

Marietta College Emotional Support Animal Policy

Marietta College recognizes the value of Emotional Support Animals to assist a student with a diagnosed disability and complies with the requirements of the Americans with Disabilities Act and Fair Housing Act. The following policy is intended to clarify the roles of Emotional Support Animals, outline the procedures for students wishing to access such accommodations, and explain the rights and responsibilities of students in this regard.

Definition

An Emotional Support Animal (ESA) is defined as an animal that provides emotional or other support that ameliorates one or more identified symptoms of a person's disability. An ESA is not a pet or a service animal. Unlike service animals, emotional support animals are not required to be trained to perform work or tasks, and they include species other than dogs. ESAs must remain confined to the student's living area except trips outside to visit a relief area or to take the ESA for a walk. Since an ESA is not regarded as a service animal, it may not be taken into other public areas of the campus, including the dining hall, classrooms, and administrative buildings. Additionally, ESAs may not be brought to campus events where pets are not welcome, even if those events are being held outdoors.

Accommodation Requests

Students who require the use of an ESA on campus must register as a student with a disability with the Accessibility Services Office. Before an ESA can move into the residence hall, a request must be made to the Non-Academic Accessibility Accommodations Coordinator, and approval must be granted 30 days prior to moving in. No animal can live on campus during the application process. The student must submit the *Medical Verification Form for Reasonable Accommodations: Emotional Support Animal, Roommate/Suitemate Approved Animal Acknowledgement, Emotional Support Animal Agreement, and Emotional Support Animal Housing Agreement*.

Once these forms are submitted, the Non-Academic Accessibility Accommodations Coordinator will review the documentation described above and, if he/she determines a qualifying disability exists, will arrange a meeting with the student requesting the ESA. This policy will be carefully reviewed with the student at that time and then the approval will be sent to the Office of Community Living. If the Director determines that the application does not meet the requirements for an ESA, the student will be notified that their request has been denied and will be told what additional information would be needed for the request to be re-evaluated.

Exceptions and Exclusions

Marietta College may restrict, and even exclude, an ESA in certain circumstances. Any ESA may be excluded from an area in which it was previously authorized to be only if:

- 1) It is out of control and effective action is not taken to control it;
- 2) It is not housebroken (or in the case of an ESA that deposits waste in a designated cage or litter box, the owner fails to clean and maintain the cage or box such that the cleanliness of the room is not compromised); or

- 3) It poses a direct threat to the health and safety of others that cannot be alleviated by reasonable modifications practices, procedures, or the provision of auxiliary aids or services.
- 4) The owner is not properly caring for the animal. Any evidence of neglect, mistreatment, or abuse may result in removal of the animal and/or referral for violations of the Marietta College Code of Conduct.
- 5) The animal's behaviors are actively creating disturbances that are directly impacting the ability of other students to be academically successful -or – the animal's behaviors are consistently violating college policies (ex: quiet hours).

In considering whether an ESA poses a direct threat to the health or safety of others, Marietta College will make an individualized assessment based on reasonable judgment, current medical knowledge, or the best available objective evidence to determine:

- 1) The nature, duration, and severity of the risk
- 2) The probability that any potential injury will occur
- 3) Whether reasonable modifications of policies, practices, procedures, or the provision of auxiliary aids or services will mitigate the risk.

The Non-Academic Accessibility Accommodations Coordinator will provide a written explanation to the animal's owner if a determination is made that the ESA/owner is not abiding by the policy and a restriction needs to be put into place. If removing an ESA is necessary, the student will be given 48 hours to have the animal removed from campus.

Should a student wish to appeal against any decision made about an emotional support animal, they must write a letter outlining the appeal's reason within two business days of delivery of the decision. The letter must include the specific reason(s) the decision should be reconsidered and any relevant documentation supporting their appeal. The animal may not reside on campus during the appeal process. All appeals should be submitted to the Non-Academic Accessibility Accommodations Coordinator in person or to lnw002@marietta.edu. Appeals will be considered by a committee of relevant stakeholders (representatives from Community Living, Center for Health and Wellness, etc.) and a decision will be rendered to the student in writing within ten business days of the receipt of the appeal. All decisions are final.

Guidelines for Notification and Rights of Marietta College Community

When a request for an Emotional Support Animal has been approved, the Office of Community Living staff will make a reasonable effort to notify the other residents in the housing unit where the Emotional Support Animal will be located. This notice will be limited to information about the animal's presence: there will be no disclosure of the student's disability. Other resident students with a medical condition(s) who are directly and negatively impacted by animals (e.g., respiratory diseases, asthma, severe allergies) are asked to contact the Non-Academic Accessibility Accommodations Coordinator if they have health or safety-related concerns about exposure to an Emotional Support Animal. Such affected students may be eligible for an accessibility accommodation when living in proximity to an Emotional Support Animal. The Non-Academic Accessibility Accommodations Coordinator and the Office

of Community Living will collaborate, as necessary, to resolve conflicts related to an Emotional Support Animal. Staff members will consider the needs and/or accommodation of all resident students involved.

All roommates of the Owner must agree in writing that the Emotional Support Animal will be in the residence with them. If one or more roommates do not approve, either the Owner and the Emotional Support Animal or the non-approving roommate(s), as determined by the Office of Community Living, may be moved to a different location.

A paw print/Animal decal may be affixed outside the owner's unit as a notification to the facilities staff that an animal resides in the unit. The owner or a roommate should be present during any scheduled maintenance visit.

Guidelines for Members of Marietta College's Community

To ensure equal access and nondiscrimination of people with disabilities, all members of the Marietta College community must abide by all the following practices:

- 1) Do not ask for details about a person's disability
- 2) Do not pet or interact with an ESA without the owner's permission
- 3) Do not deliberately startle, tease, or taunt an ESA

If you have a disability that may be affected by the presence of animals, please contact the Non-Academic Accessibility Accommodations Coordinator. Marietta College is committed to ensuring the needs of all people with disabilities are met and will determine how to resolve any conflicts or problems as quickly as possible.

Questions

Questions or concerns related to this policy should be addressed to the Non-Academic Accessibility Accommodations Coordinator.

Phone: 740-376-4477

Email: lnw002@marietta.edu

Emotional Support Animal Agreement

Expectations for Emotional Support Animals (ESAs) on campus:

1. The student must submit the *Medical Verification Form for Reasonable Accommodation: Emotional Support Animal, Emotional Support Animal Agreement, and Roommate/Suitemate*

and *Roommate/Suitemate Agreement*. These forms are available from the Non-Academic Accessibility Accommodations Coordinator.

2. The student is responsible to ensure that the animal has been properly registered and vaccinated in accordance with local ordinances. Additionally, any animal, such as an exotic pet, that requires special licensing must comply with all relevant state and local requirements related to keeping the animal. The animal must be registered and vaccinated in accordance with state ordinances. Although there is no strict limit to the size or type of animal that can serve as an ESA, animals that are too large for the housing unit and/or may pose a greater than average risk to the safety of others will be reviewed on a case-by-case basis. Also, dogs must be at least 6 months old before being permitted to live in a residence hall.

3.

Please list the type of animal that you are requesting: _____

4. The student must declare intent to continue using an ESA annually with the Non-Academic Accessibility Accommodations Coordinator. Failure to do so by posted housing deadlines may impact the ability of the student to bring the ESA back to campus with them at the beginning of the following semester.
5. When the student is not present, the ESA will be kenneled or otherwise safely and appropriately contained.
6. ESAs will not leave the student's room except for trips outside to visit relief areas or take the ESA for a walk. Students are responsible for the removal and proper disposal of their animal's feces/waste. Students must keep the animal on leash when on campus and observe local ordinances related to leashing and controlling their animals when taking the animal for a walk. If the animal is litter trained, the owner must dispose of the contents of the litter box regularly and in a designated dumpster or trash receptacle.
7. The ESA will not go to classes or accompany the student in academic or administrative buildings or accompany the student to campus events.
8. The ESA must always be well cared for. This includes ensuring the ESA is provided with fresh water and appropriate food daily and ensuring the ESA remains free of fleas, ticks, and other pests and/or diseases.

By my signature below, I verify that I have read, understand, and will abide by the policy outlined above. Failure to abide by this agreement constitutes grounds for removing the animal from campus housing.

Student Owner

Date

Emotional Support Animal Housing Agreement

Expectations for Emotional Support Animals (ESAs) in the Residence Hall:

1. The student must provide a completed *Roommate/Suitemate Agreement* (if applicable) for all current roommates/suitemates. This form must be updated annually and/or whenever a change is made to the roommates/suitemates living with the animal.

2. When the student leaves campus for weekends, breaks, or other lengthy periods of time, the animal must accompany the student. If the student is an athlete and away for a game/training, they must arrange for the animal to be appropriately cared for. **Please list the name and phone number of the person(s) who will oversee the animal if the owner is off campus:**

3. If the student's ESA is a dog, or other similar animal that cannot hygienically relieve itself in the student's room, it must be housebroken. If the ESA is a cat, the cat must be litter box trained. Other smaller animals (gerbils, rabbits, guinea pigs, etc.) are not to be left loose in the student's room and their habitats must remain clean and odor free.
4. Any biting or other aggressive behaviors on the part of the animal will not be tolerated. The student is liable for injuries inflicted to other individuals on campus because of their animal.
5. The student is responsible for keeping their animal from disturbing roommates or other people in their residence halls (barking, excessive noise, etc.).
6. Marietta College will not require surcharges or fees for ESAs. However, the student is responsible for any damage their animal does to any college property and/or any property of other students with whom they share a living space.
7. The student must provide a clear and recent picture of the animal to the Non-Academic Accessibility Accommodations Coordinator within 24 hours of the animal arriving on campus. This should be sent via email to: lnw002@marietta.edu. If an animal whose picture is not on file is seen in campus living spaces, the student will be asked to remove the animal and may be referred for violations of the college's student code of conduct.
8. The student understands that a Paw Print decal is available from the Office of Community Living, which the student may post on the hallway door of their living space to alert other students and college staff (including Physical Plant staff) of the presence of the animal. Students are not required to display this decal; however, it is recommended both for the safety of the animal and for those entering the student's living space.
9. During an emergency, the Marietta College Police and local authorities will be notified of any ESA in harm's way. The safety of the students and staff must take priority, but the animals will be safely secured as soon as possible.

By my signature below, I verify that I have read, understand, and will abide by the policy outlined above. Failure to abide by this agreement constitutes grounds for removing the animal from campus housing.

Student Owner

Date

Roommate/Suitemate Approved Animal Acknowledgement

By my signature below, I understand that I will share the common spaces of my assigned residential space with the animal approved by this agreement. Should I have concerns regarding the animal, I will discuss my concerns with the animal's owner. If the animal's owner and roommates/suitemates are unable to come to an understanding or I have any questions about my rights, Marietta College's

Emotional Support Animal policies, or any incidents that may occur during the semester, I will contact the Non-Academic Accessibility Accommodations Coordinator and the Office of Community Living.

I understand that individuals other than the animal's owner should not touch, pet, or feed an emotional support animal unless invited to do so by the animal's owner.

I understand that students are not to inquire into details about the owner's disability and that the owner is not required to share any information about his/her disability.

Resident's Printed Name Resident's Signature Building/Room # Date

Resident's Printed Name Resident's Signature Building/Room # Date

Resident's Printed Name Resident's Signature Building/Room # Date

Resident's Printed Name Resident's Signature Building/Room # Date

By my signature below, I am stating that I do not agree to have an animal living within my assigned residential space.

Resident's Printed Name Resident's Signature Building/Room # Date

Resident's Printed Name Resident's Signature Building/Room # Date

Medical Verification Form for Reasonable Accommodations: Emotional Support Animal

Student Name: _____

To provide reasonable, effective, and appropriate housing accommodations to students at Marietta College who have disabilities, the Non-Academic Accessibility Accommodations Coordinator requires

students to provide recent, relevant, and comprehensive medical documentation. This form must be filled out by a licensed physician, psychiatrist, social worker, or other mental health professional (not a family member) within six months of the requested emotional support animal accommodation. Students who require an emotional support animal must observe all posted housing selection deadlines. Although requests submitted after the posted deadlines can be accepted and considered, there is no guarantee that late applicants' accommodation needs can be met.

The Fair Housing Act defines disability as a physical or mental impairment that limits one or more major life activities. Under this definition, an impairment is a disability if it limits the ability of the person to perform a major life activity as compared to the average person in the general population. The definition also considers any mitigating measures, such as medication or other treatment or therapies, the person is employing that may relieve the substantial limitations caused by the impairment.

1. Does the student have a disability under this definition? Please note, if the student has a diagnosed disability, please provide details below. If the student does not have a disability, you may return this form without answering the remaining questions.

Yes No (Please circle one)

2. What is the diagnosed disability?

3. When did you first meet with the student regarding this diagnosis?

4. Does the student require ongoing treatment?

Yes No (Please circle one)

5. Will you be the primary provider for the student?

Yes No (Please circle one)

6. If you will not be the primary provider for the student, do you plan to work with the primary provider?

Yes No (Please circle one)

7. Please identify the student's impairment(s) and describe how each impairment limits his/her ability to perform a major life activity as compared to a nondisabled individual.

8. What symptoms will be reduced by having an ESA and how would the ESA help to reduce those symptoms?

9. Please identify if the student is using any measure (e.g., prescriptions, treatment, therapy, etc.) that mitigates the limitations caused by his/her impairment and, if so, if the mitigating measure(s) eliminates the substantial limitations.

10. Is there evidence that an ESA has helped this student in the past or currently? Please explain.

11. Please explain how the accommodation is necessary for the student to participate in college housing as compared to a student without a disability.

12. Please identify any other accommodation that may be equally effective in allowing the student to participate in university housing.

13. In your opinion, how important is it for the student's well-being that that he/she have an ESA on campus?

14. Have you discussed the responsibilities associated with properly caring for an animal while engaged in typical college activities and residing in campus housing with the student?

Yes No (Please circle one)

15. Do you believe those responsibilities might exacerbate the student's symptoms in any way?

Physician's Information

Full Name (Print): _____

Signature and Date: _____

State of Licensure and License Number: _____

Address: _____

Phone Number: _____

Please Return to:

Marietta College
215 Fifth Street
Marietta, OH 45750
Phone: (740)376-4477
FAX: (740)376-4413
lnw002@marietta.edu

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