

## Emotional Support Animal (ESA) Policy

Ohio Dominican University is committed to providing housing accommodations to students with disabilities in compliance with the most recent guidance from the Department of Housing and Urban Development (HUD) and the Fair Housing Act (FHA). Students with disabilities who require the use of an Emotional Support Animal (ESA) may be permitted to bring an animal to campus as long as they comply with the university policy regarding ESAs.

An ESA may be an accommodation for a student with a disability, but only within the student's dwelling. Students may qualify for this accommodation if there is an identifiable and documented relationship between the disability and the support that the animal provides.

Typically, we only approve commonly approved domesticated animals, such as dogs or cats that are at least one year old, as ESAs suitable for life in the residence hall. We will consider requests for other animals if there are extenuating circumstances, but health and safety concerns often preclude approval for other animals. A student may be approved for only one animal.

### Definitions

An **emotional support animal** provides improvement of one (1) or more symptoms related to individuals with a disability. Emotional support animals **do not** perform work or specific tasks that a "service animal" does under the Americans with Disabilities Act (ADA). ESAs are not pets. For more information about pets on campus, refer to the ODU pet policy. For more information about emotional support animals, refer to the policy in the ODU Student Handbook.

The **owner** is the student who has been permitted to keep an emotional support animal in university housing under this policy.

A **service animal**, as defined by the Americans with Disabilities Act (ADA), is an animal that receives specialized training to do work or perform tasks for people with disabilities. Service animals are working animals, not emotional support animals or pets. For more information on service animals, refer to the service animal policy in the ODU Student Handbook.

A **pet** is any animal kept for company, protection, or other ordinary reasons. The pet policy in residence halls does not apply to emotional support or service animals as they are not pets. For more information, refer to the pet policy in the ODU Student Handbook.

### ESA Request

A request for an emotional support animal (ESA) will be evaluated on a case-by-case basis using an interactive process. Although there are no specific limits on the breed, height, or weight of an ESA, the University reserves the right to deny a request for an ESA when the request is unreasonable under the circumstances. Thus, a request for an ESA that presents a direct threat to persons or property that cannot be mitigated will be denied. The University will also deny requests that pose an undue financial and/or administrative burden on the University or fundamentally alters the nature of the University's Student Life operations. When a particular request is denied, the University can work with the student to identify an alternative accommodation, including a different ESA.

**Questions, concerns, and grievances** should be directed to the Accessibility Services Office (Spangler Learning Center 227).

## Owner's Responsibilities

- The student is solely responsible for the care and supervision of the ESA; Residence Life assumes no responsibility for the care of a resident's ESA.
- Assure that the ESA does not unduly interfere with or adversely affect the routine activities of other residents and neighbors, to the greatest extent possible.
- Assure the behavior, noise, odor, and waste of an ESA must not exceed reasonable standards, and these factors must not create an unreasonable disruption for residents and Residence Life staff. Disruptive behavior includes loud barking, growling, howling, crying, etc. A nuisance is defined as, but not limited to, excessive noise, physical harm to humans or other animals, foul odors, and destruction of property.
- Clean up and dispose of waste. ESAs must be housebroken or litter box trained. Animal waste should be immediately retrieved by the owner, placed in a plastic bag, and securely tied before being disposed of in trash dumpsters outside. No ESA waste may be disposed of in any interior trash receptacles, sinks, toilets, or drains. The owner should keep the animal from urinating or defecating in gardens or cultivated areas of the campus. ESA accidents within the room must be promptly cleaned up using appropriate cleaning materials. Regular and routine cleaning of floors, kennels, cages, and litter boxes is required. The odor of an ESA may not emanate from the owner's room.
- Dangerous, poisonous, and illegal animals are not permitted.
- The ESA must be housed in the room at all times, except as required for transportation off campus or to eliminate waste. The animal must be crated when the student is not in the room.
- While outside the owner's residence, or while being transported, the animal must be in an animal carrier or controlled by a leash or harness. The animal may not be left alone overnight or in the care of another student.
- Take appropriate precautions to prevent injury and/or property damage and assume financially responsible for the actions of the ESA, including bodily harm and property damage.
- The owner must ensure that the ESA does not sniff people or the personal belongings of others, display any behaviors or noises that are disruptive to others, or block an aisle or passageway for fire exits.
- Provide the Accessibility Services Office with emergency contact information for an individual should the owner be unable to care for the ESA at any time. A current ODU student or ODU personnel cannot be the emergency contact person.

## **ESA Health and Well-Being**

- Collars and identification tags for dogs/cats must be worn at all times. It is recommended that the ESA wear some type of commonly recognized identification symbol that identifies the animal as an ESA but does not disclose the owner's disability.
- The student must provide appropriate food, water, and shelter for ESA and keep the animal and its shelter clean and free of odors.
- The owner should maintain full control over the ESA.
- Routine maintenance of the ESA is required. For dogs, this includes flea and tick prevention and deworming. Recommended vaccinations and annual examinations must be completed. Disability Services/Residence Life has the right to request updated veterinary verification annually.
- The student must not allow ESA to be neglected or abused. If any animal neglect is suspected, a Residence Life representative will contact the student, Public Safety, and the Humane Society. In some circumstances, a Residence Life representative may allow a humane society representative to enter the student's room and remove the ESA if, in the University's judgment, the student has: abandoned the ESA; left the ESA in the room for an extended period without food or water; or failed to care for a sick ESA.
- The student must not leave the ESA unattended in a room or apartment overnight, or for an extended period beyond normal work/class hours. Should this occur, a Residence Life representative will attempt to contact the student or emergency contact to remove the ESA. If this is not successful, the local animal control service agency will be contacted to have the animal removed. All costs associated with removing the ESA shall be the responsibility of the student.

## **Residence Life Restrictions and Policies**

- ESAs will be permitted in university housing only if the student receives prior written authorization from the Accessibility Services Office.
- ESAs are limited to the residential space (room) of the owner except when exiting or entering the residential building.
- ESAs are not permitted in the common living area within the residential space.
- ESAs must be crated when the student-owner is not in the room.
- ESAs may not be taken into bathrooms, laundry facilities, indoor recreational rooms, lounges, hallways, computer labs, study rooms, or other areas of the residence halls.
- ESAs cannot be taken into classrooms, dining halls, or other buildings on campus.

- ESAs must be leashed and in control at all times when traveling campus grounds.
- In an emergency evacuation of the building, if possible, the ESA should be on a leash or caged when exiting from the building.
- The Residence Life staff will inspect residence halls regularly as part of routine health and safety checks of all residential spaces. If fleas, ticks, or other pests are detected, the unit will be treated using fumigation methods by the university-approved pest control services. Those costs will be billed to the student's account. The owner must report known infestations to Residence Life staff, who will coordinate extermination with ODU's custodial service provider at the owner's expense.
- The Residence Life Office will inform Facilities where ESAs reside. When routine maintenance is necessary, the Residence Life Office will make every effort to coordinate the schedule in advance so that the owner can be present.
- When an owner requests repairs for the room and is absent from a room, the owner must ensure the animal is crated and/or may find alternative off-campus space for the animal during the repair process.
- Accessibility Services/Residence Life reserves the right to make reasonable changes to the ESA agreement. If such changes are made, Accessibility Services will distribute a written copy of any changes to every resident who has a current ESA agreement on file.
- ESAs may be limited in size because of room availability. The student will not be granted a larger space to accommodate the ESA and all pertinent items required for the health and safety of the animal and the ODU community.

### **Removal of an ESA**

The Office of Residence Life reserves the right to remove an Emotional Support Animal from university housing if there are repeated violations of the above policies and restrictions after sufficient warning has been given to the owner of the ESA. If an ESA is removed, the owner is required to fulfill their housing obligation for the remainder of their current housing contract.

- The University reserves the right to amend this Policy at any time without prior notice and to take such further actions as may be necessary or appropriate to comply with applicable federal, state, and local laws.