

Academic Accommodations

Service Animals and Emotional Support Animals (ESAs) in the Classroom (4/4)

WHAT IS THE DIFFERENCE BETWEEN A SERVICE ANIMAL AND AN ESA?¹

Service Animals

A Service Animal is a dog² that is individually trained to do work or perform a task or tasks for a person with a disability. The work or tasks performed must relate directly to the disability.

ESAs

Emotional Support Animals (ESA)s³ are animals used by individuals with disabilities for emotional support, well-being, or comfort. ESAs are not individually trained to perform work or tasks (their presence alone provides comfort), therefore ESAs are **not** Service Animals. Unlike Service Animals, other animals besides dogs may be ESAs.

ARE SERVICE ANIMALS AND ESAS ALLOWED IN UC CLASSROOMS AND LABS?

Service animals are generally allowed in most classroom and laboratory settings while ESAs are only allowed if they are an approved academic accommodation:

Service Animals

Service Animals are allowed in most public spaces, including classrooms. No advance notice, documentation (e.g., an Accommodation L

etter from a Disability Services Office “DSO”), or certification is needed. However, students with service animals are encouraged to discuss the animal with their DSO offices on a voluntary basis. Service Animals can be successfully integrated into many laboratory spaces, as well. Discuss any concerns about a Service Animal in a lab space with the DSO.⁴ Service animals may only be excluded from a space (classroom or lab) when there is reason to believe the animal’s presence would: (1) pose a direct threat to the health or safety of others, or (2) constitute an undue burden or fundamental alteration. If a faculty member is concerned about the presence of a service animal in a specific space, the faculty member must address the concern with the DSO to determine if there are ways to mitigate these concerns. Fear of dogs or allergies are not sufficient to deny a Service Animal access to a space.⁵

ESAs

ESAs are not recognized by the ADA and therefore are generally not allowed in classrooms or labs under University policy. However, Section 504 of the Rehabilitation Act requires the University to modify its policies, when necessary, for otherwise qualified individuals with a disability, to ensure they are not excluded from participation in, or denied the benefits of, any University program or activity. As such, if the presence of an ESA will allow a student to participate who otherwise would be unable to participate without the presence of the ESA, the University must consider the accommodation as they would any other request for academic accommodation. In making the decision about whether to allow an ESA as an academic accommodation, DSOs consider the following⁶:

1. Can the student participate without the animal? Have they done so historically? If yes, has anything changed?
2. Does the animal’s presence mitigate symptomology directly related to ability to participate meaningfully in a course? If yes, how?
3. Is there any other way to reasonably mitigate the student’s symptomology other than the presence of the animal?
4. Is the animal under the control of their handler? Is the animal leashed or otherwise always contained?
5. What is the species of the animal?⁷

¹ For more information on Service Animals, please see “[Frequently Asked Questions About Service Animals and the ADA.](#)”

² Under the ADA, a miniature horse can also be a service animal in certain situations. See, [ADA guidance on Service Animals](#) for more information. Only dogs and, in some situations, a miniature horse, are service animals; no other species may serve as a service animal.

³ ESAs are also sometimes referred to as “Support Animals” or “Comfort Animals.”

⁴ Service Animals can be successfully integrated into many lab settings with personal protective equipment and other accommodations that ensure the safety of the animal, the handler, and others in the lab.

⁵ See, [ADA guidance on Service Animals](#) for more information.

⁶ This analysis is specific to the classroom setting under Section 504 of the Rehabilitation Act and **does not** reflect the analysis the university undertakes in the employment or housing context regulated by the Fair Employment and Housing Act (FEHA).

⁷ Species must be reasonable for the classroom setting. Some species approved as ESAs in housing, for instance, may not be reasonable in the classroom setting because of the differences in context between housing and classrooms. Housing is a private space whereas the classroom is a shared space where students are expected to learn.

As such, ESAs are allowed in the classroom and lab setting only if accompanied by an Accommodation Letter (AL) or other form of documentation from the DSO. Like with any request for an accommodation, if a student asks a faculty member to bring their ESA into a classroom or lab setting but the student does not have an AL with an ESA accommodation listed, the faculty should refer the student to the DSO for consultation.

IS IT A SERVICE ANIMAL OR AN ESA?

Service Animals

When it is not obvious what service an animal provides, the university may only ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform? Faculty should not take it upon themselves to ask these questions, rather should contact their DSO to assist in determining whether the animal is a service animal. Under no circumstances may a faculty member ask about a person's disability, require medical documentation, require special identification or training documentation for the dog⁸, or ask that the dog demonstrate its ability to perform the work or task it is trained to provide.

ESAs

For purposes of a classroom or lab, a faculty member will know an animal is an ESA because the animal will be an approved academic accommodation on an AL or other DSO-issued document like other academic accommodations (e.g., extended time on an exam). Therefore, unlike a Service Animal, an ESA will have documentation supporting its presence in the classroom or lab. If it is unclear, or there is no documentation, faculty should reach out to their DSO for guidance.

ARE SERVICE ANIMALS AND ESAS REQUIRED TO BE LEASHED?

Generally, yes. A service animal must be under the control of its handler. Under the ADA, service animals must be harnessed, leashed, or tethered, unless the individual's disability prevents using these devices or these devices interfere with the service animal's safe, effective performance of tasks. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.⁹ The same would apply for any ESA approved as an Academic Adjustment, although some students may have their support animals in a carrier.

WHAT HAPPENS IF AN ANIMAL IS DISRUPTIVE IN CLASS?

Removal of a Service Animal or an ESA is only proper if: (1) the animal is out of control and the student does not take effective action to control it or (2) the animal is not housebroken. When there is a legitimate reason to ask for the removal of an animal, faculty must offer the person with the disability the opportunity to participate without the animal's presence. Faculty should make attempts to contact DSO staff in all cases except immediate harm or significant destruction of property. Animal bites should be reported to Campus Risk Management as soon as possible. Animals that bite are considered aggressive and may not return to campus. For non-egregious instances of behavior or housetraining issues, faculty should advise the student of the behavior change needed and offer an opportunity for the student to correct the behavior. Faculty should advise DSO staff whenever these instances occur. Continued patterns of service animal/ESA behavior/housetraining issues may be grounds the specific animal to be dismissed from the classroom/lab. Faculty should consult with their DSO regarding decisions around dismissal to ensure the student is advised they may request alternate means of access to university programs and services.

WHO SHOULD FACULTY CONTACT WITH QUESTIONS?

Contact your DSO if you have any questions about a student with a Service Animal or ESA in classroom or lab settings.

⁸ The ADA does not require service animals to wear a vest, ID tag, or specific harness.

⁹ See, [ADA guidance on Service Animals](#) for more information.