

**Northwestern Michigan College**  
**Procedure for Service Animals and Emotional Support Animals**

For health and safety reasons, no pets are allowed in campus housing or in NMC campus buildings, including pets that are visiting. Northwestern Michigan College has established the following procedure regarding Service Animals and Emotional Support Animals (ESA), to assist individuals with disabilities. Northwestern Michigan College will reasonably accommodate persons with disabilities, as defined by applicable law, who require the assistance of Service Animal or ESA. Each request for an ESA will be evaluated on a case-by-case basis by the Disability Support Services Office and must be supported by documentation upon the request of and satisfactory to Northwestern Michigan College. Any animal that: poses a direct threat to the health and safety of others; would cause substantial physical damage to the property of others or of Northwestern Michigan College; causes a disruption to the learning environment; create an undue hardship on the college; or fundamentally alter a service, program, or activity of the college, will not be permitted. The successful implementation of this procedure requires the cooperation of all students, faculty, staff and visitors of Northwestern Michigan College. The procedure for Service Animals and ESA's of Northwestern Michigan College is based on the most recent interpretations of the law, including the Americans with Disabilities Act and the Fair Housing Act. Northwestern Michigan College reserves the right to amend this procedure as circumstances require.

**Service Animals**

The American with Disabilities Act (ADA) defines a “service animal” as any dog individually trained to do work or perform a specific task for the benefit of an individual with a disability,

including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service dog must be directly related to the handler's disability. Service dogs are not considered "pets" and are explicitly permitted in "No Pets Allowed" areas under state and federal civil rights laws. Miniature horses of appropriate type, height, and weight under the circumstances, may fall under this classification if they have been trained to provide a specific task for the handler, according to Title II and III of the ADA.

A person may reside with a Service Animal in NMC housing if the person has a disability and the animal meets the definition of a "Service Animal". The Service Animal is permitted to accompany the resident to all areas of housing where residents are normally permitted to go.

Service Animals must be at least 12 months of age.

Service Animals in training must meet the minimum age requirement and the handler must register with Disability Support Services and seek approval through the interactive, reasonable accommodation process if they wish to bring a dog in training to campus. Puppies in training are not permitted in NMC buildings.

### **Emotional Support Animals**

The Fair Housing Amendments Act of 1988 protects the rights of people with disabilities to keep "assistance animals," including for emotional support even when there is a general "no pets allowed" policy. An assistance animal need not be individually trained to perform a disability-related task and, unlike a Service Animal, is only permitted in limited areas. Northwestern Michigan College will request documentation, to the satisfaction of Northwestern Michigan

College, from a psychologist, psychiatrist, social worker, or other licensed mental health professional to verify this need.

### **ESA Request Process**

Students requesting to have an emotional support animal in campus housing must register with the Office of Disability Support to begin the interactive, accommodation request process and will be asked for documentation that they have a mental health disability. The student will be required to provide, satisfactory to Northwestern Michigan College, verification from a psychologist, psychiatrist, social worker, or other licensed mental health professional with whom the student has established an on-going therapeutic relationship, substantiating the need for a disability-related animal per applicable laws and regulations. Information that will be collected includes: verification of student's disability, statement on how the animal serves as an emotional support, statement on how the need for the ESA relates to the ability of the student to use and gain benefit from college, and/or statement to how the animal is integral to a comprehensive ongoing treatment plan that is managed by a licensed mental health professional, with whom the student has established a therapeutic relationship. Students will be required to have this [Assistance Animal in NMC Housing Documentation Form](#) completed and on file with Disability Support before any request can be considered.

The resident desiring use of an ESA in NMC housing must identify and register with the NMC Office of Disability Support, at least 45 days before housing for the animal is needed. The College has 30 days to determine if the request for an ESA is approved. If approved, campus housing staff will make a reasonable effort to notify the other residents that a verified support animal will be in the living area, while also maintaining the handler's right to privacy.

All roommates and suitemates of the ESA owner must sign an agreement acknowledging that the ESA is in residence with them. In the event that a roommate or suitemate has serious concerns, either the owner of the ESA or the non-approving roommate or suitemate, as determined by campus housing staff, may be moved to another location. In situations where conflicting disabilities arise each student must identify and register with the Office of Disability Support to complete the interactive accommodation request process.

### **Owner Requirements**

The owner <sup>1</sup>of a Service Animal or ESA approved to live in housing must abide by the following conditions:

- A. The owner must comply with state and local laws and regulations pertaining to licensing and vaccination.
- B. The owner must clean up after and properly dispose of the animal's waste in a safe and sanitary manner.
- C. The owner is financially responsible for any property damage caused by the animal beyond reasonable wear and tear.
- D. The animal must be properly housed, restrained and under the owner's control at all times. If an animal is found loose or unattended outside of the owner's private living quarters, the animal is subject to immediate removal from campus.

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<sup>1</sup> For the purpose of this document, the term "owner" refers to the individual who has requested the accommodation and received approval to have an ESA or Service Dog in NMC housing.

- E. The owner may not leave the animal overnight in NMC housing to be cared for by another individual. Local authorities will be notified and asked to remove any animal that is left overnight in housing without the owner present.

### **Appeal**

Any owner/handler that is dissatisfied with a decision concerning s service dog or ESA may appeal the decision through the college's established grievance procedure.

### **Exceptions**

Exceptions to any provision of the policy, including restrictions placed by NMC, will be considered on a case by case basis by written request to the residence life office or auxiliary services office (NMC apartments), and the office of disability support.