

Emotional Support Animal Policy

Purpose

Purpose: Housing assignments and the residential learning environment are integral parts of Denison University programs and students with disabilities may seek reasonable accommodations that support their access to this aspect of their Denison experience.

General Definitions

Emotional Support Animal: An Emotional Support Animal ("ESA") is not a pet. An ESA is a companion animal that provides therapeutic benefit to an individual with a mental or psychiatric disability. The person seeking to bring an ESA onto campus must have a verifiable disability, not simply a desire for companionship. An ESA can serve as a "reasonable accommodation" under the Fair Housing Amendments Act of 1988 (FHA or FHAct) in those housing communities that have a "no pets" rule. The ESA is not required to have any specialized training or certifications.

Emotional Support Animals are identified as those commonly kept in households. If the animal is a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes, then the reasonable accommodation should be granted because the requestor has provided information confirming that there is a disability related need for the animal. Reptiles (other than turtles), barnyard animals, monkeys, kangaroos, and other non-domesticated animals are not considered common household animals.

Service Animal: A **service animal** is a **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. Service Animals are completely different from an Emotional Support Animal. Requests for Service Animals are governed by the Americans with Disabilities Act ("ADA").

OHIO

The Americans with Disabilities Act (ADA) assures people with disabilities who are accompanied by service animals that they will not be excluded from public places or activities, nor charged any additional fees, because they are accompanied by their service dog. However, the ADA does not provide the same protection to service animals in training (that is, the ADA assures access for the handler/partner only if the dog is fully trained to give some disability-related service).

Ohio state law (RC §955.43) provides those same rights of access for individuals who are training service animals for a non-profit special agency. For example, an individual employed by Pilot Dogs, Inc., who is preparing future guide dogs to be paired with someone who is blind (in

order to provide independent mobility) may bring the dog onto campus and interact with the campus community in public areas, campus offices, and so on.

Because Ohio state law does not clarify further its use of the term “in training,” Denison has established policy, based on accepted practices suggested by Assistance Dogs International (ADI). A service-dog-in-training is a dog, accompanied by its trainer, that is undergoing individual training to provide specific disability-related work or service for an individual with a disability. This does not include obedience training or socialization of puppies who may later become service animals (generally 15-18 months). Thus, adult dogs are recognized as being “in training” to provide disability-specific assistance only after they have completed an earlier period of socialization (obedience training, being house broken, getting acclimated to public places and everyday activities as pets).

As service animals in training in Ohio are only given access rights when accompanied by someone employed by a nonprofit agency, they cannot be in-residence in housing, nor be present in other areas of campus except those places where all students are welcome to bring pets. Similarly, puppies who are being raised/trained in preparation for participating in formal service animal training are not permitted in university housing or on campus except where pets are allowed.

Dwelling: A dwelling is considered to be all units of student housing owned and/or operated by the University. A place of residence that a student is specifically assigned to occupy during a period of time as noted in their housing contract. This may come in the form of a single, multiple occupancy room, or the specific room that is part of a suite or apartment.

Disability: Is defined by the ADA as a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.

ESA Request Process Summary:

The student seeking to bring an ESA on campus should submit documentation to the Academic Resource Center indicating that the student suffers from a specific disability and that it substantially limits one or more major life activities (e.g. walking, seeing, speaking, hearing, breathing, learning, etc.). A diagnosis of a condition does not automatically qualify a student for an emotional support animal. ESA requests will only be granted for genuine disabilities.

Therefore, the documentation for the mental health condition must demonstrate that it rises to the level of a disability. The information submitted will be shared with a committee of professionals working within key offices (the Academic Resource Center, Hoaglan Wellness Center and Residential Communities & Housing). This will be known as the ESA Team.

Process

A student must complete the following tasks as part of the application process PRIOR to bringing an ESA on campus:

- 1) Register with the Academic Resource Center as having a disability by providing documentation from the student's health provider. The student may use [Disability due to a Mental Health Disorder Form](#) or submit other documentation from the student's health provider containing the same information.
Please note: Documentation provided by online verification services and other providers with whom you do not have an ongoing therapeutic relationship, will likely not be accepted. Also of note, there is NO state or federal entity that requires an emotional support animal to be registered. Registering an animal with any entity is not proof of your animal's eligibility nor helpful in getting a request for an emotional support animal approved.
- 2) Provide a personal statement to the Academic Resource Center explaining the student's rationale for the request, including a brief history of the types of support(s)/resources(s)/treatment(s) the student has used to address the presenting issue and/or the major life activities it impacts. The statement should also provide an explanation of the logistics the student has considered for attending to the care of the ESA and highlight any conversations the student has had about such a request with roommate(s) and the implications of sharing residential space with an ESA.
- 3) Provide information about the intended ESA and completed Animal Guardian Form. The student must provide evidence that the ESA is in good health and has been vaccinated against diseases common to that breed/species of animal, as recommended by the American Veterinary Medical Association. Veterinary records must be provided attesting to the fact that the ESA is not aggressive or dangerous. The ESA must be mature and fully potty trained.
- 4) If needed, the student will meet with the Academic Resource Center staff member to review if all criteria are met to establish the need for the accommodation, as set forth by this policy. The ARC staff member will confer with the ESA Team to discuss the information provided by the student and inform the student of its decision.

Following approval for an ESA, the student will review and sign the ESA Agreement during a meeting with the Academic Resource Center staff prior to the ESA moving into a dwelling OR during the 1st week of the ESA's arrival to campus to discuss any possible issues or concerns.

All requests for ESAs in University Housing are subject to annual review prior to the room selection process or return to campus. Current ESA's must be renewed every year.

ESA found to be living in Dwelling units without approval will be removed immediately at the owner's expense and the student will be subject to the Student Code of Conduct.

Denials and Exclusion

The ESA Team will refuse a request for an ESA in a dwelling when the presence of the ESA:

- Fundamentally alters the nature of a program or activity
- Would result in substantial physical damage to the property of others
- Would substantially interfere with the reasonable enjoyment of the area by others, or is disruptive
- Students are not eligible for break housing based on having an ESA
- Given the nature of our fully residential campus only one ESA will be approved per residential dwelling unit.

Similarly, past permission to keep the ESA on campus may be revoked at any time if the ESA Team receives evidence of any of the above reasons for denial or exclusion or evidence that the student has failed to abide by the ESA Agreement. The University may exclude an approved ESA from any and all campus areas for the same reasons. An appeal of such a decision follows the appeals process for ESA requests as set forth below.

Deadlines

Currently enrolled students seeking permission to have an ESA in a campus residential dwelling should submit all materials (documentation and personal statement) by the following dates:

For the next Fall Semester/Academic Year - March 1 (prior to housing selection process)

For the next Spring Semester - November 1 (prior to housing selection process)

Newly enrolled students starting in a Fall semester must submit materials by June 1. Students newly enrolling for a Spring semester must submit materials requesting an ESA by January 1. Requests made by students returning from a Leave of Absence/Medical Leave of Absence by the Monday 3 weeks prior to the start of classes.

Appeals & Grievance - Should a student wish to express concern they may follow the Disability Grievance Policy (<https://denison.edu/forms/disability-grievance-policy-procedures>) for recourse.

Emotional Support Animal (ESA) Agreement

(to be completed following approval)

Student First Name: _____ Last Name: _____

Denison ID: _____ Contact Phone: _____

Animal Name: _____ Animal Type: _____

Animal Breed: _____ Hair Length? _____

Veterinarian Name: _____ Veterinarian Phone: _____

Assigned Housing Room: _____ Academic Year: _____ Semester: _____

Names of Roommates: _____

Requirements for Residents with ESA Accommodation

Please review each requirement a signature at the end of this document indicates you understand and will adhere to the requirement:

____ The student must comply with all state laws and local animal ordinances, as well as all, and Residential Communities & Housing policies and guidelines.

____ The student must provide appropriate food, water and shelter for ESA and keep the animal and its shelter clean and free of odors. The ESA must be fed and watered inside the student's room/apartment. Food and water may not be left outside of the room/apartment at any time, including outside of the building.

____ The student is solely responsible for the care and supervision of the ESA, Residential Communities & Housing assumes no responsibility for the care of a resident's ESA.

____ Routine maintenance of the ESA is required. For dogs, this includes flea and tick prevention and de-worming. Recommended vaccinations and annual examinations must be completed. Denison has the right to request updated veterinary verification annually, or at any time during the ESA's residency.

____ The student must comply with all required state and municipal license requirements including current identification and vaccination tags. All animals must be tagged with 1) contact information for the owner and 2) municipal license (if applicable). If the ESA is not tagged, information must be clearly visible on its crate.

_____ The student must not allow ESA to be neglected or abused. If any animal neglect is suspected, Residential Communities & Housing staff will contact the student, Campus Safety, and the Humane Society. In some circumstances, Housing may allow an ESA control officer or humane society representative to enter the student's room/apartment and remove the ESA if, in the college's judgment, the student has: abandoned the ESA; left the ESA in the room/apartment for an extended period of time without food or water; or failed to care for a sick ESA.

_____ ESAs must be housebroken or crated at all times. The student is responsible for properly containing and disposing of all animal waste. Indoor animal waste must be placed in a sturdy bag and tied securely before being disposed of in an outside dumpster. Outdoor animal waste, such as dog feces, must be immediately retrieved by the owner, placed in a plastic bag and securely tied before being disposed of in an outside trash dumpster. Grooming/bathing of ESA should be off site at groomers/vet and not occur on campus.

_____ The student must not leave the ESA unattended in a room or apartment overnight, or for an extended period of time beyond normal work/class hours. Should this occur, Housing will attempt to contact the student or emergency contact to remove the ESA. If this is not successful, the local animal service agency will be contacted to have the animal removed. All costs associated with removing the ESA shall be the responsibility of the student.

_____ ESAs cannot be cared for or left in the rooms or apartments of other on-campus residents.

_____ The student must effectively control the ESA at all times. Those that are taken out of the room or apartment must be leashed at all times and limited to the designated space for exercise and elimination of waste as defined during meetings with Residential Communities & Housing staff. Housing or Campus Safety may pick up unleashed ESAs and/or report them to the proper authorities. Housing may impose reasonable charges for picking up and/or keeping unleashed animals. The ESA cannot pose a threat to the health and safety of others. If the student cannot effectively control the ESA, or if the ESA poses a direct threat to the health or safety of others, the permission to keep that particular ESA in University housing will be rescinded until such time that the problem is rectified.

_____ The student must not allow their ESA to disturb, annoy, or cause any nuisance to the other members of the campus community.

_____ The ESA is not permitted in any public, common spaces within the residence hall/apartment, including community shared bathrooms, lounges, dining rooms, indoor recreation rooms, computer labs and study rooms, except to enter and exit the building.

_____ The student is responsible for any odors, noise, damage, or other conduct of their ESA if it disturbs others or damages the premises.

____ The student agrees to use a designated washer/dryer for cleaning personal items to reduce exposure of dander, hair etc. to other residents in the community.

____ The student bears sole financial responsibility and agrees to indemnify the University for any action of the ESA that causes bodily injury to individuals or property.

____ The student is responsible for assuring that the animal does not interfere with the routine of the residence or cause difficulties for other students who reside in the Dwelling unit. Sensitivity to residents with allergies and those who fear animals is important to ensure a positive residential community.

____ The student is responsible for instructing others on appropriate interactions with the ESA and setting clear expectations.

____ Roommates will be notified about the ESA by the student requesting an ESA. The notification will include the type of animal, size, and what services the ESA performs. Roommates may request a room change if they so desire.

____ No offspring of the ESA will be allowed and only one ESA per student.

____ An ESA may not be tied to any fixed object anywhere outside of the student's Dwelling unit, including outside of the building.

____ In an emergency evacuation of the building, if possible, the ESA should be on a leash or caged when exiting from the building.

____ Housing reserves the right to make reasonable changes to the ESA agreement. If such changes are made, Housing will distribute a written copy of any changes to every resident who has a current ESA agreement on file.

____ Any time the student requires maintenance or custodial services for their apartment or room, the student is requested to make arrangements with Physical Facilities to ensure that they are present in the room when staff arrive to complete the work order. At all times when Physical Facilities staff is present in the room/apartment, the student must either crate or leash the ESA.

____ The student is financially responsible for the actions of the ESA including damage that requires replacement of furniture, carpet, blinds, etc. The student is expected to cover all costs of returning the unit to the same condition it was in at the time of move-in. This may include cleaning all carpets and furniture to remove animal odors, dander, hair, etc. This applies to all parts of the room/apartment, as well as landscaping and other outside improvements (if animal relieves itself outside). If items cannot be satisfactorily cleaned or repaired, the student will be charged for their complete replacement.

_____ Housing will inspect the residential unit on a regular basis. If fleas, ticks or other pests are detected through inspections, the unit will be treated using appropriate methods by the university-approved pest control services. Those costs will be put on the student's account.

_____ Housing has the right to reassign the student to another space if the care of the ESA or its interactions with others becomes a concern.

_____ If requested, the student will contact the veterinarian to provide the ESA Team additional medical documentation for the ESA.

_____ The student will be assigned a liaison within Residential Communities & Housing who will oversee the logistics of the ESA moving into the space and any future moves from one location to another, arrange for notification of relevant parties, and assist with the student's plan for introducing the ESA to a new community. The following parties will be notified of an ESA living in the residential unit: Residential Communities & Housing staff, Campus Safety, Physical Facilities (including housekeeping), Academic Resource Center, and Hoaglin Wellness Center.

_____ If the student violates any provision of this document, the student may be required to immediately remove the ESA from University housing. Removal and boarding will be at the student's expense.

I have read and agree to all the terms of the University's Emotional Support Animal in University Housing agreement. I understand that if I have questions, concerns, or need assistance, that I will contact a member of the ESA Team.

Student signature

Date

ESA Team Member

Date

Emotional Support Animal (ESA) Guardian Form

In the case of an emergency that would impact your ability to care for your ESA, you will need to designate an Official (Permanent) Guardian that will assume care of your ESA. Your designated Official Guardian must also be one of your listed Emergency Contacts (usually parent of the student). The Official Guardian will be expected to assume care as soon as possible. You may also designate Campus Guardians that will assume care temporarily if you believe that your Official Guardian will be unable to retrieve your ESA or be en-route to retrieve your animal from the campus guardian within 48 hours. In the event that a Campus Guardian assumes care of an ESA, the Campus Guardian will work with Residential Communities & Housing and the student (if possible) on a specific action plan.

It is the responsibility of the ESA owner to inform all Official and Campus Guardians of their roles in caring for the ESA when and if a guardian needs to assume care of the ESA. If the student is unable to inform due to specific circumstances, a member of the ESA Team will make contact with the guardian. After being listed, Official and Campus Guardians will receive confirmation that they have been listed as Guardians for your ESA. Meetings with Campus Guardians and the student together may be facilitated by the ESA Team.

Official Animal Guardian (where ESA goes if it needs to be removed from campus):

Name: _____ Relationship to the Student: _____
Address: _____
Phone Number: _____ Email: _____

Campus Temporary Guardians (print neatly):

1) Name: _____ Relationship to the Student: _____
Phone Number: _____ Email: _____
Campus Housing including Room Number: _____

2) Name: _____ Relationship to the Student: _____
Phone Number: _____ Email: _____
Campus Housing including Room Number: _____

I agreed to serve as a campus guardian and care for an emotional support animal should the need arise.

Campus Guardian Signature & Date:

Campus Guardian Signature & Date:

Student Requesting ESA _____ **Date Submitted** _____