

Service Animals at Wake Forest University

Individuals with disabilities may be accompanied by their service animals on Wake Forest University property where members of the public or participants in University services, programs, or activities are allowed. As defined by federal law, a service animal is “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.” In addition, North Carolina law requires that a dog being trained to perform as a service animal has the same rights as a fully-trained dog when accompanied by a trainer and identified as such. For purposes of this guidance, service dogs and service dogs in training are referred to collectively as “service dogs.”

The following animals are not considered service animals under federal law:

- Any animals besides dogs (though there is a special provision permitting miniature horses in some cases)
- Animals that serve solely to provide a crime deterrent effect
- Emotional support, comfort, or companionship animals

There is also a distinction between service dogs that are trained to respond to an individual’s needs, and untrained “emotional support” animals whose mere presence may positively affect a person’s disability. The former, with their recognition and response training, are covered under the Americans with Disabilities Act, while the latter—therapeutic though they may be—are not covered.

Examples of tasks performed by service dogs include, but are not limited to:

- Assisting an individual with low vision with navigation
- Alerting individuals who are hard of hearing to the presence of people or objects
- Pulling a wheelchair
- Retrieving items such as medicine or the telephone
- Providing assistance with stability or balance
- Detecting a seizure
- For individuals with psychiatric or neurological disabilities, the dog’s tasks could include preventing or interrupting impulsive destructive behavior

If a dog is not trained to do work or perform tasks, and only provides comfort or emotional support, the dog is not a service dog and may be excluded from University property (except as described below).

To respect the rights and privacy of individuals with disabilities, federal law only permits the University to ask if a dog is required because of a disability, as well as what work or task the dog has been trained to perform. Individuals do not have to provide documentation of their disabilities, proof that service dogs have been trained, or place special vests on their service dogs.

Service dogs may be excluded from campus under the following circumstances:

- The dog is disruptive and not effectively controlled.
- The presence of the service dog would fundamentally change the nature of the job, service, or activity.
- The service dog's presence, behavior, or actions pose an unreasonable or direct threat to property and/or the health or safety of others.
- The dog is not housebroken.
- The animal is not provided appropriate care to maintain health and well-being, and/or the animal is mistreated or abused.

The University is not responsible for the care or supervision of a service dog. Individuals are responsible for the following:

- The well-being of a service dog as well as the cost of any damages as a result of the service dog.
- The immediate clean-up and proper disposal of all animal waste.
- The control of the dog at all times.
- Harnessing, leashing, or tethering the service dog, unless an individual's disability precludes the use of a restraint or if the restraint would interfere with the service dog's safe, effective performance of work or tasks.
- Following all requirements for the presence of animals in public places mandated by state or local ordinances (vaccination, license, animal health, leash).

Service and Emotional Support Animals in University Housing

Individuals with disabilities may have a broader range of animals, commonly referred to as an emotional support animal (ESA), in university housing, in accordance with federal law. The Fair Housing Act includes both service animals (defined in the previous section) and untrained emotional support animals, which are not limited to dogs. Under the Fair Housing Act, a student may keep an ESA in his or her residence hall as a reasonable accommodation if:

- The individual has a disability;
- The animal is necessary to afford the student with a disability an equal opportunity to use and enjoy university housing; and
- There is an identifiable relationship or nexus between the disability and the assistance the animal provides.

The Learning Assistance Center and Disability Services (LAC-DS) will, in partnership with Residence Life and Housing and other units, determine, on a case by case basis, whether an animal is a reasonable accommodation in university housing.

As with service animals, individuals are responsible for the control, care, and supervision of their emotional support animals at all times, and the University may exclude an ESA under the circumstances described in the Service Animals at the Wake Forest University section above.