institutions](#) (2009)

This article from the Michigan State Animal Legal and Historical Center examines the extent to which animals may be used by individuals with disabilities in a particular setting: postsecondary institutions. Part I of this article provides an introduction to Section 504, Title II, and Title III. It also summarizes the OCR guidance, which adopts the Title III service animal standards for Title II and Section 504 purposes. Part II analyzes the text and purpose of Title II and Section 504, as well as the practical realities associated with the postsecondary setting, and argues that all animals, not just the service animals of Title III, may be permissibly used by individuals with disabilities under Title II and Section 504.

Housing

[Association for Student Conduct Administration: Emotional Support Animal Considerations for Housing and Residential Life](#) (2019)

This document is a resource for the construction of policies and practices related to emotional support animals. The intended audience for this document is housing officers who create policy or professionals who adjudicate conduct related to emotional support animals. This document reviews perspectives as they pertain to the creation of policies for emotional support animals.

[Code of Federal Regulations. Title 24. Housing and Urban Development. Subtitle B. Regulations Relating to Housing and Urban Development. Chapter I. Office of Assistant Secretary for Equal Opportunity, Department of Housing and Urban Development. Subchapter A. Fair Housing. Part 100. Discriminatory Conduct Under the Fair Housing Act. Subpart D. Prohibition Against Discrimination Because of Handicap.](#) (2021)

This article from the Michigan State Animal Legal and Historical Center summarizes regulations and the definitions relating to housing discrimination under the federal Fair Housing Act.

[Fair Housing Act Booklet](#) (2011)

The Fair Housing Act booklet is a resource created by the U.S. Department of Housing and Urban Development that discusses details of the Fair Housing Act. The booklet includes what housing is covered, what is prohibited, additional protection if you have a disability, housing protection for families with children, and other detailed information about the topic.

[U.S. Department of Housing and Urban Development Notice FHEO-2020-01 Guidance on Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act](#) (2020)

This document was created by the U.S. Department of Housing and Urban Development to explain specific obligations of housing providers under the Fair Housing Act with a focus on animals that individuals with disabilities may request as reasonable accommodations.

Legal

[Evolving Functions of Service and Therapy Animals and the Implications for Public Accommodation Access Rules](#) (Ensminger & Breitkopf, 2009)

This in-depth article presents the various categories of service animals and the functions they perform. It then examines the federal and state laws and regulations that control access to public accommodation and transportation. The authors conclude by suggesting that a uniform system of licensing and tagging would alleviate the confusion presented by current laws.

[Michigan State University Animal Legal and Historical Center](#)

The Michigan State University Animal Legal and Historical Center website covers a comprehensive repository of information about animal law, including over 1,200 full text cases (U.S., historical, and U.K.), over 1,400 U.S. statutes, over 60 topics and comprehensive explanations, legal articles on a variety of animal topics, and an international collection.

[Michigan State University Animal Legal and Historical Center FAQs About Emotional Support Animals](#) (Wisch, 2021)

This document, created by the Michigan State University Animal Legal and Historical Center gives some brief answers to questions on service and assistance animals in housing.

Michigan State University Animal Legal and Historical Center Table of State Service

Animal Laws

This table compares all 50 states' service animal laws in several categories, including public accommodation laws, criminal interference laws, licensing laws, disabled pedestrian laws, and service animal misrepresentation laws. Links to the text of the various laws are provided.

Summary of Cases Dealing With Emotional Support Animals

This document provides summaries of cases involving emotional support animals. The specific issues decided by the courts include breeds of dogs used for ESAs, the charging of fees or pet deposits, places an ESA can be taken, and use of an ESA in university housing, among many other topics. Links to the actual case are provided.

Professional Organizations

Animal-Assisted Intervention International

This is the website for a nonprofit organization supporting AAI. The website reviews and describes the definitions of different types of AAI. The home page is <https://aai-int.org/>

American Veterinary Medical Association

The AVMA is the nation's leading advocate for the veterinary profession. Representing more than 97,000 members, it protects, promotes, and advances the needs of all veterinarians and the patients they serve.

American Kennel Club – Service Dogs, Working Dogs, Therapy Dogs, Emotional Support Dogs: What's the Difference?

This webpage provides clarifying information about service dogs, working dogs, therapy dogs, and emotional support dogs. It includes information about what service dogs do: what rights their owners have; the difference among working dogs, therapy dogs, and emotional service dogs; and what legal rights they have.

Assistance Dogs International

Assistance Dogs International (ADI) is a worldwide coalition of not-for-profit programs that train and place assistance dogs. Founded in 1986 from a group of seven small programs, ADI has become the leading authority in the assistance dog industry.

International Association of Human Animal Interaction Organizations (IAHAIO)

The International Association of Human Animal Interaction Organization provides information about best practices when delivering animal-assisted interventions to ensure the health and well-being of the people and animals involved.

[Medical Mutts – Emotional Support Dog, Therapy Dog, Facility Dog, or Psychiatric Service Dog: What’s the Difference?](#)

Jennifer Cattet, Ph.D., is an author, researcher, dog trainer, consultant, and Executive Director of Medical Mutts, a nonprofit organization that specializes in training medical alert dogs for conditions such as seizures, diabetes, and psychiatric disorders. This article is written by Cattet and covers the differences among emotional support dogs, therapy dogs, facility dogs, and psychiatric service dogs.

[Puppy Raisers of UD. \(2013, March 14\). Puppy Raisers of UD \[Video\]. YouTube.](#)

This link takes you to a video about Puppy Raisers of the University of Delaware (PROUD). They are the oldest registered puppy-raising student organization at UD, and the only one that raises puppies for the Seeing Eye. The club is the first college club for the Seeing Eye, officially starting in 2000.

[Puppy Raisers of the University of Delaware. \(n.d.\). Welcome to PROUD.](#)

PROUD is the oldest registered puppy-raising student organization at UD, and the only one that raises puppies for the Seeing Eye. [The club](#) is the first college club for the Seeing Eye, officially starting in 2000.

Travel

[U.S. Department of Transportation: Traveling With Service Animals](#) (Air Carrier Access Act, 2020)

The U.S. Department of Transportation issued a final rule to amend the Department’s Air Carrier Access Act regulation on the transport of service animals by air. This final rule is intended to ensure that our air transportation system is safe for the traveling public and accessible to individuals with disabilities.

[U.S. Department of Transportation Things to Know and Tips for Traveling With Service Animals](#) (2018)

Under the Air Carrier Access Act, a service animal is any animal that is individually trained or able to provide assistance to a person with a disability or any animal that assists persons with disabilities by providing emotional support. Documentation may be required of passengers who need to travel with an emotional support or psychiatric service animal. This website covers things to know and tips for traveling with a service animal.

