



## Ashland University

### Emotional Support Animal Policy, Procedures and Agreement

Although it is the policy of Ashland University (AU) that students are generally prohibited from having animals of any type in University housing, AU will consider a request by a student with a mental health disability for reasonable accommodation from this prohibition to allow the presence of an emotional support animal (ESA). The University will consider such modification of policy, as mandated by the Fair Housing Act (FHA), in order to assure that the student has an equal opportunity to use and benefit from AU's housing program. This policy explains the specific requirements applicable to an individual's use of an ESA in University housing. AU reserves the right to amend this Policy as circumstances require. This policy applies solely to ESAs that may be necessary in University housing. It does not apply to service animals, whose presence on campus is explained in the AU Service Animal Policy ([link](#)).

**No ESA may be kept in University housing at any time prior to the student receiving approval as a reasonable accommodation pursuant to this Policy.** Animals found to be in residence prior to this formal approval must be removed immediately. Failure to abide by this restriction will be considered a violation of the Student Code of Conduct, and students will be charged \$100 per day for having an unapproved animal on campus.

Definition: Emotional Support Animal (ESA)

An emotional support animal (ESA) is an animal whose presence ameliorates the effects of a mental health disability. Unlike service animals that are trained to perform specific tasks that are important to the independence or safety of their disabled handler, ESAs are generally not trained to perform disability-specific tasks. Their therapeutic support is a function of their presence and interaction with the person with a disability. ESAs are not pets.

Approval for having an ESA in residence is a two-step process. First, the student must establish their need for an ESA. Approval for a specific animal to serve in that role is a separate step. The student may need to consider an alternative to the requested animal. Generally, ESAs approved to reside in AU housing are dogs or cats, but the University will consider requests for other commonly domesticated animals on a case-by-case basis.

Even if the student with a disability establishes a necessity for an ESA and it is allowed in University housing, an ESA is not permitted in other areas of the University (e.g. dining facilities, libraries, academic buildings, athletic buildings and facilities, classrooms, labs, individual centers, etc.). Permission to bring an animal approved as an ESA into other areas on campus will be considered under a separate process through the Student Accessibility Center.

The presence of ESAs is assigned as a housing accommodation. All rules established for the assignment and support of housing accommodations under the University's general Housing Accommodation Policy apply to the presence of ESAs unless they are specifically contradicted in this policy.

Students will review this Policy, sign and agree to the terms contained therein before bringing the animal to campus.

ESA's are typically assigned given a specific mental health disability. Therefore, we can never assume the treatment intervention/process is static - it is a dynamic process, thus requiring updated recommendations. For this reason, **students are asked to renew their ESA requests every year before returning for the Fall term**, just like they would renew their housing accommodation requests.

## Requesting ESA's in University Housing

AU will accept and consider requests for reasonable accommodation in University housing at any time. The individual making the request for accommodation should complete and provide the Request Form to the Student Accessibility Center as soon as practicably possible before moving into University housing. However, if the request for accommodation is made fewer than 60 days before the individual intends to move into University housing, AU cannot guarantee that it will be able to meet the individual's accommodation needs during the first semester or term of occupancy.

If the need for the accommodation arises when an individual already resides in University housing, he/she should contact the Student Accessibility Center and complete the Request Form as soon as practicably possible. AU cannot guarantee that it will be able to meet the accommodation needs during the semester or term in which the request is received.

Documentation of a significant mental health disability and the associated need for an ESA should come from a mental health provider with whom an established provider-patient relationship exists and knows and understands the difficulties and can explain how the presence of the animal may help to alleviate one's symptomology. Should the resident provide knowingly false information regarding the need for an ESA, or refuse to follow appropriate direction from University personnel concerning their conduct in relation to the ESA, the University may refer the student to the Student Conduct Board for any decision regarding sanctions.

Generally, only one animal will be approved to serve as an ESA for a student. Typically, only one animal may reside in a housing unit.

### Procedure:

1. The student will complete the ESA Housing Accommodation Request (Form 1).
2. The SAC will fax or mail the request for supporting documentation from their **licensed mental health professional** (ESA Verification of Necessity). The Student Accessibility Center will notify the student of the receipt of the forms and notify the student if any additional information or documentation is needed.
3. The Director of the Student Accessibility Center will engage in the interactive process with the student by scheduling an intake meeting to review all documentation related to the request.
4. Upon receipt of all the necessary documentation, the Student Accessibility Center will

determine whether appropriate reasonable accommodation can be made based on the submitted information.

5. The student will be notified in writing whether or not the accommodation can reasonably be made. This notification will be sent to the student's University email address.
6. The student will submit ALL requested information (photo, vaccination records, etc.) before an animal can be brought on campus.
7. Students who need **additional accommodations** or advocacy, should register with the Student Accessibility Center. Please contact: Julie Donatini, Director, Student Accessibility Center at: [jdonatin@ashland.edu](mailto:jdonatin@ashland.edu), or call 419-289-5904.

The student must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the student's responsibility to know and understand these ordinances, laws, and regulations. The University has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate.

### **Vaccinations:**

In accordance with local ordinances and regulations, the ESA must be immunized against diseases common to that type of animal. Proof of vaccinations must be submitted and approved prior to the ESA's arrival.

### **Dogs**

Ohio license

Rabies Vaccination

DA2PL-Parvo

Bordetella

Canine Influenza (2 strains)

Flea and Tick Prevention

### **Cats**

Rabies Vaccination

FVRCP

Flea and Tick Prevention

\*If your ESA is not a dog or cat, please work out the details with the Residence Life Office. The college reserves the right to limit approval of proposed ESAs to animals that do not pose health or safety concerns or would significantly disrupt the residence hall living environment for others.

\*Vaccinations must be in place a minimum of 14 days before the ESA's arrival on campus

\*Dogs will need to be licensed by the State of Ohio

**Health:** The ESA must be in good health. ESA's to be housed in University Housing must have an annual clean bill of health from a licensed veterinarian, and verifying documentation must be submitted to the SAC along with the annual Housing Accommodation Request document. **ESA's (where appropriate) must be spayed or neutered prior to being brought to campus, and the owner must submit documentation of the applicable procedure.** The Residence Life Office and/or SAC will also have the right to contact the ESA's veterinarian to request additional medical documentation as needed. A release form must be on file with your veterinarian, to provide access

to medical information. During Health and Safety Inspections, a Residence Life staff member will conduct an inspection of the animal. A check list will be completed and submitted for review.

*Under the Fair Housing Act, a housing provider may request reliable documentation when an individual requesting the reasonable accommodation of an ESA has a disability-related need for the accommodation that is not obvious or otherwise known. Some websites sell letters of support, certificates, registrations, and licensing documents for ESAs to anyone who answers certain questions or participates in a short interview and pays a fee. Generally, such documentation from the internet is not, by itself, sufficient to reliably establish that an individual has a mental health disability, or support the finding that there is a disability-related need for an ESA.*

### **Criteria for Determining if Presence of the ESA is Reasonable**

University Housing is unique in several aspects, including the mandatory assignment of roommates for many individuals and the mandate that individuals must share a room or suite in certain residence halls. Additionally, if roommates/suitemates have objections to sharing their living quarters with the ESA, alternative living arrangements may be necessary. Such decisions will be made on a case-by-case basis. The Office of Residence Life retains the right to alter room assignments as appropriate.

Residence Life may consult with the Student Accessibility Center in deciding on a case-by-case basis of whether the presence of an ESA is reasonable. A request for an ESA may be denied as unreasonable if the presence of the animal: (1) imposes an undue financial and/or administrative burden; (2) fundamentally alters University housing policies; (3) poses a direct threat to the health and safety of others; and/or (4) would cause substantial property damage to the property of others, including University property.

AU may consider the following factors, among others, as evidence in determining whether the presence of the animal is reasonable or in the making of housing assignments for individuals with ESA's, including, but not limited to:

1. The space needed for the cage/crate in which the animal will be housed is too large for available assigned housing space;
2. The proposed enclosure for the animal has been inspected and does not provide safe containment;
3. The animal's presence would force another individual from individual housing (e.g. serious allergies);
4. The animal causes or has caused excessive damage to housing beyond reasonable wear and tear;
5. The animal's presence is disruptive to the housing environment for other residents (e.g., because of noise or odors);
6. The animal is not housebroken or is unable to live with others in a reasonable manner;

7. The animal's vaccinations are not up-to-date;
8. The animal poses health risks from zoonotic diseases or safety concerns regarding containment that cannot be sufficiently mitigated for inclusion in the communal living setting;
9. The University believes that University Housing is not an appropriate setting to raise a young puppy/kitten. Generally, dogs must be at least 12 months of age and cats six months of age, be spayed or neutered, before being brought into the residence hall;
10. The animal poses or has posed in the past a direct threat to the individual or others such as aggressive behavior towards or injuring the individual or others;

## **Responsibilities of ESA Owners in University Housing**

An ESA must be contained within the Owner's privately assigned individual living accommodation (e.g., room, suite, apartment) except to the extent the individual is taking the animal out for natural relief. When an ESA is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness.

Notwithstanding the restrictions set forth herein, the ESA must be properly housed and restrained or otherwise under the dominion and control of the Owner at all times. No Owner shall permit the animal to go loose or run at large. If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from University housing.

If the University grants an Owner's request to live with an ESA, the Owner is solely responsible for the custody and care of the ESA and must meet the following requirements:

1. The Owner must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the Owner's responsibility to know and understand these ordinances, laws, and regulations. The University has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate. The University reserves the right to request documentation showing that the animal has been licensed.
2. The Owner is responsible for ensuring that the ESA is contained, as appropriate, when the Owner is not present.
3. The Owner is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner and, when provided, must use animal relief areas designated by AU.
4. The Owner is required to ensure the animal is well cared for at all times. Any evidence of mistreatment or abuse may result in immediate removal of the ESA and/or discipline for the responsible individual.
5. AU will not ask for or require an individual with a disability to pay a fee or surcharge for an approved ESA.

6. An individual with a disability may be charged for any damage caused by his or her ESA beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear. The Owner's living accommodations may also be inspected for fleas, ticks or other pests if necessary, as part of the University's standard or routine inspections. If fleas, ticks or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a University-approved pest control service. The Owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls. The University shall have the right to bill the Owner's account for unmet obligations under this provision.
7. The Owner must fully cooperate with University personnel with regard to meeting the terms of this Policy and developing procedures for care of the animal (e.g., cleaning the animal, feeding/watering the animal, designating an outdoor relief area, disposing of feces, etc.).
8. ESA's may not be left overnight in University Housing to be cared for by any individual other than the Owner. If the Owner is to be absent from his/her residence hall overnight or longer, the animal must accompany the Owner. The Owner is responsible for ensuring that the ESA is contained (cage/crate), as appropriate, when the Owner is not present during the day while attending classes or other activities. Scholar Athletes will be required to board their ESA for the time for which they are traveling. Scholar Athletes must provide proof that their ESA is either being boarded or cared for by an individual off campus. Per NCAA rules, scholar athletes are prohibited to travel with their ESA.
9. The Owner agrees to abide by all equally applicable residential policies that are unrelated to the individual's disability such as assuring that the animal does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside there.
10. The animal is allowed in University housing only as long as it is necessary because of the Owner's disability. The Owner must notify the Disability Services Office in writing if the ESA is no longer needed or is no longer in residence. To replace an ESA, the new animal must be necessary because of the Owner's disability and the Owner must follow the procedures in this Policy for consideration of a specific animal to serve as an ESA.
11. The ESA will not be bathed using residence hall facilities.
12. AU personnel shall not be required to provide care or food for any ESA including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal.
13. The individual must provide written consent for the Student Accessibility Center to disclose information regarding the request for and presence of the ESA to those individuals who may be impacted by the presence of the animal including, but not limited to, Residence Life personnel and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.

## **Exclusions**

The University may require the individual to remove the animal from University housing if:

1. the animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others;
2. the animal's presence results in a fundamental alteration of a University program;
3. the Owner does not comply with the Owner's Responsibilities set forth above; or
4. the animal or its presence creates an unmanageable disturbance or interference with the

University community.

The University will base such determinations upon the consideration of the behavior of the particular animal at issue, and not on speculation or fear about the harm or damages an animal may cause. Any removal of the animal will be done in consultation with the Student Accessibility Center and may be appealed. The Owner will be afforded all rights of due process and appeal as outlined in that process.

Appeals/complaints arising under this policy shall be handled under the provisions of the "Disability Discrimination Grievance Procedure." The Owner will be afforded all rights of due process and appeal as outlined in that process. If the ESA is excluded from University Housing, the animal must remain off campus during any appeals process.

Should the ESA be removed from the premises for any reason, the Owner is expected to fulfill his/her housing obligations for the remainder of the housing contract. If it is determined that the animal must be removed from University Housing and the student fails to comply with the stated timeframe, the University may have the animal removed to the nearest, appropriate animal shelter, at the Owner's expense. Additionally, failure to comply with the order for removal may result in disciplinary action. All expenses for care/boarding of the animal are the responsibility of the ESA owner and may be charged to the individual's account if left unpaid. In an emergency when the individual is unable to provide routine care and supervision of the ESA, the animal will be removed from University Housing and taken to the nearest, appropriate animal shelter, at the Owner's expense.

The owner is responsible for assuring that the approved animal does not unduly interfere with the routine activities of the residence or cause difficulties for students who reside there. The owner is financially responsible for the actions of the approved animal including bodily injury or property damage. The approved animal must abide by the same rules of conduct as the owner, outlined in the Student Handbook. The student is encouraged to have insurance on the animal for any injury that may occur.

**Other Conditions:** The Office of Residence Life may place other reasonable conditions or restrictions on the Emotional Support Animal depending on the nature and characteristics of the animal. The University is not responsible for loss, damage to, or death of the animal.

**Requirements for Cause of Removal of the ESA:** Any violation of the listed policies and procedures or the Student Handbook, may result in immediate removal of the ESA from University Housing. The owner may also be subject to Student Conduct charges.

If a request to remove the ESA is made, the owner must remove the animal within 48 hours of notification unless the animal poses a direct and immediate threat to the health or safety of another, then it must be removed immediately.

## Acknowledgement and Release of Information Consent Form

### Agreement:

*By my signature below, I verify that I have read, understand and will abide by the requirements outlined here.*

*I have read and understand my responsibilities as an Emotional Support Animal owner as outlined above. By signing below, I agree to uphold all the expectations required of an owner. Should I fail in my responsibilities, I understand my approved accommodation may be suspended and/or I may be charged with a violation of student policies. AU also has the right to remove the ESA and I will be nonetheless required to fulfill my housing, academic, and all other obligations for the remainder of the housing contract.*

*I furthermore give permission to the Student Accessibility Center to disclose to others impacted by the presence of my ESA (e.g., Residence Life staff, potential and/or actual roommate(s)/neighbor(s)) that I will be living with an animal as an accommodation. I understand that this information will be shared with the intent of preparing for the presence of the ESA and/or resolving any potential issues associated with the presence of the ESA.*

*I further recognize that the presence of the ESA may be noticed by others visiting or residing in University Housing and agree that staff may acknowledge the presence of the animal, and explain that under certain circumstances ESA's are permitted for persons with disabilities.*

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**Student Name (PRINT)**

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**Student Signature**

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**Date**

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**Student Accessibility Center**

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**Date**



**Emotional Support Animal Information:**

Name of the ESA: \_\_\_\_\_ Type of Animal: \_\_\_\_\_

Animal Breed: \_\_\_\_\_ Age of Animal: \_\_\_\_\_

**Veterinarian Information:**

Veterinarian Name: \_\_\_\_\_

Veterinarian Phone: \_\_\_\_\_

**Emergency Caretaker Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_

*Please submit a current photo of the animal to the SAC at: [jdonatin@ashland.edu](mailto:jdonatin@ashland.edu). If your ESA is a dog, please submit a photo of the dog's license as well.*