

Residence Life Assistance Animal Policy

Section I. Introduction and Background

The University of Alaska Anchorage (“UAA” or “University”) recognizes the importance of Assistance Animals as defined by state and federal law. UAA is committed to allowing Assistance Animals as necessary to provide qualified individuals an equal opportunity to use and enjoy University housing. This policy explains the specific requirements and guidelines governing requests for reasonable accommodation in University housing. UAA reserves the right to amend this policy at any time as circumstances require. This policy does not apply to Service Animals as defined by the Americans with Disabilities Act.

Section II. Definitions

A. Assistance Animal

An animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person’s disability. An Assistance Animal does not have to be professionally trained and is not considered a service animal as defined by the ADA.

An Assistance Animal is allowed in University housing when DSS has approved the use of the animal as a reasonable accommodation to afford the Owner an equal opportunity to use and enjoy University housing.

B. Disability Support Services

Disability Support Services (DSS) collaborates with individuals, faculty, and staff to ensure that students with disabilities have equal access to all UAA programs and activities.

Section III. Procedures

DSS is responsible for evaluating requests for reasonable accommodation in University housing. In evaluating the request, DSS may consult with the Department of Residence Life (“Residence Life”), the UAA ADA Coordinator, and the UAA Student Health & Counseling Center, as necessary, to determine whether a disability exists and whether an accommodation is necessary and reasonable.

Requests for an Assistance Animal as a reasonable accommodation in University housing are governed by the following guidelines:

1. Requesting a Housing Accommodation to Possess an Assistance Animal

- All requests for housing accommodations must be submitted to DSS. If assistance is needed in submitting a request, DSS will provide assistance in completing the Housing Accommodation Request form.
- Requests for reasonable accommodation in University housing will be accepted and considered at any time. The individual making

the request for accommodation should contact DSS as soon as practicable before moving into University housing. If the request for accommodation is made fewer than sixty (60) days before the individual intends to move into University housing, UAA cannot guarantee that it will be able to meet the accommodation needs during the first semester or term of occupancy.

- If the need for the accommodation arises when an individual already resides in University housing, the individual should contact DSS as soon as practicable. UAA cannot guarantee it will be able to meet the accommodation needs during the semester or term of occupancy in which the request is received.
- Absent exceptional circumstances, the University will provide a written response to a reasonable accommodation request within ten (10) business days of receiving the information described in paragraph 2 below.

2. DSS will limit requests for information to support a Housing Accommodation Request to only the information necessary to verify whether the individual making the request has a disability and/or to evaluate if the individual has a disability-related need for an Assistance Animal.

- If the disability is obvious, DSS may require the individual to provide reliable documentation of the disability-related need for an accommodation but may not seek information about the individual’s disability.
- If the disability and necessity for an accommodation are not obvious, DSS may require the individual to submit reliable documentation of the disability and the disability-related need for an accommodation.
- Reliable documentation includes but is not limited to verification from the requesting individual, a medical professional, a peer support group, a non-medical service agency (*e.g.*, National Association of the Deaf), or a reliable third party who is in a position to know about the individual’s disability.
- The individual making the request for accommodation must provide all information needed to determine whether an accommodation is necessary.

3. Determination

- DSS will make a determination on a case-by-case basis of whether the requested accommodation is necessary because of a disability to provide the individual an equal opportunity to use and enjoy University housing.
- DSS will notify the individual of its determination in writing within ten (10) business days of receiving the Housing Accommodation Request and all necessary supporting documentation.
- UAA may consider the following factors, among others, in determining whether the presence of the animal is a reasonable accommodation or in the making of housing assignments for individuals with Assistance Animals:
 - Whether the size of the animal is appropriate for available housing;

- Whether the animal's presence would force another individual from individual housing (*e.g.*, serious allergies);
 - Whether the animal's presence otherwise violates individuals' right to peace and quiet enjoyment;
 - Whether the animal is housebroken or is unable to live with others in a reasonable manner;
 - Whether the animal poses or has posed in the past a direct threat to any individual or animal, such as aggressive behavior towards or injuring any individual or animal; and
 - Whether the animal causes or has caused excessive damage to University property beyond reasonable wear and tear.
- DSS may deny the requested accommodation if it is unreasonable. An accommodation is unreasonable if it: (1) imposes an undue financial and/or administrative burden; (2) fundamentally alters University housing services; or (3) poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including University property.

4. Approval of Accommodation

- If DSS approves a Housing Accommodation request, DSS and the senior residence life officer, or their designee, will meet with the individual to discuss the implementation of the Accommodation and the Department of Residence Life Assistance Animal Agreement.
- Upon approval of an Assistance Animal, the University will notify others potentially impacted by the presence of the Assistance Animal (*e.g.*, Residence Life staff and potential and actual roommates and neighbors) of the presence of the animal. This information will be shared with the intent of preparing for the presence of the Assistance Animal and/or resolving any potential issues associated with the presence of the Assistance Animal. The information shared will be limited to information relating to the Assistance Animal and will not include information related to the individual's disability. In the event that a roommate or suitemate does not agree to live with the Assistance Animal, either the owner and animal or the non-consenting roommate or suitemate, as determined by the appropriate University office, may be moved to a different location.
- UAA will not limit room assignments for individuals with Assistance Animals to any particular building or buildings because the individual has an Assistance Animal.
- UAA will not ask for or require an individual with a disability to pay a fee or surcharge for an approved Assistance Animal.

5. Denial of Accommodation/Appeal

- If DSS determines a requested accommodation is unreasonable, DSS will engage in an interactive process with the individual to determine if alternative accommodations might effectively meet the individual's disability-related needs.
- If the individual is unwilling to accept any alternative accommodation offered by DSS or no alternative accommodations are available, DSS will provide written notice of the denial to the individual within five (5) business days. The written notification will include the reasons for the denial, the notice of the right to appeal the decision, and the procedures for the appeal process.

- The appeal procedures are described in University of Alaska Regents' Policy and University Regulation 09.06.050.

6. Confidentiality and Recordkeeping

In processing requests for reasonable accommodations, the University will take all steps required by federal, state, and local law and University Policy and Regulation to protect the confidentiality of any information or documentation disclosed in connection with the requests. Such measures may include limiting access to such information to individuals specifically designated to determine and implement requests for reasonable accommodations, who will disclose the information only to the extent necessary to determine whether to grant the request, determine if the request is unreasonable, and implement any request granted, and keeping all written requests and accompanying documentation in a secure area to which only those designated individuals have access, except as otherwise required by law.

7. Non-Retaliation Provision

UAA will not retaliate against any person because that individual has requested or received a reasonable accommodation in University housing, including a request for an Assistance Animal.