

EMOTIONAL SUPPORT ANIMALS

I. Purpose

The purpose of the policy is to outline and define Western Dakota Technical College's (WDTC's) commitment to equal opportunity and access for individuals with disabilities that require assistance of an emotional support animal in campus housing. This policy differentiates emotional support animals from service animals and pets.

II. General Statement of Policy

- A. WDTC complies with federal, state, and local laws which allow an emotional support animal to accompany any person with a disability in College housing, except where noted in this policy.
- B. Before the emotional support animal is permitted access to reside in College housing, the student requesting access for their emotional support animal must obtain approval through the Disability Services Office.
- C. The emotional support animal is only allowed in College housing if they are necessary to alleviate or mitigate symptoms related to the owner's disability.
- D. Emotional support animals are subject to state and local licensing, including registration requirements. If an emotional support animal resides in Pennington County for 30 days or more, documentation of local licensing and vaccinations records (including rabies) must be submitted before the emotional support animal is permitted access to reside in College housing.
- E. Upon approval of an emotional support animal by the Disability Services Office, the handler will be provided with a copy of the handler responsibilities and the Disability Services Handbook and will be required to sign an agreement before the emotional support animal is allowed in College housing.
- F. If an owner wishes to replace the approved emotional support animal, new accommodations are required through the Disability Services Office.
- G. As allowed under state law, the person with a disability is liable for any damage done to the premises or facilities by an emotional support animal.
- H. Without delay, the handler must clean up when an emotional support animal urinates or defecates. Urine must be wiped up with an absorbent towel and antibacterial wipes. Feces need to be wrapped in plastic bags and properly disposed in a waste receptacle. Owner may be subject to other proper cleanliness requirements per the WDTC Housing Handbook or the Disability Services Handbook.
- I. If the handler is absent overnight, the animal must accompany the handler. The animal may not be cared for by any individual other than the handler. When away from the residence, the owner must ensure the emotional support animal is properly contained.
- J. The emotional support animal must not cause difficulties or disturbances for others.

- K. WDTC is not obligated to and will not supervise or otherwise care for an emotional support animal.
- L. The emotional support animal may be removed at the discretion of Disability Services Office for breaking the signed agreement or WDTC policy.
- M. It is a violation of this policy to bring emotional support animals to any WDTC campus location other than the College housing location(s) approved by the Disability Services Office.

III. Definitions

- A. "Emotional support animal" is defined as:
 - 1. An animal that provides necessary emotional support to an individual with a mental or psychiatric disability that alleviates one or more identified symptoms of an individual's disability.
 - 2. Support must directly relate to and alleviate one or more of the identified symptoms or effects of an individual's identified disability as identified by reliable third-party documentation.
 - 3. Emotional support animals are not capable of service like service animals as defined by WDTC Policy 6015 and are therefore not permitted to accompany the authorized individual outside of their assigned residential space.
- B. "Service animal" is defined as:
 - 1. A canine (dog) that is trained to perform a disability-specific task for a person with a disability to include physical, sensory, mental, psychological, intellectual, or other mental disabilities.
- C. "Pet" is defined as:
 - 1. Animal kept for ordinary use and companionship.
 - 2. A pet is not considered an emotional support animal and therefore is not covered by this policy. Pets are not permitted within College owned or controlled facilities.
- D. "Reliable Third-Party" is defined as:
 - 1. A trained professional who by virtue of their expertise, scope of practice, and familiarity with the person with a disability, can verify that their accommodation request is directly related to their disability, that it would alleviate one or more of their symptoms or effects of their disability, and that it is necessary to provide that individual equal access.
 - 2. For emotional support animals, the trained professional must state the accommodation as necessary for equal access to the housing space.
 - 3. The student and the reliable third-party must have an ongoing relationship.
- E. "College housing" is defined as:
 - 1. Housing that is owned or controlled by WDTC.

IV. Reporting Procedures – None

V. Dissemination of Policy and Training

- A. This policy shall appear or be available on the WDTC website.
- B. Training regarding this policy will be made upon hire of disability services and housing staff.

Legal References: [42 US Code Chapter 126 – Disabilities Act \(ADA\) of 1990 as amended](#)
[Section 504 of the Rehabilitation Act of 1973 as amended](#)
[Pennington County Ordinance 4](#)
[SDCL 40-34-5 Running at large prohibited by county](#)
[Rapid City Ordinance No. 6456](#)

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