



The State University of New York
Student Assembly

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RESOLUTION 1617-FC9

TO: General Assembly

**FROM: Mould, Lori A., Chair of the Military Affairs Committee and
Rakoska, Burgandi, Chair of the Disability Advocacy Subcommittee**

DATE: 10/16/2016

**SUBJECT: Accommodating Service Animals*, Emotional Support Animals (ESA)
and Therapy Animals** for Military/Veteran Students**

Action Requested

We call on Governor Andrew M. Cuomo, the SUNY Chancellor, the SUNY Board of Trustees, the SUNY Federal Government Relations Team, the New York State Senate and Assembly, with the help of others, to come together and develop a viable plan to allow our Military/Veteran students, with both visible and invisible disabilities, to have equal and fair availability for their Service Animals, Therapy Animals, and/or Emotional Support Animals (ESA) while attending classes on any SUNY campus.

Resolution

We recommend that the Student Assembly of the State University of New York (SUNY SA) adopt the following resolution:

Whereas; it is estimated that 20% of the U.S. Veterans who have and continue to return from Afghanistan and Iraq are experiencing Post-Traumatic Stress

Disorder (PTSD) and/or depression. This estimate increases when you factor in the Veterans whom have suffered a Traumatic Brain Injury (TBI) because there are increased debilitating symptoms associated with TBI, such as hypervigilance, severe social anxiety, flashbacks, nightmares and suicidal ideation¹, and

Whereas; there are 20 Veterans who commit suicide each day². The VA has been working to develop suicide prevention resources for every Veteran in a mental health crisis, and

Whereas; in 2014, there were approximately 21.6 million Veterans in the U.S., however, there were just over 8.5 million Veterans enrolled with a U.S. Department of Veterans Affairs (VA) provider for their health care³. This means that less than less than 40% of all Veterans will seek treatment and those who do are experiencing wait times from several months and sometimes years at the VA and therefore would benefit from a Therapy Animal and/or ESA, and

Whereas; Researchers continue to diligently gather evidence which is showing that these bonding experiences (with animals) have biological effects which include elevated levels of the hormone oxytocin. Meg Daley Omert, Warrior Canine Connection says, "Oxytocin improves trust, the ability to interpret facial expressions, the overcoming of paranoia and other pro-social effects-the opposite of the PTSD symptoms".⁴

¹ <http://companionsforheroes.org/our-services/benefits-of-service-dogs-for-vets>

² <http://www.militarytimes.com/story/veterans/2016/07/07/va-suicide-20-daily-research/86788332/>

³ <http://www.mentalhealth.va.gov/docs/2016suicidedatareport.pdf>

⁴ <http://www.smithsonianmag.com/science-nature/how-dogs-can-help-veterans-overcome-ptsd-137582968/?no-ist>

Whereas; these Service Animals, Emotional Support Animals (ESA) and Therapy Animals can assuage the symptoms which are common for our Veterans with PTSD, depression, Military Sexual Trauma (MST), TBIs, suicidal ideation, etc., and

Whereas; the training of an ADA recognized Service Dog can take from 8 months but as long as 18 months depending on the Veteran's needs and the tasks which the dog will be required to perform to accommodate their person's disability/disabilities⁵, and

Whereas; the Service Dog training wait time coupled with the average VA wait time for treatment can be unsurmountable for our Veterans suffering with visible and invisible disabilities and this does not even factor in the Veterans who are not seeking medical treatment for their injuries, etc., and

Whereas; the Service Animals, Emotional Support Animals (ESA) and Therapy Animals are beneficial to the Veterans retention, successful, and emotional well-being, and therefore, be it

Resolved; that the needs of our Veterans be acknowledged by allowing them the use of Service Animals, Emotional Support Animals (ESA) and Therapy Animals while on campus to offer them a source of comfort, security, and most importantly, **independence** from their visible and invisible disabilities, and, be it further,

Resolved; that they will not be discriminated against and/or harassed for the use of said animals while on any SUNY campus and/or dormitory***, and be it further,

⁵ <http://www.thisableveteran.org/for-veterans/faqs>

Resolved; that the Veteran must maintain control of their Service Animals, Emotional Support Animals (ESA) and Therapy Animals at all times while on campus, and, finally, be it

Resolved; that the Student Assembly of the State University of New York shall forward copies of this resolution to the SUNY Board of Trustees, SUNY Chancellor, University Faculty Senate, Faculty Council of Community Colleges, SUNY Campus Presidents, SUNY student governing bodies, all Military/Veteran Clubs and Organizations, all Military and/or Veterans Affairs offices, all Chief Diversity Officers, and all other parties deemed necessary and proper.

Background:

*A “Service Animal is defined by Title II and Title III of the Americans with Disabilities Act (ADA) as:

A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Tasks performed can include, among other things, pulling a wheelchair, retrieving dropped items, alerting a person to a sound, reminding a person to take medication, or pressing an elevator button

(<https://adata.org/publication/service-animals-booklet>),” and

“Examples of animals that fit the ADA’s definition of “service animal” because they have been specifically trained to perform a task for the person with a disability:

Guide Dog or Seeing Eye® Dog¹ is a carefully trained dog that serves as a travel tool for persons who have severe visual impairments or are blind.

Hearing or Signal Dog is a dog that has been trained to alert a person who has a significant hearing loss or is deaf when a sound occurs, such as a knock on the door.

Psychiatric Service Dog is a dog that has been trained to perform tasks that assist individuals with disabilities to detect the onset of psychiatric episodes and lessen their effects. Tasks performed by psychiatric service animals may include reminding the handler to take medicine, providing safety checks or room searches, or turning on lights for persons with Post Traumatic Stress Disorder, interrupting self-mutilation by persons with dissociative identity disorders, and keeping disoriented individuals from danger.

SSigDOG (sensory signal dogs or social signal dog) is a dog trained to assist a person with autism. The dog alerts the handler to distracting repetitive movements common among those with autism, allowing the person to stop the movement (e.g., hand flapping).

Seizure Response Dog is a dog trained to assist a person with a seizure disorder. How the dog serves the person depends on the person's needs. The dog may stand guard over the person during a seizure or the dog may go for help. A few dogs have learned to predict a seizure and warn the person in advance to sit down or move to a safe place.

Under Title II and III of the ADA, service animals are limited to dogs (<https://adata.org/publication/service-animals-booklet>).”

***“Emotional support animals, comfort animals, and therapy dogs are not service animals under Title II and Title III of the ADA. Other species of animals, whether wild or domestic, trained or untrained, are not considered service animals either. The work or tasks performed by a service animal must be directly related to the individual's disability. It does not matter if a person has a note from a doctor that states that the person has a disability and needs to have the animal for emotional support. A doctor's letter does not turn an animal into a service animal (<https://adata.org/publication/service-animals-booklet>).”

***It is important to note that on April 25, 2013, the Federal Housing Administration (FHA) and the U.S. Department of Housing and Urban Development (HUD) issued a notice that said, “An assistance animal under the FHA and Section 504 may be a certified service animal, an emotional support animal, or any other 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 (https://portal.hud.gov/hudportal/documents/huddoc?id=servanimals_ntcfheo2013-01.pdf).”