

Animals on Campus Policy

Section 1. PURPOSE AND SCOPE

Clark University regulates animals on university property to promote community health and safety and university operations.

This policy sets forth guidelines for students, faculty, staff, and visitors who seek to bring an animal on campus, the standards that apply to permitted animals, and the general processes for accommodating service animals and emotional support animals for persons with disabilities in accordance with applicable state and federal laws.

This policy does not apply to the use of animals in research, testing, and education at Clark. That usage is governed by the Office of Sponsored Programs and Research (OSPR) and Institutional Animal Care and Use Committee (IACUC).

Section 2. DEFINITIONS

Service Animal: An animal that has been individually trained to do work or perform tasks for a person with a disability. Providing emotional support or companionship does not constitute work or tasks under this definition. The work or task a Service Animal has been trained to perform must be directly related to the person's disability. A Service Animal must be a dog, or in rare cases, a miniature horse.

Emotional Support Animal (ESA): An animal that provides assistance or emotional support that alleviates one or more symptoms or effects of a person's disability. An ESA need not be individually trained to perform work or tasks. ESAs are not limited to dogs and are not considered Service Animals.

Pet: A Pet is an animal kept for personal companionship. A Pet is not considered a Service or Emotional Support Animal under this policy.

Owner: An owner or handler of an animal sought to be brought on university property. Owners must comply with all applicable provisions of this policy.

The terms **disability** and **reasonable accommodation** are defined in accordance with applicable federal and state laws.

Section 3. POLICY

A. Animals on Campus

Individuals seeking to bring animals onto university property are responsible for complying with this policy.

Questions should be directed to the Office of Student Accessibility Services (SAS) for students and the Office of Human Resources (HR) for faculty and staff. Visitors should let their Clark host know in advance they will be bringing an animal to campus so appropriate accommodations can be made, if possible.

1. Service Animals

Service Animals are permitted to go wherever their Owners are permitted on campus but may be prohibited in certain restricted areas of campus because of health, environmental, or safety concerns and/or hazards.

These restricted areas may include food preparation areas, research laboratories or classrooms that contain research animals, areas that require protective clothing, and other areas as required by state or local laws. Exceptions to these restrictions may be requested and will be considered on a case-by-case basis.

If possible, students, faculty, and staff with a Service Animal should notify SAS (students) or HR (faculty and staff) before bringing their Service Animal to campus.

In accordance with state and federal law, if a person's disability or the work or tasks performed by an animal are not readily apparent, university faculty and staff may confirm that the animal qualifies as a Service Animal by asking whether the animal is required because of a disability and what work or tasks the animal has been trained to perform. If additional information is needed, such inquiry should only be made by designated university personnel whose responsibilities include making determinations about disability accommodations consistent with applicable law.

Service Animals are subject to the provisions below regarding expectations for animals on campus.

2. Emotional Support Animals

Emotional Support Animals are a reasonable accommodation provided to persons on campus with a documented disability in accordance with the interactive process required by state and federal law.

Students, faculty, and staff with an Emotional Support Animal must notify and receive approval from either SAS (students) or HR (faculty and staff) before

bringing an Emotional Support Animal to campus, as described in greater detail below.

ESAs are subject to the provisions below regarding expectations for animals on campus.

For Students: An on-campus residential student who seeks to bring an Emotional Support Animal to Clark must request an accommodation from SAS at least 60 days before the student's intended arrival, and pursuant to the below procedures. The student must complete an ESA request each year for which they will reside on campus.

1. Students must register with Student Accessibility Services via the advertised process with documentation and an intake meeting.
2. The student may be required to provide sufficient information and supporting documentation to the Office of Student Accessibility Services, if requested. Such documentation must be provided on the letterhead of the appropriate qualified professional (*i.e.*, the treating/licensed physician, licensed mental health provider, animal trainer, etc.) and must permit Clark to determine (i) that the student has a disability for which an Emotional Support Animal is needed; (ii) the relationship between the student's needs and the assistance the ESA provides; and (iii) that the ESA is necessary to afford the student an equal opportunity to use Clark facilities.
3. SAS will evaluate the student's need for an ESA as a reasonable accommodation for a disability on a case-by-case basis.
4. Students that have been approved for the use of an ESA as a reasonable accommodation must participate in an initial meeting with Residential Life and Housing before the ESA is brought to campus.
5. SAS may deny a student's request for an ESA if the presence of the animal (i) imposes an undue financial and/or administrative burden; (ii) constitutes a fundamental alteration; (iii) poses a direct threat to the health and safety of others that cannot be reduced or eliminated; or (iv) would cause substantial property damage to the property of others, including Clark property, that cannot be reduced or eliminated. If the Office of Student Accessibility Services has denied a student's request for an ESA on campus, the student may appeal that decision under the Office's standard appeal procedures for reasonable accommodation requests.

Approved ESAs for students are permitted only in the student-Owner's university housing, and areas necessary to access that university housing, and are not allowed to roam campus.

For Faculty and Staff: Faculty and staff who need an Emotional Support Animal must request an accommodation from the Office of Human Resources before bringing an Emotional Support Animal to campus, ideally 30 days before doing so.

1. Clark University employees must contact Human Resources and follow the accommodations process.
2. The faculty or staff member may be required to provide sufficient information and supporting documentation to HR, if requested. Such documentation must be provided on the letterhead of the appropriate qualified professional (*i.e.*, the treating/licensed physician, licensed mental health provider, animal trainer, etc.) and must permit Clark to determine (i) that the faculty or staff member has a disability for which an Emotional Support Animal is needed and (ii) the relationship between the person's needs and the assistance the Emotional Support Animal provides.
3. Requests by faculty and staff for an ESA will be assessed by HR on a case-by-case basis.
4. The Office of Human Resources may deny a person's request for an ESA if the presence of the animal (i) imposes an undue financial and/or administrative burden; (ii) constitutes a fundamental alteration; (iii) poses a direct threat to the health and safety of others that cannot be reduced or eliminated; or (iv) would cause substantial property damage to the property of others, including Clark property, that cannot be reduced or eliminated. If the Office of Human Resources has denied a person's request for an ESA, the person may appeal that decision under the Office's standard appeal procedures for reasonable accommodation requests.

Approved ESAs for non-residential faculty and staff are permitted only in the faculty/staff-Owner's individual workspace and/or office, and areas necessary to access those spaces. Approved ESAs for residential faculty and staff are permitted in the faculty/staff-Owner's living space, individual workspace, and/or office, and areas necessary to access those spaces. In no case may approved ESAs roam campus freely.

3. Pets

Faculty, staff, and students may not bring pets of any kind on campus.

Professional staff members of Residential Life and Housing living in university housing may have Pets in their housing units, and areas necessary to access those units. A request to bring a pet to campus must be provided to the Assistant

Dean/Director of Community Living at least 60 days prior to the animals arrival on campus.

Pets are subject to the provisions below regarding expectations for animals on campus.

B. Impacts on Other Members of the Clark Community

Individuals with medical condition(s) or disability that are affected by Service Animals, Emotional Support Animals, or Pets may contact the Office of Accessibility Services (students) or the Office of Human Resources (faculty and staff) if they are concerned about exposure to those animals.

Clark will follow all state and federal processes related to disability accommodations and may request additional documentation (such as medical documentation that identifies the condition(s) and the need for an accommodation). Action will be taken to consider the needs of both individuals and to resolve the problem as expeditiously as possible to reasonably accommodate both individuals.

C. Expectations for All Animals on Campus

The Owner is solely responsible for the care and custody of the animal and must meet the following requirements:

- The Owner must maintain complete control of their animal while on university property.
- The Owner is responsible for the conduct of their animal and for ensuring that the animal does not unduly interfere with the routine activities of the University. The Owner must ensure that the animal displays behaviors appropriate for the university environment and not disruptive to university operations. Some examples of disruptive behavior include aggressive or unruly behavior (including growling and overcoming restraints) as well as barking, meowing, screeching, whining, noisemaking, nipping, scratching, jumping, or running in a way that disturbs the residential, educational, or employment environment of other community members.
- The Owner is financially responsible to the university for the actions of their animal, including for any bodily injury or property damage caused by the animal. The Owner's financial responsibility includes, but is not limited to, cleaning, repair, and replacement of university property as needed (beyond reasonable wear and tear). The Owner is expected to cover these costs at the time of cleaning, repair, and/or move-out.

- The Owner is responsible for cleaning up after their Animal. All animals must be housebroken and spayed and neutered. Animal waste must be disposed of promptly and appropriately. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and securely tied before being disposed of in an outside trash receptacle. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces.
- The Owner must ensure that an animal is free from offensive odors, ticks, or fleas. The Owner may be billed for the expense of any pest treatment.
- Except within an Owner's assigned university housing unit, animals must be either:
 - Securely confined in a crate or similar restrictive conveyance, or
 - Secured to a leash, cord, harness, or similar direct physical control, the other end of which is restrained by a person. If this constraint interferes with a Service Animal's work, or if the Owner's disability prevents using these devices, then the Owner must maintain control of the animal through voice, signal, or other effective controls.
- Animals may not be left unattended on university property, except that Service Animals or ESAs in university housing may be left unattended within the confines of the Owner's assigned housing unit for reasonable periods of time consistent with the animals' health, welfare, and applicable animal care standards. Animals may not be left overnight without their Owner. The Owner is solely responsible for ensuring that Service Animals or ESAs in university housing are contained as appropriate when the Owner is not present in the residence.
- The Owner is solely responsible for the well-being of an animal in an emergency, such as an evacuation or fire alarm. Emergency personnel may not be held responsible for the care, damage to, or loss of an animal.
- The Owner must notify the appropriate university office in writing if an animal is no longer needed as an accommodation or is no longer kept in university housing.
- Owners are solely responsible for the health and well-being of their animals. Such responsibilities include, but are not limited to, the following:
 - Owners must know, understand, and abide by current local ordinances, laws, and/or regulations pertaining to licensing, registration, vaccination, and other requirements for animals. The University may require documentation of compliance with such ordinances, laws, and/or regulations.
 - Animals that are to be housed in university housing (other than fish kept in accordance with this policy) must have an annual clean bill of health from a licensed veterinarian, which must be documented in writing by a vaccination certificate for the animal or a veterinarian's statement

regarding the animal's health. The University may direct that the animal receives veterinary attention as appropriate.

- Any evidence of mistreatment or abuse of an animal may result in discipline for the responsible person and/or immediate removal of the animal.
- Owners must cooperate fully with University personnel regarding the terms of this policy and procedures related to the care of their animals (e.g., cleaning the animal, feeding/watering the animal, designating outdoor relief areas, disposing of waste/fluids). The University reserves the right to inspect university housing in accordance with existing housing policies to assess compliance with this policy
- The University has the right to place other reasonable conditions or restrictions on animals on a case-by-case basis, consistent with applicable state and federal laws. Owners are responsible for complying with any such conditions or restrictions.

D. Exclusion and Removal of Animals from Campus

The university may exclude or remove (or require the Owner to remove) an animal from university property if:

- The animal poses a direct threat to the health or safety of others or causes substantial damage to the property of others;
- The animal's presence results in a fundamental alteration of the university's programs or activities;
- The Owner fails to comply with the Owner Responsibilities set forth in this policy; or
- The animal or its presence creates an unreasonable disturbance or interference with the university community.

In considering whether an animal poses a direct threat to the health and safety of others or causes an unreasonable disturbance or interference, Clark will make an individualized assessment based on reasonable judgment.

Related Information

American Disabilities Act

Rehabilitation Act

Fair Housing Act

[Office of Sponsored Programs and Research Animal Use Protocol](#)

History/Revision Information

Responsible Office/Division: Student Accessibility Services & Human Resources & Organizational Excellence

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