



Emotional Support Animal Policy

STU 6.0

Student Accessibility Services

Policy Type: Administration
Applies to: Students

POLICY DATES

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This policy governs the rights and responsibilities of students and the University as they pertain to Emotional Support Animals (“ESA”) in campus residential housing. The policy defines differences between an ESA and service animal, establishes procedures for requesting an ESA, lists criteria that may be used to decide upon an ESA request, outlines an Owner’s responsibilities for care and maintenance of an ESA, and summarizes the University’s standards for approval and continued allowance of ESAs. The 2020 revision occurred to reflect necessary changes to ESA procedures on campus, and to reference new Housing and Urban Development (HUD) guidelines for ESAs as well as changes to the role of University Counseling Services in the ESA request process for students receiving services through that Office.

Definitions

Term	Definition
Owner	The individual or student who has requested the accommodation and has received approval to bring an Emotional Support Animal into University housing.
Emotional Support Animals	A category of animals that may provide necessary emotional support to an individual with a mental or psychiatric disability that alleviates one or more identified symptoms of an individual’s disability; but which are not considered Service Animals under the ADA or UMU’s Service Animal Policy. Any animal may serve a person with a disability as an Emotional Support Animal, but 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) are identified by HUD as most reasonable for confined residential spaces.

Table of Contents

I. Policy Details

- A. Definitions (p. 2)
- B. Procedures (pp. 2-5)
- C. Rights and Responsibilities (pp. 5-7)
- D. Disclaimers (p. 7)

I. Policy Details

The University of Mount Union recognizes the importance of Emotional Support Animals, as defined by the Fair Housing Act, that provide physical and/or emotional support to individuals with disabilities. Mount Union is committed to allowing student with disabilities an accommodation of an Emotional Support Animal, as necessary to provide individuals with disabilities an opportunity to use and enjoy University housing. This policy explains the specific requirements applicable to a student’s use of an Emotional Support Animal in University housing. Mount Union reserves the right to amend this policy as circumstances require. This policy applies solely to Emotional Support Animals which may be necessary in University housing. It does not apply to Service Animals as defined by the ADA. This Policy has been amended in accordance with the [2020 Housing and Urban Development \(HUD\) Guidance](#) on Emotional Support Animals. Although it is the policy of the University that students are generally prohibited from having animals in University housing, Mount Union will consider a request by a student with a disability for reasonable accommodation to allow an Emotional Support Animal that is necessary because of a disability and reasonable. However, no Emotional Support Animal may be kept in University housing at any time prior to the student receiving approval as an accommodation pursuant to this policy.

Emotional Support Animals

STU 6.0

Student Accessibility Services

Applies to: Students

A. Definitions

Disability is defined as a physical, mental or medical condition or impairment that substantially limits one or more of a person's major life activities, including, but not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, breathing, working or learning.

Emotional Support Animals are a category of animals that may provide necessary emotional support to an individual with a mental or psychiatric disability that alleviates one or more identified symptoms of an individual's disability; but which are not considered Service Animals under the ADA or UMU's Service Animal Policy. Any animal may serve a person with a disability as an Emotional Support Animal, but 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) are identified by HUD as most reasonable for confined residential spaces.

Owner is the individual or student who has requested the accommodation and has received approval to bring an Emotional Support Animal into University housing.

Service Animal, as defined in accordance with the Americans with Disabilities Act as Amended (ADAAA), is a dog or, in some cases, a miniature horse, that is individually trained to do work or perform specific tasks for the benefit of the person with a disability. The work or task the service animal performs must be directly related to the individual's disability, including, by way of example, assisting individuals who are blind or have low vision with navigating and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, pulling a wheelchair, retrieving items such as medicine or the telephone, and providing physical support and assistance with balance and stability to the individuals with mobility disabilities.

Pet is an animal kept for ordinary use and companionship unrelated to a disability and is not considered a Service Animal or an Emotional Support Animal. Pets are not covered by this policy and are not allowed in University buildings, classrooms, residential facilities, meeting rooms, dining areas, recreational facilities, activities, meetings and events.

B. Decision-Making Procedures

Procedures for Requesting Emotional Support Animals in University Housing

A student seeking to keep an Emotional Support Animal in University housing must make a formal request to Student Accessibility Services. To do so, the student must submit an online Housing Accommodation Request Form (available at www.mountunion.edu/accessibility-request). Student Accessibility Services will then provide the student with an ESA Medical Documentation Form, which must also be completed by an appropriately licensed medical professional. It should be noted that medical professionals often take several days to weeks to complete and return their documentation to the University.

The documentation from a licensed medical professional must include (1) verification of the student's diagnosis, including severity of condition, and impact on major life activities; (2) statement on how the animal serves as an accommodation for the documented disability; and (3) statement on how the need for the Emotional Support Animal relates to the ability of the student to use and gain benefit from University housing. The documentation should be a comprehensive reflection of the student's current level of functioning, must be dated within the last 12 months, and must include the date of initial appointment with the mental health professional as well as the date of the most recent visit. The documentation should substantiate that the need for an Emotional Support Animal is part of a comprehensive treatment plan and indicate any wraparound services the student is currently receiving. All information must be submitted on the Medical Documentation form or official letterhead of the licensed medical professional.

University of Mount Union Counseling Services may conduct the necessary assessment to verify if a student would benefit from an Emotional Support Animal. Such an assessment will be made at the discretion of the Director of Counseling Services and may take into account factors such as the treating relationship of the student and the Counseling Services Office. If a student is interested in seeking an evaluation for an Emotional Support Animal, it is recommended the student contact either their treating medical professional, University Counseling Services, or their health insurance provider for a list of eligible medical professionals who may offer this type of evaluation. In general, certificates or letters

Emotional Support Animals STU 6.0

Student Accessibility Services

Applies to: Students

provided by for-profit websites or medical professionals will not be acceptable forms of documentation, especially when there exists a short history of a treating relationship with the student.

It is the student's responsibility to make the request for housing accommodations and submit required paperwork in a timely manner. The student is subject to the interactive process in determining if the requested animal is an appropriate accommodation for the student's documented disability. The student making the request for an Emotional Support Animal should initiate the process as soon as practicably possible and preferably before moving into University housing. Students may also make a request for an Emotional Support Animal at any point during their term of occupancy. If the request for accommodation is made fewer than 30 days before the individual intends to move into University housing, the University of Mount Union cannot guarantee that it will be able to meet the student's request for an Emotional Support Animal prior to the start of the term of occupancy. Similarly, requests made during the term of occupancy may take significant time before an approval decision can be reached due to the time required for the Medical Documentation to be returned. Housing accommodations are determined on a case-by-case basis and must be requested on an annual basis.

The Emotional Support Animal may not be in residence prior to approval. Students and their roommates who have an unapproved animal in University housing will be asked to remove the animal immediately and will be referred to Student Conduct. The student must also acquire the signature approval of any applicable roommate(s) prior to the move-in of the animal, and fill out a registration form for the animal, including providing a photo. Students and their roommates will also agree to display University-provided fire safety and awareness stickers to residence space windows and/or doorways upon request.

The University may also require a vaccination record and/or statement of health from a veterinarian before the animal is permitted in University housing. This may vary by species and may be required to be submitted or re-submitted at any point during the term of occupancy as conditions may require.

Criteria for Determining if Presence of the Emotional Support Animal is Reasonable

For all requests for Emotional Support Animals, Student Accessibility Services shall consult with Residence Life in deciding on a case-by-case basis whether the presence of an Emotional Support Animal is reasonable. A request for an Emotional Support Animal is unreasonable if the presence of the animal: (1) imposes an undue financial and/or administrative burden; (2) fundamentally alters University housing policies; and/or (3) poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including University property.

The University of Mount Union may consider the following factors, among others, as evidence in determining whether the presence of an Emotional Support Animal is reasonable or in the making of housing assignments for students with disabilities.

- 1 The size of the animal is too large for available assigned housing space.
- 2 The animal's presence would force another individual from assigned housing (severe allergies).
- 3 The animal's presence otherwise violates an individual's right to peace and quiet enjoyment, including roommates and neighbors.
- 4 The animal is too young to be, or is not yet, housebroken or is unable to live with others in a reasonable manner.
- 5 The animal's vaccinations and license are not up-to-date.
- 6 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.
- 7 The animal is not permitted under local and/or state ordinances.
- 8 The animal poses or has posed in the past a direct threat to the individual or others such as aggressive behaviors toward or injuring the individual or others.
9. The animal causes or has caused excessive damage to housing beyond reasonable wear and tear; or
10. The animal is not the first Emotional Support Animal requested by the Owner. Generally, students may only request to have one Emotional Support Animal on campus.

Approved Accommodations

Student Accessibility Services and Residence Life will review the Owner's request, information gathered in the interview, documentation and applicable forms to determine if the request is reasonable and the documentation supports the

Emotional Support Animals STU 6.0

Student Accessibility Services

Applies to: Students

request. If Student Accessibility Services and Residence Life determine the request for an Emotional Support Animal accommodation is approved:

1. The Owner will be advised in writing of the approval of an Emotional Support Animal.
2. The Owner will complete the Emotional Support Animal Registration Form and submit it to Student Accessibility Services along with any required copies of appropriate vaccination documentation and/or current veterinary health statement and a current photo of the animal.
3. Where applicable, the Owner's roommate(s) will be required to complete an Emotional Support Animal Roommate Agreement.
4. The Owner will be given any applicable fire and safety stickers to display on residential windows and/or doorways in consultation with Student Accessibility Services.

Approved Animal and Housing

If Student Accessibility Services and Residence Life determine requested Emotional Support Animal accommodation is necessary and reasonable:

1. The Resident Director where the Owner/Emotional Support Animal will reside will be notified of the accommodation.
2. Residence Life staff, Campus Security and Physical Plant staff and other University personnel will be notified of the presence of the Emotional Support Animal as an accommodation.
3. Neighbors, where applicable in residence halls, may be notified of the presence of the Emotional Support Animal.
4. Should changes in housing assignments for the Owner or roommates be required, Residence Life will meet with the individuals to discuss room change options.

Denial of Accommodation/Appeal

1. If Student Accessibility Services and Residence Life determine the request for an Emotional Support Animal is denied, Student Accessibility Services will contact the student and Residence Life in writing with reasons for the denial.
2. If the Owner is unwilling to accept the denial, they may use the University Grievance Procedure to appeal the decision.
3. All appeals are reviewed by the University of Mount Union's Dean of Students. If the appeal is denied, the University shall provide written notification of the denial to the student and a written explanation of the reason for denial.

C. Rights and Responsibilities

Conflicting Disabilities

If a third-party requests that an Emotional Support Animal be removed due to a medical condition, such as a respiratory disease, asthma, or severe allergy, that is affected by the Emotional Support Animal, the University will engage in an individualized assessment of the situation and consider the needs of all parties in meeting its obligation to provide reasonable accommodations. The third-party making such a request may be required to provide medical documentation that will allow determination to be made as to whether the conflicting condition is a disability or only an impairment and if there is a need to provide accommodation to the third party.

Access to University Facilities by Emotional Support Animals

An Emotional Support Animal must be contained within the assigned individual University housing (e.g. residence room, suite, apartment, townhouse) except to the extent the Owner is taking the animal out for natural relief. When an Emotional Support Animal is outside the individual University housing, it must be in an animal carrier or controlled by a leash or harness. Emotional Support Animals are not allowed in any University facilities other than the assigned individual's University housing (e.g. residence halls, apartments, townhouses, fraternity and sorority houses, etc.).

Dominion and Control

Emotional Support Animals STU 6.0 Student Accessibility Services

Applies to: Students

The Emotional Support Animal must be properly housed and restrained or otherwise under the dominion or 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. The Owner is responsible for ensuring that the Emotional Support Animal is contained, as appropriate, when the Owner is not present while attending classes or other activities. The Emotional Support Animal may not be left in the student's residence during breaks between semesters. Emotional Support Animals may not be left overnight in housing without the presence of the Owner or a roommate who agrees to take responsibility for the animal while the Owner is absent.

Individual's Responsibilities for Emotional Support Animals

If the University approves an Owner's request for an accommodation of an Emotional Support Animal, the Owner is solely responsible for the custody and care of the Emotional Support Animal 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 required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner and, when provided, must use a designated animal relief area. In order to ensure proper cleanup, ALL of the Emotional Support Animal's waste (e.g. urine, excrement, fur, litter, cage shavings, etc.) should be disposed of in a tightly sealed bag before placed into trash receptacles. No loose animal waste may be placed in trash receptacles. The Owner is required to comply with all University policies regarding waste removal and odor within their residential space.
3. The Owner is required to ensure the animal is well cared for at all times. Any evidence of mistreatment, abuse, or poor health may result in immediate removal of the Emotional Support Animal and/or discipline for the Owner.
4. The University of Mount Union will not ask for or require an individual with a disability to pay a fee or surcharge for an approved Emotional Support Animal.
5. The Owner is financially responsible for the Emotional Support Animal, including for any bodily injury or property damage caused by the Emotional Support Animal.
6. The Owner may be charged for any damage caused by their Emotional Support Animal beyond reasonable wear and tear to the same extent that the University charges other individuals for damages beyond reasonable wear and tear. This may include the cost of commercial carpet cleaning services to mitigate lingering animal odor in the residence. Any such damages will be assessed after the Owner and Emotional Support Animal vacate housing. The University shall have the right to bill the Owner's account for unmet obligations under this provision.
7. An Emotional Support Animal must be clean and well groomed, and measures should be taken at all times for flea, tick, pest and odor control (if applicable to the species). The Owner's living accommodations may also be inspected for fleas, ticks, or other pests 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. The University shall have the right to bill the Owner's account for unmet obligations under this provision.
8. 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, proper disposal of deceased animals, etc.).
9. The Owner agrees to abide by all equally applicable residential policies that are unrelated to the Owner'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 Emotional Support Animal is allowed in University housing only as long as it is necessary because of the Owner's disability. The Owner must notify Student Accessibility Services in writing if the Emotional Support Animal is no longer needed or is no longer in residence. To replace an Emotional Support Animal, the new animal must be necessary because of the Owner's disability and the Owner must follow procedures in this policy when requesting a different animal.
11. University of Mount Union shall not be required to provide care or food for an Emotional Support Animal including, but not limited to, removing the animal during emergency evacuation for events such as a fire

Emotional Support Animals STU 6.0 Student Accessibility Services

Applies to: Students

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.

12. The Owner is responsible for identifying an Emergency Contact for the Emotional Support Animal and providing Residence Life staff current contact information for that Emergency Contact. It is preferred that the Emergency Contact not reside in University housing or be a student at the University.
13. The Owner provides herein written consent for Student Accessibility Services to disclose information regarding the request for and presence of the Emotional Support Animal to those individuals who may be impacted by the presence of the animal including, but not limited to, Residence Life staff and potential and/or actual roommate(s)/neighbor(s), Campus Security, and Physical Plant, and other University personnel. Such information shall be limited to the information related to the animal being an approved Emotional Support Animal and shall not include information related to the Owner's disability.
14. The Owner must provide a current photo of the Emotional Support Animal to Student Accessibility Services along with the Emotional Support Animal Registration Form.

Requirements for the Community

Members of the University community are required to abide by the following practices:

1. While a Service Animal is allowed to accompany its owner at all times and in all places on campus, except where specifically prohibited, Emotional Support Animals must remain in the assigned residential space.
2. Do not touch or pet a Service or Emotional Support Animal unless invited to do so.
3. Do not feed a Service or Emotional Support Animal.
4. Do not deliberately startle a Service or Emotional Support Animal.
5. Do not inquire for details about a person's disabilities or ask a person with a qualifying disability to demonstrate the work or task performed by their Service Animal.

Removal of Emotional Support Animal

The University may require the Owner to remove the Emotional Support Animal from University housing if:

1. The animal poses a direct threat to the health or safety of others or causes substantial damage to University property or the property of others.
2. The animal's presence results in a fundamental alteration of University housing policies.
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, including excessive barking or noise.

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 damage an animal may cause. Any removal of the animal will be done in consultation with the Director of Student Accessibility Services and the Director of Residence Life and may be appealed to the Dean of Students.

Should the Emotional Support Animal be removed from the premises for any reason, the Owner is expected to fulfill their housing obligations for the remainder of the housing contract. The Owner will be responsible for any fees associated with removal of the animal.

D. Disclaimers

Non-Retaliation Provision

University of Mount Union will not retaliate against any person because that individual has requested or received a reasonable accommodation in University housing, including a request for an Emotional Support Animal.

Hold Harmless Provision

From time to time, the University may use pesticides, pest control devices, de-icing materials, cleaning supplies, and other materials for the maintenance and operation of University housing, sidewalks, roadways, or outdoor areas. The University is not responsible for any harm to Emotional Support Animals or Service Animals caused by such materials.

Emotional Support Animals STU 6.0 Student Accessibility Services

Applies to: Students

Responsibilities

Position or Office	Responsibilities
Office of Student Accessibility Services	Process requests for ESAs. Store information from requests and track approved ESAs. Collaborate with Offices of Residence Life and Counseling Services. Review and keep policy up to date.
Office of Residence Life	Collaborate with Office of Student Accessibility Services for related housing matters and to ensure Owner compliance with responsibilities.
Office of Counseling Services	Collaborate with Office of Student Accessibility Services to process student ESA requests for students receiving counseling services through the Office.

Resources

None

Contacts

Subject	Office	Telephone	E-mail/URL
Director of Student Accessibility Services	Student Accessibility Services	330.823-7372	Studentaccessibility@mountunion.edu

History

All changes must be listed sequentially, including edits and reviews. Note when the policy name or number changes.
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