



Service Animals and Emotional Support Animals Policy & Procedures

I. Purpose

Emmanuel University is committed to providing equal access and treatment for students with disabilities. The Disability Services/ADA Coordinator coordinates services and accommodations for students with disabilities in compliance with federal disability law, including the Americans with Disabilities Act of 1990 (ADA), Americans with Disabilities Act Amendments Act of 2008 (ADAAA), and Section 504 of the Rehabilitation Act of 1973 as they apply to students. As defined in the ADA and Section 504, a student has a disability if the student has a physical or mental impairment which substantially limits one or more major life activities or has a record of such an impairment. Emmanuel University recognizes the importance of Service Animals and Emotional Support Animals (ESAs) to individuals with disabilities. Emmanuel University is committed to providing reasonable accommodations; fulfilling its responsibilities under federal, state, and local laws and regulations; ensuring the health and safety of the campus community, guests, and visitors; and preserving the integrity of University property.

In accordance with the Americans with Disabilities Act as amended (ADA) and Section 504 of the Rehabilitation Act, the University is committed to allowing individuals with disabilities the use of a Service Animal on University property to facilitate full participation and equal access to the University's programs and activities. Under federal law, individuals are not required to contact the University to have a Service Animal on University property and may be used without written permission.

In accordance with the Fair Housing Act (FHA), the University is committed to allowing ESAs in University Housing facilities to provide emotional support for students with disabilities under certain conditions.

II. Service Animals

A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Tasks performed could include pulling a wheelchair, retrieving dropped items, alerting a person to a sound, reminding them to take medication, guiding a blind person, or pressing an elevator button. Service Animals are considered an extension of their handler and have the same rights of access anywhere on campus, in accordance with their handler's rights to access. However, there are limited exceptions, such as exclusion from areas due to a direct threat to the health and safety of others, when their use

fundamentally alters a service or program, food preparation areas, certain laboratories where service animals may be in danger, or where their use may compromise the integrity of research.

Service Animal Control Requirements and Handler Responsibilities

1. Service Animals must be harnessed, leashed, or tethered, unless these devices interfere with the Service Animal's work or the Handler's disability prevents using these devices. In that case, the Handler must maintain control of the animal through voice, signal, or other effective controls.
2. Service Animals must be accompanied by their Handler and remain in direct proximity.
3. Service Animals must be housebroken.
4. Service Animals must have all vaccinations and licenses required by state law and/or local ordinances and kept current and must be produced to the University upon request.
5. Service Animals should always be responsive to their Handler's verbal, non-verbal or other effective commands.
6. To the extent possible, Service Animals should be non-disruptive to other individuals in the learning, living, and working environment of the University.
7. The care and feeding of Service Animals is the sole responsibility of the Handler.
8. Waste removal and cleanup is the responsibility of the Handler.
9. Service Animal Handlers residing in a University Housing facility are financially responsible for the actions of the Service Animal and will be assessed a fee for any property damage resulting from damage caused by the Service Animal.

III. Emotional Support Animals

Emotional Support Animals are used for emotional support of students with disabilities when recommended by a treating medical or mental health professional and can be a variety of animals. These animals are not covered under the ADA but do have recognition under the Fair Housing Act (FHA). While an ESAs (Emotional Support Animal) may have access to University Housing in specific areas, they are not permitted in other areas of the University (e.g. library, academic buildings, classrooms, labs, student center, etc.).

This policy governs the use of ESAs in University housing. Unlike a Service Animal, an ESA does not assist a person with a disability with activities of daily living, nor does it always accompany a person with a disability. An ESA is:

- An animal that works, provides comfort, or performs tasks for the benefit of a person with a disability, or;
- An animal that provides emotional support which alleviates one or more identified symptoms or effects of a person's disability.

Some, but not all, ESAs that assist persons with disabilities are professionally trained. Other Emotional Support Animals are trained by the owners. In some cases, no special training is required. The question is

whether the animal aids or provides the benefit needed as a reasonable accommodation by the person with the disability.

IV. Procedures for Requesting to Have an Emotional Support Animal in University Housing

In accordance with the Fair Housing Act (FHA), the University is committed to allowing ESAs in University housing to provide emotional support for students with disabilities under certain conditions. ESAs may not be brought into University housing without the express prior written approval of University officials. A person requesting permission to keep an ESA in University housing must make a formal request to the Disability Services/ADA Coordinator, at least 30 business days prior to the desired date that the Emotional Support Animal is to arrive on Emmanuel University Property.

As set forth in this policy, requests for access to accommodations and services, including ESAs, must be made by submitting the application (found below) along with the required supporting documentation. The Disability Services/ADA Coordinator or an Access Coordinator will review the request and schedule an intake appointment with the student. The application, the treating medical or mental healthcare provider form, the veterinary vaccination records, and any other supporting documentation should be submitted prior to any intake appointment to allow the Disability Services/ADA Coordinator or Access Coordinator enough time to review the material.

V. Documentation for Request

Students are responsible for providing documentation from a licensed or certified healthcare professional with expertise in the medical field or mental health by whom they are presently being treated. The ***“Medical Provider Documentation Form”*** must be submitted by the student to their provider. Upon completion, the provider can email it to Disability Services (kmccconnell@ec.edu). It is important that the documentation clearly establishes that the student has a disability and supports the student’s request for specific accommodation. Students must ensure that:

- The provider uses the ***“Medical Provider Documentation Form”*** found here (<https://eu.edu/equity-compliance/access-accommodations-services/>).
- The professional providing the documentation has the necessary qualifications to diagnose and treat the student for the specific disability and is the licensed professional currently and actively treating the student.
- If the disability is a mental-health-related condition, the documentation provided is from a licensed mental health professional who has the necessary qualifications to diagnose and treat the disability and is the current and active treating professional.
- The diagnosis of the disability is clearly stated, explained, and specific.
- The documentation includes a statement of functional limitations imposed by the disability.
- To be considered eligible to have an ESA in a University owned, residential facility, documentation must identify an impairment which substantially limits one or more major life activities and indicate that the emotional support provided by the animal directly alleviates one or more of the substantial limitations indicated. (i.e. a statement on how the ESA serves as a reasonable accommodation for the verified disability and how the need for the animal relates to the ability of the resident to use and enjoy the living arrangements provided by the University).
- The documentation should be no more than two years old.

- The documentation is prepared by a licensed medical healthcare professional(s) who provides a diagnosis of the medical/mental health condition, explains any functional limitations the condition will impose on the student in an academic setting, and provides recommendations for reasonable accommodations.
- IEPs, 504 Plans, and doctors' prescription notepads are not acceptable documentation but can be used for supplemental information.

The Disability Services/ADA Coordinator or Access Coordinator may require additional or new documentation if the original documentation presented is outdated, vague, incomplete, or does not meet the above documentation guidelines for any other reason.

Even if the above documentation is satisfactorily provided, a request may be denied if:

- The specific ESA in question poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation;
- Or the specific ESA in question would cause substantial physical damage to the property of others or the University that cannot be reduced or eliminated by another reasonable accommodation;
- Or if prohibited by federal, state or local laws or regulations.

A determination that an ESA poses a direct threat of harm to others or would cause substantial physical damage to the property of others or to any University property will be based on an individualized assessment that relies on objective evidence about the specific animal's actual conduct.

Upon completion of the application, the Medical Provider Documentation Form, and the Veterinarian vaccination records, any supplemental documentation, the Disability Services/ADA Coordinator will schedule an intake meeting with the student to engage in an interactive process and discuss the ESA request. If approved, the student will meet with the Disability Services/ADA Coordinator to complete the required paperwork, and housing staff will meet with the student to review all policies and procedures regarding university housing. The student will be provided with an ***"Access Accommodations and Services Memo"*** and residential building staff will be notified as appropriate. If the request is not approved, the Disability Services/ADA Coordinator will notify the student in writing of the decision and related reasoning. A student may submit a written grievance through the Disability Services/ADA Coordinator to the Director of Equity & Compliance/Section 504 Coordinator within 5 business days of having received the denial letter. The decision of the Equity and Compliance/Section 504 Coordinator is final and binding.

Upon approval of an ESA, the student's roommate(s) or suitemate(s) will be notified by the University housing staff (if applicable) to solicit their acknowledgement of the approval and notify them that the ESA will be residing in shared assigned living space (restricted to bedroom spaces).

VI. Conflicting Health Conditions

Students with medical condition(s) that are affected by animals (e.g., allergic reactions, respiratory diseases, asthma, severe allergies, phobias of animals) and are substantial enough to qualify as disabilities are asked to contact the Disability Services/ADA Coordinator if they have a health or safety related concern about exposure to an ESA. The University will consider both individuals' needs in meeting its obligation and commitment to reasonably accommodate all disabilities and to resolve the conflict promptly. Allergy/Asthma or phobia accommodations are provided in the same way as other disability accommodations. Students should contact the Disability Services/ADA Coordinator and fill out a

“Request for Access Accommodations and Services Form” along with the **“Provider Documentation Form,”** and any other supporting documentation.

VII. Service Animal and ESA Owner’s Responsibilities in University Housing

For this policy, “Owner” is defined as the individual who registered the ESA with Disability Services and is listed on file in the paperwork as the person who initially requested the ESA. This means the owner is always responsible, even if someone else is handling their ESA. Similarly, for this policy, “Owner” is defined as the individual who has a Service Animal. This means that the Owner is always responsible even if someone else is handling the Service Animal.

1. The Service Animal or ESA owner must always maintain control of the ESA. The owner is responsible for assuring that the ESA does not unduly interfere with the routine activities of the residence or cause difficulties for students who reside there.
2. The owner of the Service Animal or ESA is financially responsible for all actions of the ESA including bodily injury or property damage and further indemnifies Emmanuel University from any further recourse regarding any actions of the ESA or owner.
3. The owner of the Service Animal or ESA has a responsibility that covers but is not limited to replacement of furniture, carpet, window, wall covering, and the like. The owner is expected to cover these costs at the time of repair and/or at the time of the owner moves out.
4. The owner of the Service Animal or ESA is responsible for ensuring the indoor and outdoor cleanup and disposal of the ESA’s waste and, when appropriate, must toilet the animal in areas designated by the University consistent with the reasonable capacity of the owner. Outdoor waste should be cleaned up immediately by the owner and disposed of in university trash containers. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and be securely tied up before being disposed of in outside trash dumpsters. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces. Outside waste must be removed from any open area including walkways or lawn areas. Should any smells occur that indicate the student has not properly disposed of ESA waste, approval of the ESA may have their approvals revoked immediately.
5. The owner of the Service Animal or ESA is responsible for any expenses incurred for cleaning above and beyond a standard cleaning or for repairs to university premises that are assessed after the student and the ESA vacate the residence. The University shall have the right to bill the account of the owner for unmet obligations. These expenses for cleaning are the same expenses for cleaning above and beyond a standard cleaning or for repairs to university premises that would be charged to other students without an ESA.
6. The owner of the Service Animal or ESA must notify The Associate Vice President of Student Life in writing if the ESA is no longer needed or is no longer in the residence.
7. The residence of the owner of the Service Animal or ESA may be inspected for fleas, ticks or other pests as needed. The Office of Residence Life and Housing will schedule the inspection. 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 in the residence halls.
8. All roommates or suitemates of the owner must sign an agreement allowing the ESA to be in residence with them. If one or more roommates or suitemates do not approve, either the owner and ESA or the non-

approving roommates or suitemates, as determined by the appropriate Housing office for the residence location, may be moved to a different location.

9. Neither Service Animals nor ESAs may be left overnight in university housing to be cared for by another student. ESAs must be taken with the owner if the owner leaves campus overnight. Should an ESA owner leave their ESA unattended or with another student in the residence hall, the owner is subject to the University sanctions including fines and the permanent removal of the ESA from the residence hall.

10. In accordance with local ordinances and regulations, the owner of the Service Animal or Emotional Support Animal must ensure that the animal is immunized against diseases common to that type of animal. Dogs must have current vaccination against rabies and wear a rabies vaccination tag. Although not mandated, cats should have the normal shots required for a healthy animal. Local licensing requirements and vaccination requirements must be followed. (vaccination information will be provided by the owner in the application process)

11. Emmanuel University reserves the right to request documentation showing that a Service Animal or ESA has been licensed, if applicable (e.g., some counties in Georgia require dogs to be licensed). The University also reserved the right to require owners to submit vaccination records and veterinary visit documentation upon request. (vaccination information will be provided by the owner in the application)

12. The owner of the Service Animal or ESA must ensure that the animal is harnessed, leashed, tethered, or otherwise contained, when outside of the owner's room, unless these devices interfere with the individual's disability prevents use. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls. of an ESA always agrees to comply with their university housing responsibilities. Failure to do so may also result in the university excluding or removing the ESA and possible disciplinary action against the owner. (The ONLY time an ESA should be outside of the owner's room is when the ESA is being handled for restroom breaks.)

14. Any violation of the above policy may result in immediate removal of the Service Animal or ESA from the University.

15. The University may place other reasonable conditions or restrictions on the owner's use of an ESA so as not to interfere with the safety or living conditions of others.

VIII. Guidelines for Maintaining an ESA at Emmanuel University

A. Removal of a Service Animal or ESA

The University may exclude/remove an Service Animal or ESA when 1) the animal poses a direct threat to the health or safety of others, 2) the animal or its presence creates an unmanageable disturbance or interference with the Emmanuel University community, 3) the welfare of the animal is not being managed by the handler, 4) the animal is creating a clear distraction in the residence hall (smell, noise).

B. Damage

Owners of ESAs and Service Animals are solely responsible for any damage to persons or University property caused by their animals.

C. Areas Off Limits to ESAs

An owner with an ESA is allowed in the owner's privately assigned living space (this does not include common areas or lobbies). ESAs are not permitted in other areas of the University (e.g. library, academic buildings, classrooms, labs, student center, athletic venues, etc.).

All areas, except for privately assigned living space in residence halls, are off limits to approved ESAs except when the ESA is being transported to and from the privately assigned living space or is being taken to use the bathroom.

D. Identification

The owner must register the ESA by completing the ESA Registration form included in this policy. If an owner obtains a new/different ESA to be used under the provisions of this procedure the new/different ESA must be registered and approved separately.

By my signature below, I verify that I have read, understand, and will abide by the guidelines outlined here. I agree to provide the additional information required by the Emotional Support Animal Registration Form. I also agree that a representative from Residence Life and Housing may be provided with this Addendum and the Emotional Support Animal Registration Form from the Associate Vice President of Student Life upon approval of the request for use of an ESA in University housing.

Resident Owner Signature

Date

Approved by:

Associate Vice President- Student Life

Date



EMOTIONAL SUPPORT ANIMAL REGISTRATION FORM

An Owner is defined as the individual who initially registers the ESA with the ADA/Section 504 Coordinator and is listed on file in the paperwork as the person who is requesting the ESA. This means the Owner is solely responsible for the actions of the ESA. Should a third party be involved in handling an ESA on campus, the Owner continues to bear full responsibility of the ESA and third-party actions. An ESA is an animal providing emotional support, well-being, or comfort that eases one or more identified symptoms or effects of a documented disability. Emotional support animals are not individually trained to perform specific work or tasks. ESAs are not allowed to accompany persons with disabilities in public areas of Emmanuel University. ESAs are only allowed in a student's assigned residence hall room after approval has been received from the ADA/Section 504 Coordinator, and said approval is provided to the Office of Residence Life and Housing. The University's policy on Service Animals and ESAs don't think that is the name of this policy is located online at <https://ec.edu/equity-compliance/>.

Owner of the Emotional Support Animal

Name: _____

EU ID #: _____

Emotional Support Animal: PLEASE UPLOAD A PICTURE OF THE ANIMAL TO BE ATTACHED TO THIS REGISTRATION FORM

Name of approved Emotional Support Animal: _____

Type of animal: _____ Breed: _____ Mixed _____ Color: _____

Sex: Male _____ Female _____

Identifier/Physical Description (example: tattoo, microchip, ID #. Give specifics as appropriate):

Alternative emergency caregiver for animal if Owner is unavailable: Animals may not be left overnight in University Residential Housing to be cared for by another student. Animals must be taken with the Owner if they leave campus for any overnight period. In an unexpected emergency, the Owner may designate an individual to enter the Owner's room with assistance from Housing and/or Residence life personnel to remove the ESA.

Name: _____

Residence Hall or Address: _____

Phone Number: _____

Yes: _____ No: _____

Signage: The University recommends signage, though not required, to protect the Animal, other students, and University personnel. The Owner of an ESA living in University owned housing coordinate with the ADA/Section 504 Coordinator to have signage placed on their door making anyone who might enter (e.g., facilities services for maintenance or emergency responders) aware that there may be an ESA present in the room. The University will maintain lists of an ESA in a student's University Housing Residence to be used by appropriate University official and law and fire enforcement in an emergency or evacuation. Good.

I consent to having signage placed on my door Yes: _____ No: _____

Owner Certification:

I certify that all information contained in this form is accurate, and I agree to submit an amended registration in a timely manner if any of this information changes. I acknowledge that I have received a copy of the Emmanuel University policy on Service Animals and ESAs and understand that I am responsible for knowing and abiding by this Policy.

X

Owner's Signature

X

Date

This form will be sent to the Office of Residence Life and Housing for documentation purposes.

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EMOTIONAL SUPPORT ANIMAL DOCUMENTATION FOR MEDICAL PROVIDERS

The Americans with Disabilities Act gives status to Service Animals (a dog that performs a task on cue that partially mitigates an impact of the disability). It does not preclude a request for an Emotional Support Animal whose presence (passive with no specific cued behavior but verifiably reduces the impact of a disability through its relationship with the owner) as an accommodation to a standing University “no pets” policy.

Qualified clinicians would include the following: Therapist, Counselors, Psychologist, Family Practitioners, General Physicians, Psychiatrist, or other licensed Medical Healthcare Provider.

Please provide detailed information as requested below on an official letterhead with signature and licensure number.

As a clinician, you should be diligent in following your professional training, scope of practice and ethics; not to overthink the legal and policy issues. What I, and other decision makers, need is your professional judgement. Specifically, in your judgement does the individual have a disability*? Do you believe that the recommended Emotional Support Animal (ESA) serves a role in mitigating the impacts of a disability in ways that go beyond the benefits that the typical individual receives from a pet? Below is the information Emmanuel University is looking for in evaluating an individual’s request for an Emotional Support Animal as an accommodation:

- Describe your professional relationship with the individual on which you are basing the information. Is your principle clinical relationship with the individual for the condition for which the ESA is prescribed? How many sessions have you had with the client? What is the general nature of your relationship (primary care, single session to review the need for an ESA, file review from another treating professional and confirming interview; crises intervention or trauma aftermath therapy of 1-4 session), limited short term therapy, ongoing/ long term treatment...)?
- Confirm that the individual has a mental health diagnosis that you feel rises to the level of disability. Identify specifically what is the diagnosis? What daily life functions are impacted or is the student unable to perform as it relates to an educational environment (schoolwork, class attendance, social interactions, learning etc.) Please provide specifics. What is the diagnosis with DSM-5 code?
- Explain how the ESA helps alleviate the impact of the condition. What impact is the student experiencing as a result of having the ESA? How is this student’s experience different than other individuals living in a campus environment away from home, family and pets? Is it the long-term relationship that has a broad and diffuse impact that reduces the overall level of symptoms? What

are the symptoms experienced by the student and to what extent do they affect the student's ability to live in University housing? (please give examples)

- Note to Licensed Medical Healthcare Providers: ESAs are restricted to the student's primary residential living area and are not allowed on any other area of the campus including even shared living space with a roommate. As such, time with an ESA would be limited to when a student is in their own residential space.
- If approved, do the care responsibilities to the ESA in this context represent challenges that need to be considered?
- Are you aware of or have you recommended any training for the animal? If so, please describe
- If the use of an ESA is a new approach or for a fluid condition, provide a date at which the effectiveness or ongoing need should be confirmed.

*The legal definition of disability is a mental or physical condition that substantially limits a major life activity compared to most people. Substantial in this context is somewhat subjective but means a notable, significant, meaningful limit/difference to the way the individual engages in the activity, the conditions necessary for them to engage in the activity, the duration for which they can engage in the activity or the frequency which they engage in the activity. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working and the proper functioning of major bodily systems.

VETERINARIAN VERIFICATION

Please attach the Veterinarian's verification that the animal has all Veterinary-recommended vaccinations to maintain the animal's health and prevent contagious disease. Also, include a copy of Georgia's required animal license (for dogs only).