

513 – Service Animals, Emotional Support Animals, and Pets

Purpose:

The purpose of this procedure is to establish guidelines for the presence and use of service animals, emotional support animals, and pets on campus, in compliance with the Americans with Disabilities Act (ADA), the Rehabilitation Act, and the Fair Housing Act.

Definitions:

Owner: An individual who has primary responsibility for the care, supervision, and control of a service animal or emotional support animal while on campus.

Handler: An individual responsible for the care, supervision, and control of a service animal, service animal in training, or emotional support animal while on campus.

Pet: Any animal that is not a service animal or an approved emotional support animal and is kept for companionship or personal enjoyment.

Emotional Support Animal (ESA): An animal that provides comfort, companionship, or emotional support to an individual with a documented disability but is not trained to perform specific tasks.

Licensed Healthcare Provider: For ESA documentation purposes, a state-licensed clinician legally authorized to diagnose and treat mental health conditions who maintains an established, ongoing therapeutic relationship with the student.

Service Animal: A dog, or in limited circumstances a miniature horse, that is individually trained to perform specific work or tasks for the benefit of an individual with a disability, as defined by the ADA.

Service Animal in Training (SAIT): A dog, or in limited circumstances a miniature horse, that is actively undergoing training to perform tasks for an individual with a disability.

Scope:

This policy applies to all students, employees, volunteers, contractors, and visitors who bring a service animal, approved emotional support animal, or pet onto Bismarck State College (BSC) property, including all campus buildings, grounds, housing facilities, and college-sponsored events.



Procedure:

1. Pets

- a. A pet is not permitted in campus buildings, campus housing, or at indoor campus events.
- b. The college may require the removal of a pet from campus grounds at any time for any reason, including but not limited to:
 - i. disruptive behavior;
 - ii. health or safety concerns;
 - iii. sanitation issues;
 - iv. failure to maintain control of an animal;
 - v. Interference with campus activities or operations;
 - vi. Violation of campus procedures or city animal ordinances.
- c. Exceptions are detailed in section 8 of this policy.

2. Emotional Support Animals (ESA)

- a. Students requesting approval for an ESA must submit the following to the Student Accessibility Office:
 - i. A completed application for Housing Accommodation.
 - ii. A letter from a licensed healthcare provider confirming:
 1. Establishes the student has a physical or mental impairment that substantially limits one or more major life activities.
 2. Describes the accommodation needed.
 3. Demonstrates the relationship between the person's disability and the support the animal provides.
 - iii. Documentation should come from a licensed healthcare provider who has personal knowledge of the student's condition and can substantiate the need for the accommodation.
 - iv. Documentation must demonstrate the animal is necessary to provide disability-related support, when appropriate.
- b. Deadlines
 - i. Completed requests are generally reviewed within 10 business days unless there are extenuating circumstances.
- c. Approval and Housing Limitations
 - i. Approved ESAs are permitted only in the student's assigned residence hall room.
 - ii. Student and Residence Life may notify roommates and other affected residential students of the presence of an approved animal as necessary to support shared living expectations and address potential health or safety concerns.
 - iii. The College will evaluate competing disability-related needs, including allergies, asthma, and animal-related fears or phobias, on a case-by-



- case basis and will seek reasonable solutions in accordance with applicable law.
- iv. Students must submit a complete ESA application each academic year to maintain approval.
- d. Allowed Species
 - i. Generally permitted animals include common household animals such as dogs, cats, hedgehogs, and hamsters.
 - ii. Requests involving unique or non-traditional animals will be evaluated on a case-by-case basis considering health, safety, facility limitations, animal welfare, and applicable state or local laws.
- e. Age and Health Standards
 - i. Animals must be at least 6 months old.
 - ii. Animals must be spayed or neutered unless medically contraindicated or otherwise approved by the college.
 - iii. Animals must have current vaccinations and licenses as required by state/local law.
 - iv. Documentation must be provided from a licensed veterinarian indicating the animal does not pose a known health or safety risk to the campus community.
- f. Removal of ESA
 - i. An ESA may be removed from campus housing if:
 - 1. The documentation was falsified.
 - 2. The animal poses a direct threat to the health or safety of others that cannot be reduced or eliminated through reasonable modifications or additional control measures. The owner fails to comply with responsibilities outlined in this procedure or the requirements and exemption form.
 - 3. The animal causes a significant disruption to the residential community.
 - ii. The owner is financially responsible for damages, cleaning costs associated with the ESA, and pest control due to improper animal care.
- 3. Service Animals
 - a. Eligibility
 - a. To qualify for the presence of a service animal on campus, an individual must:
 - i. have a disability defined by the ADA; and
 - b. be accompanied by a service animal that is trained to perform tasks related to a disability and/or medical condition. Students with disabilities who use service animals in campus housing are encouraged to notify



Student Accessibility Office and Student and Residence Life prior to move-in to facilitate appropriate residential arrangements.

4. Registration

- a. Students who are accompanied by a service animal should register with BSC's Accessibility Office. Students living on campus should also complete their registration process with Student and Residence Life.
- b. Employees accompanied by a service animal must register with the Human Resource Office.

5. Restricted Areas

- a. BSC may prohibit Service Animals in specific areas where their presence would compromise health or safety requirements. These areas may include, but are not limited to, food preparation areas, research or instructional laboratories, classrooms requiring protective equipment, and other locations as permitted by law.
- b. Requests for exceptions will be reviewed case-by-case by the Student Accessibility Coordinator for students or Human Resource Office for employees upon receipt of a written request.

6. Service Animals in Training (SAIT)

- a. BSC permits SAIT when handled by a qualified trainer or authorized handler. The college may request reasonable information demonstrating the animal is actively engaged in service animal training consistent with applicable law.
- b. SAITs must be under the handler's control using a leash, harness, or tether unless these interfere with training tasks. All applicable vaccination, licensing, and animal control laws must be followed.
- c. The handler is financially responsible for any damage caused by a SAIT. Restricted areas apply to SAIT.
- d. Approval of a Service Animal in Training in campus housing is not automatic and will be evaluated on a case-by-case basis in accordance with applicable law.

7. Responsibility and Control

- a. Owners are responsible for the care and supervision of their animals at all times. Animals must be leashed, harnessed, or tethered in public areas unless doing so interferes with the animal's work or the Owners disability. In such cases, the animal must be controlled by voice, signal, or other effective means.
- b. Owners must promptly clean up and properly dispose of animal waste in accordance with City of Bismarck Ordinance Title 3, Chapter 3-03-05.



Information regarding designated toileting areas will be provided by Student and Residence Life.

- c. To ensure accountability for waste cleanup, owners of dogs must complete a DNA testing process.
 - i. testing must be completed within five (5) business days of the animal's arrival on campus. Failure to comply within ten (10) business days may result in reevaluation of approval.
 - ii. student and Residence Life will administer the swab and submit the sample to the DNA agency.
 - iii. improperly disposed waste will be tested, and violations will be addressed under the Student Code of Conduct or the Code of Ethical Conduct.
- d. Owners are financially responsible for any property damage caused by their animal. Damage assessments will be conducted and charged accordingly.
- e. Student and Residence Life must be notified immediately if an ESA is no longer needed or removed from campus.
- f. The College takes no responsibility for an animal's welfare in case of an emergency. In emergency situations, emergency personnel will determine appropriate actions based on safety considerations and may not be able to provide for the care or evacuation of animals.

8. Exceptions

- a. Law Enforcement – Animals assisting law enforcement or other official agencies, including on-duty police K-9s, search and rescue dogs, or animals engaged in training activities.
- b. Full -Time Employees Living on Campus – Full-time employees residing on campus who have received approval through their employment-related housing agreement with Student and Residence Life may be granted a pet exemption.
- c. Approved Vendors – Animals brought to campus by vendors or contractors approved by the College for official services, demonstrations, or events, in accordance with Operational Procedure 915: Events or Exhibits Involving Animals on Campus.

9. Restrictions and Exclusions

- a. BSC may impose restrictions or exclude an animal on a case-by-case basis in accordance with applicable laws if the animal:
 - i. is out of control and effective corrective action is not taken;
 - ii. is not housebroken;
 - iii. poses a direct threat to the health or safety of others that cannot be mitigated by reasonable modifications. Determinations will be based on



an individualized assessment relying on current medical knowledge or the best available or the best available objective evidence.

- b. If an animal is restricted or excluded, Student and Residence Life will provide the Owner with a written explanation. The individual will remain eligible to participate in campus programs, services, or activities without the animal present.

References:

[Americans with Disabilities Act \(ADA\)](#)

[Section 504 | U.S. Department of Education](#)

[City of Bismarck ordinance \(Title 3-Animal Control and Protection\)](#)

[North Dakota Century Code §25-13-02.1](#)

[Fair Housing Act](#)

[BSC Notice of Non-Discrimination](#)

[BSC Operational Procedure: 915 Events or Exhibits Involving Animals On Campus](#)

History of This Procedure:

Reviewed by the Operations Council on November 24, 2010, and approved by the Executive Council on December 2, 2010. Revisions – Reviewed by the Operations Council on July 22, 2015, and approved by the Executive Council on August 26, 2015; April 27, 2021. Changed from a policy to an operational procedure; reviewed by the Campus Council on April 26th, 2023, and reviewed by the Executive Council on May 17th, 2023, approved by the President on June 8th, 2023, Reviewed and approved by the President on December 18th, 2023, reviewed and approved by the Vice President for Student Affairs June 24th, 2025. Approved by the VP for Student Affairs on February 19, 2026.

Reviewed and approved by the VP for Student Affairs on May 28, 2026.

