

## East Georgia State College

### Emotional Support or Assistance Animals in On-Campus Housing Policy

Adopted by President's Cabinet 2/23/16

The purpose of this policy is to implement federal and state laws regarding access for emotional support or assistance animals that assist students with disabilities in on-campus housing at East Georgia State College.

#### Definition-

An emotional support or assistance animal is an animal (typically a dog or a cat) providing some therapeutic benefit to a person with a mental or psychiatric disability, requiring no specific training. While dogs are the most common type of assistance or emotional support animal, other animals can also be assistance animals. Other animals will be considered on a case-by-case basis. The mere presence of this animal mitigates or alleviates some of the symptoms of the emotional or mental disability. Companionship alone does not satisfy this requirement.

An emotional support or assistance animal is not a pet, and the person wishing to have an emotional support animal in the residence halls must have a verifiable disability and a related need. Unlike a service animal, the emotional support animal is **NOT** specifically trained to perform tasks for a person with a disability, and is not granted access to places of public accommodation, such as classrooms, housing common areas, administrative offices, or classroom buildings.

#### Registration of Animal-

For an emotional support or assistance animal to be permitted to reside on campus, the handler and animal must register with the Counseling and Disability Services office and final approval must be obtained by the Regents Center for Learning Disabilities. The student is required to provide documentation to the EGSC Counseling and Disabilities Services office of the following-

1. Does the student seeking to use and live with the animal have a disability?
2. Does the student requesting the animal have a disability-related need for an assistance animal?
3. Is there an identifiable relationship between the disability and the emotional support the animal provides?

The documentation will be reviewed by a counseling professional in the Counseling and Disability Services office. When all documentation is complete, Counseling and Disabilities Services office will forward the documentation to the Regents Center for Learning Disabilities for review. When the answers to these questions are "yes" as indicated by the documentation provided, the Federal Housing Act and Section 504 require the housing provider to modify or provide an exception to the "no pets" rule or policy to permit a person with a disability to live with and use an assistance animal(s) in their specific bedroom.

The student (during their registration with the Counseling and Disability Services office) must identify and obtain the signature of another individual who will provide care and maintenance for the animal if the student becomes incapacitated or is unable to care for the animal. The animal may not remain inside the housing facility for more than twelve hours without the student. The student must provide proof of current vaccinations for the animal during registration and provide updated vaccination records as needed. The student will give EGSC permission to contact their animal's veterinarian (if necessary) and the student will submit additional documentation (if needed). The student is responsible at all times for the actions of his or her animal. If the student violates the provisions of this policy, he or she may be required to immediately remove the animal from EGSC housing.

**The request may be denied if:** (1) the specific animal in question poses a direct threat to the health or safety of others that can't be reduced or eliminated by another reasonable accommodation, or (2) the specific animal in question would cause substantial physical damage to the property of others that can't be reduced or eliminated by another reasonable accommodation. Breed, size, and weight limitations may not be applied to an assistance or emotional support animal. A determination that an assistance animal poses a direct threat of harm to others or would cause substantial physical damage to the property of others must be based on an individualized assessment that relies on objective evidence about the specific animal's actual conduct- **not** on mere speculation or fear about the types of harm or damage an animal may cause and **not** on evidence about harm or damage that other animals may have caused. Conditions and restrictions that housing providers apply to pets may not be applied for emotional support or assistance animals. **If the animal does not meet the definition of a service animal, the disability service provider should determine its eligibility to serve as an emotional support or assistance animal.**

### **Student Responsibilities-**

- The student is responsible for the upkeep and necessary care of the animal.
- The student is responsible for any odors, noise, damage, bodily injury, or other conduct of his or her animal that disturbs others or causes damage.
- The student is responsible for all costs of returning the residence hall unit to the condition it was in at move-in. Property damage such as pet odors, stains, or dander requiring cleaning or replacement of furniture, carpet, blinds, etc. is the responsibility of the student.
- The student must have the animal only in common indoor areas, as needed to enter or exit the building.
- The student must keep the animal on a leash/lead when the animal is in the common areas of the residence hall for exit and entrance to the building.
- The student must ensure that the animal does not interfere with the routine of the residence hall or cause difficulties for students who reside in the unit.
- The student must show sensitivity to residents with allergies and to those who fear animals, as this is important to ensure a positive residential community.
- The student must inform others about appropriate interactions with the animal and set clear expectations.

### **Student Housing-**

- Housing will notify roommates about the emotional support or assistance animal, to include the type and size. (Roommates may request a room change from Student Housing if they desire to do so.)
- Housing may exclude an emotional support or assistance animal from housing if it:
  1. Poses a direct threat to the health or safety of others,
  2. Would cause substantial physical damage to the property of others,
  3. Would pose an undue financial or administrative burden, or
  4. Would result in a fundamental alteration of the college's program(s)
- Housing will assign a liaison who will oversee any moves from one location to another, will arrange for staff notifications and trainings, and will assist with re-introduction of the animal to a new community.

### **Conflicting Disabilities-**

EGSC will make reasonable efforts to notify residents of the existence of emotional support or assistance animals in housing. Students in housing with a medical condition(s) that are affected by emotional

support or assistance animals (respiratory diseases, asthma, severe allergies) are asked to contact the Counseling and Disability Services Office if they have a health or safety-related concern about exposure to an assistance or emotional support animal. The individual will be asked to provide medical documentation that identifies the condition(s), and will allow determination to be made as to whether the condition is disabling and whether there is a need for an accommodation.

The Counseling and Disability Services Office will work with relevant housing staff to resolve any conflict in a timely manner. Staff members will consider the conflicting needs and/or accommodations of all persons involved.

#### **Requirements of Handlers and Students and Grounds for Removal of Emotional Support or Assistance Animals from EGSC Facilities-**

- 1) Handlers or students are required to keep their service animals under their direct physical control at all times by means of an appropriate leash or other lead of a type and length that enables the handler or student to maintain close and direct physical control of the emotional support or assistance animal. Handlers or students are not allowed to transfer control of the animal to another person even momentarily, requesting the assistance of other persons in supervising or controlling their assistance or emotional support animals or otherwise leaving the presence of their emotional support or assistance animals for any period of time while on EGSC facilities.
- 2) Handlers or students are required to remove an assistance or emotional support animal that is unruly or disruptive (e.g. biting or attempting to bite, barking, running around, jumping at or up on people or other excessive physical activity that goes beyond repositioning itself), or may be directed to do so by an EGSC faculty, staff member, or by any member of Public Safety. In determining whether an emotional support or assistance animal is being unruly or disruptive within the meaning of this paragraph, all facts and circumstances should be considered. In the event of such behavior by an emotional support or assistance animal, it may be denied access to housing until the handler or student can demonstrate that he or she has taken sufficient steps to correct or control the unacceptable behavior of the emotional support or assistance animal.
- 3) Handlers or students shall not bring an emotional support or assistance animal that is ill to EGSC housing and should remove the service animal from EGSC housing facilities if it becomes ill. A handler or student with an emotional support or assistance animal that appears ill may be asked to remove the emotional support or assistance animal from EGSC housing facilities by EGSC Public Safety, EGSC housing staff, Counseling and Disability Services, or Student Conduct.
- 4) Handlers or students must ensure that their emotional support or assistance animals are kept clean and well groomed. Handlers or students with emotional support or assistance animals that are in the reasonable opinion of the affected EGSC housing unit, unhygienic (e.g. flea-infested, foul-smelling, or inadequately groomed as may be appropriate for the breed and other physical characteristics of the particular service animal). The handler or student may be asked to leave EGSC facilities or activities until such conditions are corrected. The handler or student may also be asked to remove the animal.
- 5) Handlers or students must ensure that their emotional support or assistance animals are housebroken. Emotional support or assistance animals will be excluded from EGSC housing facilities if they are not. In the event of an isolated incident of an emotional support or assistance animal failing to control its bodily eliminations due to illness or accident, the handler or student is responsible for immediately and properly cleaning up and disposing of bodily fluids or solid waste from the emotional support or assistance animal whether indoors or outdoors.
- 6) Proper clean-up will depend on the specific circumstances. This may include physical removal of any liquid and solid wastes and disposal of these and the cleaning materials used in a secure, plastic bag. These items will be deposited in an outside waste container. To this end, handlers or students are required to have in their possession at all times when accompanied by their

emotional support or assistance animals, appropriate and sufficient cleaning materials whenever their emotional support or assistance animal(s) are present at the EGSC housing facility.

- 7) In the event of any such incident and after the immediate clean-up action required above, the handler or student must notify an appropriate EGSC employee in the affected area or building of the incident, such as those individuals performing custodial functions in the affected building so that further deodorization and disinfection procedures can be performed as needed by appropriate personnel.
- 8) In the case of a student whose disability prevents or impairs the ability to comply with the requirements of this paragraph, it is the responsibility of the student to have previously made satisfactory arrangements for a third party to perform all actions required in this policy. Such arrangements must be documented in the student or handler's disability records at the Counseling and Disability Services Office. In all cases of damage to EGSC facilities by an emotional support or assistance animal failing to control its bodily eliminations due to illness or accident or in any other manner, the student is personally responsible for the cost of additional cleaning or repairs to EGSC facilities.
- 9) Students shall be liable for any and all costs resulting when an emotional support or service animal causes damage to EGSC facilities or injury to individuals. In the case of any incident involving injury to a person by an emotional support or assistance animal, the student or handler shall make an immediate report to the EGSC Public Safety department so that the incident can be properly investigated and documented and the student or handler shall also fully comply with any state or federal law or regulation requiring additional reports to other government agencies that may be required due to the physical injury caused by the emotional support or assistance animal.
- 10) In addition to any other obligations in this policy, Public Safety will notify Counseling and Disability Services of the incident involving property damage or personal injury, submit a detailed, written report regarding the incident that should include copies or other written confirmation in this policy have been duly made and that any actions required under other state or local laws such as quarantine of the emotional support or assistance animal and similar policies have been taken. All incidents involving the Emotional Support or Assistance animal shall be reported (in writing) to Counseling and Disability Services within 24 hours of the incident. For the purposes of this policy, all such summary reports must be filed with the Counseling and Disability Services Office.

### **Student Violations of this Policy-**

In the case of students and handlers, failure to comply with this policy may constitute one or more violations of the EGSC Student Code of Conduct.