

# EMOTIONAL SUPPORT ANIMAL POLICY AND GUIDELINES

### FOR URSINUS COLLEGE STUDENTS

#### I. Purpose of the Policy and Guidelines

This document explains Ursinus College's policy toward emotional support animals for disability and access purposes for students. These guidelines articulate the conditions under which such emotional support animals for students are permitted access to College grounds and facilities.

This policy does not apply to service animals.

### **II.** Definitions

- a. Service Animal -- A service animal is any dog that is individually trained to do work or perform tasks for an individual with a disability<sup>1</sup>. The work or task performed by a service animal must be directly related to the individual's disability. In some cases, a miniature horse may also qualify as a service animal.
- b. Emotional Support Animal -- An emotional support animal (ESA) is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or that provides emotional support that alleviates one or more identified effects of a person's disability. An emotional support animal is not a service animal or a pet<sup>2</sup>.
- c. Pet A pet is a domesticated animal kept in the home for pleasure and companionship, rather than for the purpose of assisting persons with disabilities. A pet is not considered a service animal or an emotional support animal and therefore is not covered by these requirements and related policies. Residents are not permitted to keep pets (except fish) on College property or in College housing.
- d. Disability -- The term "disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment. (42 U.S.C.A. § 12102)
- e. Handler A handler is a person with a disability that a service animal assists or a personal care attendant who handles the service animal for a person with a disability<sup>3</sup>.

|                            | Service Animals  | Emotional Support Animals                        |
|----------------------------|--|--|
| Federal Mandate            | ADA  | FHA  |
| Emotional Support Coverage | Excludes emotional support   | Includes emotional support                       |
| Areas of Access            | Entirety of College  | Living space only                                |
| Reason for Animal          | Access   | Reasonable Accommodation                         |
| Approval                   | No approval required (prior<br>registration for students living<br>in College housing is required) | Approval from Disability and Access is necessary |
| Type of animal             | Dogs   | All animals within reason                        |

f. Student Partner – A student partner, as referenced in this policy, refers to the individual who benefits from the emotional support animal use or service animal's training.

<sup>&</sup>lt;sup>1</sup> Americans with Disabilities Act (2010). Office of Civil Rights, Department of Justice. <u>http://www.ada.gov/service\_animals\_2010.htm</u>

<sup>&</sup>lt;sup>2</sup> Assistance Animals (2022). Office of Fair Housing and Equal Opportunity, U.S. Department of Housing and Urban Development. <u>https://www.hud.gov/program\_offices/fair\_housing\_equal\_opp/assistance\_animals</u>

<sup>&</sup>lt;sup>3</sup> Americans with Disabilities Act (2010). Office of Civil Rights, Department of Justice. <u>http://www.ada.gov/service\_animals\_2010.htm</u>



## III. Policy

In accordance with Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act (FHA), and state and local law, individuals with disabilities may be permitted to have their emotional support animal in their assigned residence halls of Ursinus College. Emotional support animals are not permitted in any other buildings on campus or college property, nor are they allowed in other controlled spaces on campus (e.g., dining facilities, libraries, academic or athletic buildings, classrooms, labs, offices, etc.).

Student partners must submit the required forms and <u>receive written approval from Disability and</u> <u>Access</u> prior to bringing their emotional support animal to campus. The emotional support animal may then reside in College housing so long as there is no basis for removal (see section X).

All animals must meet license requirements for the Commonwealth of Pennsylvania and the Borough of Collegeville. The animal must wear the designated licensing tags.

### **IV. Approval and Registration Process**

Ursinus College will consider requests for emotional support animals on a case-by-case basis. Students requesting emotional support animals should direct their requests to the Office of Disability and Access by the deadline for each semester:

| Semester | Deadline for request submission |
|----------|---------------------------------|
| Fall     | July 15                         |
| Spring   | December 15                     |
| Summer   | April 15                        |

In special circumstances, emotional support animals will be permitted to arrive on campus midsemester, but only after a completed request and prior written approval. The emotional support animal may not arrive on campus until written approval is received.

Students must update and resubmit their requests for an emotional support animal for each new academic year (by July 15, regardless of previous approval timeline). The renewal for an emotional support animal requires the confirmation that the student still needs the emotional support animal as a reasonable accommodation. If changes occur to the functional impacts that the student is managing, then additional documentation may be required.

For a request to be considered complete and capable of review, students must complete all application components:

- 1. Complete and submit the Disability and Accommodation Verification Form (completed by a mental health professional).
- 2. Complete and submit the Health and Behavior Verification Form (completed by a veterinarian).
- 3. Complete and submit the <u>Emotional Support Animal Student Application</u>.
- 4. Schedule a meeting with a member of the Disability and Access team.



Emotional support animals CANNOT be brought to campus until the approval process is completed and the student partner receives written approval via email from Disability and Access. If an animal is brought to campus without prior written approval, the animal must be removed within 24 hours. The animal is not permitted to stay even if a request is in process. Bringing an unapproved animal to campus violates the student code of conduct and may compromise the student's ability to qualify for approval of an emotional support animal. The Disability and Access team recognizes that the student may be dealing with impacts that require supports or alternative accommodations while requests for an emotional support animal are in process; the student may request alternative supports or accommodations during their meeting with Disability and Access.

When a complete request is submitted and a meeting scheduled, the Disability and Access staff will conduct an interactive meeting with the requesting student. This meeting will cover the student's functional impacts, their relationship with the animal, their rights and responsibilities as a student partner, the reasonability of the animal requested (e.g., its size, age, behavior, etc.), and the College policy regarding emotional support animals.

Upon approval of an emotional support animal, the student partner will receive an accommodation letter via email that confirms their right to maintain the animal in their housing assignment. This approval will be shared with Residence Life, Facilities, Campus Safety, and the College's Crisis Response Team. When necessary, Residence Life may notify other residents in the residence hall that the emotional support animal will be residing in their residential community. The emotional support animal may not be brought to the College until the approval letter has been received.

## V. Emotional Support Animal Regulations

- a. The animal must be at least one (1) year old to allow for the reasonable amount of time for training of animal to meet additional expectations required below.
- b. The student partner must have an established relationship with the animal.
- c. The animal must be spayed/neutered and up to date on all veterinarian-recommended vaccinations as per the Commonwealth of Pennsylvania and Collegeville Borough regulations.
- d. The animal must be trained in a way that allows it to live with others in a reasonable manner (e.g., housebroken, crate trained, does not make loud noise, etc.). The animal must be considered under the student partner's control (e.g., obeying commands, maintaining a calm and nonthreatening environment, and restricted by a leash, harness, or carrier.
- e. The animal must be a reasonable size for available College housing (for dogs: 35 lbs. or less)
- f. The animal must not pose a threat to the student partner or others in the community. Any animal with a history of aggressive behavior must have certification from a qualified animal behaviorist that it has been rehabilitated.
- g. The animal's presence must not fundamentally alter the living environment of others in the community.

## VI. Documentation

a. Disability and Accommodation Verification Form

For a student with a disability to qualify for an emotional support animal, professional documentation of a mental health condition that rises to the level of a disability must be submitted. Documentation must establish the therapeutic need of the animal is directly connected to the individual's disability. It must also establish that the emotional support animal is necessary to afford the individual with a disability an equal opportunity to use a dwelling or to participate in College housing.



b. Health and Behavior Verification Form

All emotional support animals must be one (1) year old and have all veterinarianrecommended vaccinations necessary to maintain the animal's health and prevent contagious diseases. Student partners are expected to submit documentation of vaccinations at the time of their request. All emotional support animals must be spayed or neutered before residing on campus. The College reserves the right to request updated verification of vaccinations at any time during the emotional support animal's residency. Documentation shall be maintained by Disability and Access.

c. Emotional Support Animal Student Application

Student partners must provide their contact information, permanent and campus addresses, emotional support animal's information, and emergency contact information as part of their application. The application form also requires a signature from the student partner verifying that they have read, understand, and will abide by the policies and guidelines outlined in the Emotional Support Animal Policy and Guidelines.

### VII. Responsibilities of the Student Partner

Ursinus College and its employees are not responsible for the care or supervision of emotional support animals. This includes, but is not limited to, providing food for and/or cleaning up after the animal.

a. Location on Campus

The emotional support animal must be contained within the student partner's assigned individual living accommodations (e.g., dorm room) except to the extent the student partner is taking the animal outdoors for natural relief or exercise. The emotional support animal may not be in the common spaces or hallways except when the student partner is taking the animal outdoors for natural relief or exercise.

When an emotional support animal is outside the private living accommodations, it must be in an animal carrier or controlled by a leash or harness. The emotional support animal must also wear a current rabies tag and an identification tag including the student partner's name and campus address when outside of the residence.

Emotional support animals are not allowed in any College facilities other than the residence hall to which the student partner is assigned.

b. Unattended Animals

Emotional support animals may not be left unattended in the residence halls for more than four (4) hours. If students will be leaving campus for the weekend or for breaks, they are required to take their animal with them or board them in an off-campus facility. Other students may not serve as proxies to attend to/care for the animal.

c. Animal Behavior

Emotional support animals must be trained in a way that is conducive to living with others in a residential community. This means (where applicable) that the animal must be housebroken, crate-trained, non-aggressive, generally quiet, non-destructive, and always under the student partner's control.



### d. Animal Health and Hygiene

Student partners are responsible for providing all necessities for the emotional support animal, including food, water, medicines, appropriate cleaning supplies, and all other items necessary to ensure its health and safety within the confines of their residence.

The emotional support animal's food should be kept in a closed container within the student partner's residence.

Animals that are ill may not be taken into public areas. A student partner with an ill animal may be asked to leave College facilities or remove the animal from campus. Upon reasonable suspicion that the animal is ill, the College may require temporary and exclusive examination by a veterinarian.

Student partners are responsible for properly containing and disposing of the animal's solid waste (e.g., feces).

- Indoor animal waste and/or used litter must be disposed of in an outside trash dumpster. The litter must be changed (at minimum) weekly with pet waste separated from the litter (at minimum) twice each week to avoid odors. Litter boxes must be placed on mats to minimize contamination of carpeted surfaces.
- Outdoor animal solid waste must be immediately retrieved by the student partner, placed in a plastic bag, and securely tied before being disposed of in an outside trash bin/container.
- 3) If the student partner is not physically able to clean up after the animal, it is then the responsibility of the student partner to arrange for someone capable of cleaning up after the animal. The person cleaning up after the animal should a) always carry equipment sufficient to clean up the animal's feces when the animal is on campus, and b) properly dispose of waste and/or litter in outside trash bins/containers. If the animal vomits, urinates, leaves solid waste, and/or becomes incontinent, it is the responsibility of the student partner to clean and sanitize the contaminated area immediately. If the contamination occurs indoors, clean-up must include disinfectant of the area and carpet or floor treatment to minimize damage to the facility. All matter must be disposed of in an outside trash dumpster.

Student partners are responsible for taking effective precautions to avoid flea and tick infestations. If the animal is found to have fleas or ticks, the student partner will be responsible for eliminating the fur coat infestation and laundering all bedding. Residence Life may monitor and inspect for possible infestations. If fleas, ticks, or other pests are detected on the animal and/or within the residence, it will be treated using approved methods by a college-approved pest control service. The student partner will be billed, as are all students, for the expense of any required pest management due to the animal's presence.

<u>Student partners must engage in regular cleaning to avoid significant odors and/or to</u> <u>manage shedding</u>. If the student partner lives in a space with a private bath, they may use that shower/tub to clean the emotional support animal, otherwise an off-campus service must be used.



## VIII. Allergies, Asthma, and Other Medical Conditions

Persons who have asthma, allergies, or other medical conditions affected by the presence of animals are encouraged to also use the accommodations process. The needs of both individuals will be considered in resolving the issues. If an allergy/animal conflict within the residence hall cannot be resolved agreeably, then Residence Life and Disability and Access will collaborate to determine a solution.

### IX. Emergency Response

Ursinus College Campus Safety has a record of all emotional support animals on campus and will refer to their information when handling any emergency situations on campus.

Should an emergency occur which requires evacuation or other action from the student partner and an emergency response team to be called, the team will attempt to keep the animal and the student partner together. However, the team's primary efforts will be toward ensuring the safety of the student partner and all other students, which may necessitate leaving the animal behind in certain emergency evacuations situations.

If the student partner needs to be transported by emergency personnel (i.e., emergency medical services or police) every effort will be made to keep the animal with the student partner. When it is not possible to keep the animal with the student partner, the College may contact the emergency contact on file and/or Montgomery County SCPA for temporary boarding until the student partner is able to return to campus or retrieve the animal. The student partner will be responsible for any related boarding costs.

## X. Removal of Emotional Support Animals

Residence Life retains the right to relocate the student partner and emotional support animal as necessary to maintain a safe and successful environment for all students. A person with a disability will be asked to remove their emotional support animal from the College for the following reasons (in addition to any violations of the above policy):

- The animal is out of control and the student partner does not take effective action to control it
- The animal exhibits unruly, disruptive, threatening, or aggressive behavior (e.g., barking, scratching, etc.)
- The animal is not housebroken
- The animal is not up to date on vaccinations
- The student partner is not able to maintain a hygienic living environment (e.g., there are concerns about smell, the animal is visibly dirty, etc.)
- The animal poses a direct threat to the health or safety of others (beyond reasonable measures for coexistence covered above)
- The animal engages in destructive behaviors that damage College property



- The College finds any part of the documentation provided for the emotional support animal to be false
- The animal is brought to campus without re-applying for approval
- The student partner is unable to care for the animal, including instances of temporary illness or hospitalization
- The animal is found to be left unattended for over 4 hours

In any of the above cases, <u>the emotional support animal must be removed from campus within 24</u> <u>hours of official notice</u> from Residence Life, Campus Safety, or Disability and Access. Some cases may warrant the immediate removal of the animal.

Student partners who do not follow the above policies and/or whose emotional support animals qualify for removal on any of the above reasons may, when appropriate, face disciplinary action through Student Affairs.

Should the animal be removed from the premises for any reason, the student partner is expected to fulfill their housing obligations for the remainder of the housing contract.

If an emotional support animal is banned from campus, the individual with a disability will have the right to engage in a deliberative process to determine if effective participation can occur with other appropriate accommodations.



## DISABILITY AND ACCOMMODATION VERIFCATION FORM

Student's Name:

#### **Instructions for Treating Professional**

This evaluation must be filled out by a qualified, treating mental health professional. Your name, signature, title, and credentials must be provided at the end of this form. The student has been informed and agrees that the emotional support animal request process requires the treating professional to document the medical necessity of the accommodation. This request for documentation complies with the Fair Housing Act. It is understood that the treating professional practices in the specialty specific to the mental health condition presented and is not in a dual relationship with the student.

# Please forward this completed form and any other supporting documentation to:

Office of Disability and Access Ursinus College 601 E Main Street Collegeville, PA 19426 Email: <u>disabilityandaccess@ursinus.edu</u>

Federal laws define a person with a disability as, "any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment."

- Does the student listed above have a mental health impairment that substantially limits one or more major life activity including, but not limited to: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working? (Y/N)
- 2. Are you prescribing an emotional support animal to ameliorate the effects of a diagnosed disability? If yes, what assistance or support does the animal provide?



- 3. Please provide the following information regarding the student's diagnosed condition that rises to the level of a disability:
  - a. What is the student's current mental health diagnosis/diagnoses?
  - b. Whate are the substantial limitations of the diagnosed condition that impact residential living?
  - c. How long have you been treating the student for this mental health condition?

**Please note**: Section 1001 of Title 18 of the United States Code makes it a criminal offense to willfully falsify a material fact or make a false statement in any matter within the jurisdiction of a federal agency.

#### **Treating Professional Information**

| Name:                              | Title:                          |
|------------------------------------|---------------------------------|
| Phone number:                      | _ License/Certification number: |
|                                    |                                 |
| Signature of Treating Professional | Date                            |



## **VETERINARIAN VERIFICATION FORM**

| Veterinarian Information   |
|--|
| Name:  |
| Clinic / Hospital:   |
| Address:   |
| Phone Number (& Fax):  |
| Animal Information   |
| Owner's Name:  |
| Animal's Name:   |
| Animal Type & Breed:   |
| Age:   |
| Sex: Spayed/Neutered (Y / N) & Date:   |
| Vaccinations (check all that apply)  |
| Dog:   |
| DHLPP + C (Distemper, Hepatitis, Leptospirosis, Parvovirus, Parainfluenza, Corona) |
| Bordetella   |
| Rabies   |
| Cat:   |
| Rabies   |
| FVRCP (Feline Viral Rhinotracheitis, Calicivirus, Panleukopenia)                   |
| Other:   |



- I verify that the above animal has all current vaccinations as required by the Borough of Collegeville and the Commonwealth of Pennsylvania.
- I verify that all the above vaccinations are and will remain current through one year or as instructed by veterinarian.
- I verify that the above animal has been given a stool sample test for internal parasites and that the stool sample was found to be negative for parasites known or suspected of infecting humans, including roundworms, whipworms, hookworms, tapeworms, and Giardia; or that the animal has been appropriately treated for these parasites. I further verify that the above animal has been treated and/or examined and found to be free of flea infestation.
- I verify that the above animal is in generally good health.

Veterinarian Signature

Date