

Policy and Procedures for Emotional Support Animals

Midway University is committed to creating an atmosphere of access, inclusion and opportunities for qualified students with disabilities. The University recognizes Emotional Support Animals (ESAs) may be a reasonable accommodation for students with disabilities and has established the following policies and procedures unique to this category of animals.

Set forth below are specific requirements and guidelines concerning the appropriate use and protocols associated with ESAs. Midway University reserves the right to amend this policy as circumstances require. The goal is to find the proper balance that serves the student while protecting health, safety, living, and study conditions for other students. This document is intended to outline the rights and responsibilities related to ESAs for students who live in University controlled residential facilities.

I. ESA Information

For the purposes of this policy, comfort and therapeutic companion animals for qualified students with disabilities will be referred to as Emotional Support Animals (ESAs). This policy **does not** address Service Animals. The differences between the two are as follows:

A Service Animal is an animal (typically a dog) that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. Other animals, whether wild or domestic, do not qualify as Service Animals. Examples of such work or tasks include guiding a person with impaired vision, alerting a person with a hearing impairment, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, and/or performing other duties. Service Animals are working animals, not pets. The work or task a Service Animal has been trained to provide must be directly related to the person's disability. Animals whose sole function is to provide comfort or emotional support do not qualify as Service Animals. See separate policy for Service Animals.

An Emotional Support Animal is an animal that provides physical assistance, emotional support, calming, stability, and other kinds of support, which give a student equal opportunity to use and enjoy University housing by alleviating one more identified symptoms or effects of a documented mental health or psychiatric disability. ESAs are not pets. Some, but not all, animals that assist persons with disabilities are professionally trained. Other ESAs are trained by their owners. In some cases, no special training is required. The University may consider whether or not the animal performs the assistance or provides the benefit needed as a reasonable accommodation by the person with the disability. Unlike a Service Animal, an ESA does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times.

For students living on campus, fair housing regulations provide that ESAs may be considered a reasonable accommodation in campus housing. In order for an accompanying ESA to be considered as an accommodation, sufficient documentation meeting the requirements of current federal fair housing regulations must be provided. In order to receive permission to have an emotional support animal in campus housing, the student must work with the Accommodations Coordinator. Only **ONE** ESA per student is allowed.

These provisions only apply to University housing facilities. ESAs are not allowed in other buildings on campus (e.g., library, academic buildings, classrooms, labs, student center, etc.).

Non-domesticated, wild, dangerous, poisonous, and/or illegal animals are not permitted. Midway University does not permit arachnids and other exotic animals in University housing because of the health and safety issues unique to the type of animal and shared student housing.

However, any student wishing to have an ESA in Residential Life must first have approval from the Accommodations Coordinator in writing. Bringing and allowing an ESA to stay in residential facilities prior to acquiring this verification may result in loss of privileges related to having an ESA in the future.

Buster Hall is ideal for ESAs who will need outdoor space as it is surrounded by green space on three sides and is the only campus residence hall without a road in close proximity to an entry/exit point.

Animals must be under the control of their owner and properly restrained at all times. Animals must be on a leash at all times when outside their room. Unless otherwise approved by the University as a reasonable accommodation, a leash may no exceed **six feet** in length.

II. APPROVAL PROCEDURES

Prior to bringing an ESA to campus, students must contact the Accommodations Coordinator and provide required documentation. Current documentation of items requested must be dated within the last 12 months.

Required documentation that must be submitted to the Accommodations Coordinator includes the following (See also the checklist at the end of this policy):

- Request for accommodation form filled out.
- Statement from the student on how the Emotional Support Animal affords the person an equal opportunity to use and enjoy the residence hall.
- Verification of the student's disability from a licensed attending physician, psychiatrist, or other mental health professional. This letter should articulate the functional limitations of the disability and the relationship between the disability and the relief an ESA would provide. The documentation must be completed by an independent healthcare professional not employed by the University. The healthcare professional must have a therapeutic relationship with the student for at least 3 months prior to writing the letter. The letter should include:
 - Confirm and define that the individual has a psychiatric or mental health disability
 - Explain how the animal helps alleviate that condition
 - Explain the possible negative effects of the person not having the animal with him or her. Please note that a health care provider whose primary service is to provide documentation to a person requesting accommodation in exchange for a fee **does not** meet the therapeutic relationship standard.
- Animal name, breed, license number, current vaccination records and a picture of the animal

Upon approval of an ESA, the Accommodations Coordinator will contact the student for a meeting to discuss section III of this document (Rules of Conduct).

All ESA requests must go through the approval process every academic year.

III. Rules of Conduct

All service and emotional support animal owners must abide by the Rules of Conduct outlined below. The Student Affairs Staff is responsible for ensuring that all animals and their owners abide by these guidelines. Failure to comply with these Rules of Conduct may result in immediate removal of the animal.

- A. Animal owner assumes all responsibility for animal actions regardless of circumstances.
- B. Animals must be under the control of their owner and properly restrained at all times. Animals must be on a leash at all times when outside their room. Under no circumstances are animals allowed to run outside unsupervised. This includes all athletic fields.
- C. All animals must be crated, caged, stationed, or in terrarium/aquarium when left unattended in room.
- D. Animals may not be left on-campus unattended over weekends or break periods.
- E. If an animal is left unattended by its owner over a break or weekend, should the owner be hospitalized, or for any other reason the owner cannot be present to care for the animal, Student Affairs reserves the right to place the animal in off-campus care at the owner's expense.
- F. Owners must provide certified, up-to-date vaccination records from a licensed veterinarian, along with a recent photograph of the animal to the Student Affairs Office, prior to moving into the residence hall. Animal ID Tags must be worn at all times, along with a Vet issued Rabies Tag, where applicable.

- G. All animals must reside with the person to whom they are registered.
- H. All animals must be housebroken.
- I. ESAs are only allowed in the owner's assigned residence hall room.
- J. ESAs are not allowed in the residence hall bathrooms.
- K. Animal owners are responsible for feeding, grooming, veterinary care, and cleaning up the animal's waste. Animal feces must be removed immediately by placing the waste in a disposable/plastic bag and depositing it in an appropriate outdoor waste receptacle. Failure to comply with these responsibilities may result in immediate removal of the animal.
- L. Owners must confine their animal to their room and designated animal exercise areas.
- M. No animal may exhibit any aggressive behavior towards humans or other animals, as determined by Student Affairs Staff on a case by case basis. Uncontrolled aggression will require immediate removal of the animal by the owner.
- N. Facilities Staff will not enter a room to perform routine service calls if an animal is inside, and therefore, animal owners should coordinate with the Residence Hall Director and Facilities Department to make arrangements for service.
- O. Owner negligence or mistreatment of an animal will not be tolerated. The owner will be subject to disciplinary action, including the removal of the animal from campus.
- P. No animal is allowed to cause undue disruption to Midway University operations. Undue disruption may include, but is not limited to, excessive noise, physical harm to humans or other animals and destruction of property. The Student Affairs Staff reserves the right to deem any other act as an undue disruption.
- Q. Animal owners are responsible for any damage to University property that their animal may cause. This includes any flea treatment that may be needed in a residence room/hall.

My signature below acknowledges that I have read and understand my responsibilities as an ESA owner.

Student Name

Accommodations Coordinator

Signature

Signature

Date

Date

ESA Required Document Checklist

- Request for accommodation form filled out. Date Received _____

- Statement from the student on how the Emotional Support Animal affords the person an equal opportunity to use and enjoy the residence hall. Date Received _____

- Verification of the student's disability from the licensed attending physician, psychiatrist, or other mental health professional. The documentation must be completed by an independent healthcare professional not employed by the University. The healthcare professional must have an established relationship with the student for at least 3 months prior to writing the letter. This letter should articulate the functional limitations of the disability and the relationship between the disability and the relief an ESA would provide. Date Received _____

The letter should include:

- Confirm and define that the individual has a psychiatric or mental health disability
- Explain how the animal helps alleviate that condition
- Explain the possible negative effects of the person not having the animal with him or her
- Letter should include License #, NPI of the attesting physician.
- Animal name, breed, license number, current vaccination records, and a current picture.

All materials listed on this checklist must be completed before review by the Accommodations Coordinator

Deadlines for Application:

Fall – August 27th

Spring – January 14th

ESA applicants are reviewed once per semester. Applications received after deadlines *may* not be reviewed before the upcoming semester. While applications submitted after these dates will be accepted and considered, Midway cannot guarantee that it will be able to meet late applicants' accommodation needs, including any needs that develop during the semester. Students receiving approval for fall or spring semesters must re-apply for the following fall.