

Hocking College Emotional Support Animal Policy and Agreement

Hocking College recognizes the importance of “Service Animals” as defined by the American with Disabilities Act Amendments Act (ADAAA) and the broader category of “Emotional Support Animals” under the Fair Housing Act that provide physical and/or emotional support to individuals with disabilities. Hocking College is committed to allowing individuals with disabilities the use of a Service Animal on campus to facilitate their full-participation and equal access to the College’s programs and activities. Hocking College is also committed to allowing Emotional Support Animals necessary to provide individuals with disabilities an equal opportunity to use and enjoy College housing. This Policy explains the specific requirements applicable to an individual’s use of an Emotional Support Animal in College housing. This policy applies solely to “Emotional Support Animals” which may be necessary in College housing. It does not apply to “Service Animals” as defined by the ADAAA.

It is the policy of Hocking College that individuals are generally prohibited from having animals of any type in College housing, however, Hocking College will consider a request by an individual with a disability for reasonable accommodation from this prohibition to allow an Emotional Support Animal that is necessary because of a disability and is reasonable. However, an Emotional Support Animal may not be kept in College housing at any time prior to the individual receiving approval as a reasonable accommodation pursuant to this policy.

1) Definitions

A) Emotional Support Animal

“Emotional Support Animals” are a category of animals that may work, provide assistance, or perform physical tasks, for an individual with a disability and/or provide necessary emotional support to an individual with a mental or psychiatric disability that alleviates one or more identified symptoms of an individual’s disability, but which are not considered Service Animals under the ADAAA and Hocking College’s Service Animal Policy. Some provide the necessary support to individuals with disabilities without any formal training or certification.

The question in determining if an Emotional Support Animal will be allowed in College housing is whether or not the Emotional Support Animal is necessary because of the individual’s disability to afford the individual an equal opportunity to use and enjoy College housing and its presence in College housing is reasonable. However, even if the individual with a disability establishes necessity for an Emotional Support Animal and it is allowed in College housing, and Emotional Support Animal is not permitted in other areas of the College (e.g. dining facilities, libraries, academic buildings, athletic building and facilities,

Classrooms, labs, individual centers, etc.)

B) Owner

The “Owner” is the individual who has requested the accommodation and has received approval to bring an Emotional Support Animal into College Housing.

C) Disability Support Services Office

The Disability Support Services office collaborates with individuals, faculty, volunteers and staff to ensure that individuals with disabilities have equal access to all Hocking College programs and activities.

II. Procedures For Requesting Emotional Support Animals in College Housing.

The procedure for requesting Emotional Support Animals follows the general procedures set forth in the Reasonable Accommodation Policy for College housing and the requirements set forth below. However, to the extent the requirements and procedures in this Policy conflict with the Reasonable Accommodation Policy, this Policy shall control.

III. Criteria for Determining if Presence of the Emotional Support Animal is Reasonable.

- A) College housing is unique in several aspects including the mandatory assignment of roommates for many individuals and the mandate that individuals must share a room or suite in certain residence halls. To ensure that the presence of emotional support animals is not an undue administrative burden or fundamental alteration of College housing, Hocking College reserves the right to assign an individual with an emotional support animal to a single room without a roommate;
- B) However, for all requests for emotional support animals, Disability Support Services shall nonetheless consult with Residence Life in making a determination on a case-by-case basis of whether the presence of an emotional support animal is reasonable. A request for an emotional support animal may be denied as unreasonable if the presence of the animal: (1) imposes an undue financial and/or administrative burden; (2) fundamentally alters College housing policies; and/or (3) poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including College property; and
- C) Hocking College may consider the following factors, among others, as evidence in determining whether the presence of the animal is reasonable or in the making of housing assignments for individuals with Emotional Support Animals:
 - 1. The size of the animal is too large for available assigned housing space;
 - 2. The animal’s presence would force another individual from individual housing (e.g. serious allergies);

3. The animal's presence otherwise violates individuals' right to peace and quiet enjoyment;
4. The animal is not housebroken or is unable to live with others in a reasonable manner (maturity of the animal will be considered);
5. The animal's vaccinations are not up-to-date;
6. The animal poses or has posed in the past a direct threat to the individual or others such as aggressive behavior towards or injuring the individual or others; and
7. The animal causes or has caused excessive damage to housing beyond reasonable wear and tear.

Hocking College will not limit room assignments for individuals with Emotional Support Animals to any particular building or buildings because the individual needs an Emotional Support Animal because of disability. Hocking College will reply to a request for an Emotional Support Animal via email, phone call or verbally within ten business days.

IV. Access to College Facilities by Emotional Support Animals

A) Emotional Support Animals

An Emotional Support Animal must be contained within the privately assigned individual living accommodations (room) except to the extent the individual is taking the animal out for natural relief. When an Emotional Support Animal is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. Emotional Support Animals are not allowed in any College facilities other than the College residence hall to which the individual is assigned.

B) Dominion and Control

Notwithstanding the restrictions set forth herein, the Emotional Support Animal must be properly housed and restrained or otherwise under the dominion and control of the Owner at all times. No Owner shall permit the animal to go loose or run at large. If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from College housing.

V. Individual's Responsibilities for Emotional Support Animals

If Hocking College grants an individual's request to live with an Emotional Support Animal, the individual is solely responsible for the custody and care of the Emotional Support Animal and must meet the following requirements:

A) General Responsibilities

1. The Owner must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the individual's responsibility to know and understand these ordinances, laws, and regulations. The College has the right to require documentation of compliance

with such ordinances, laws, and/or regulations which may include a vaccination certificate. The College reserves the right to request documentation showing that the animal has been licensed;

2. The Owner is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner and, when provided, must use animal relief areas designated by Hocking College;
3. The Owner is required to ensure the animal is well cared for at all times. Any evidence of mistreatment or abuse may result in immediate removal of the Emotional Support Animal and/or discipline for the individual;
4. Hocking College will not ask for or require an individual with a disability to pay a fee or surcharge for and approved Emotional Support Animal;
5. An individual with a disability may be charged for any damage caused by his or her Emotional Support Animal beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear. The Owner's living accommodations may also be inspected for fleas, ticks or other pests if necessary as part of the College's standard or routine inspections. If fleas, ticks or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a college-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. The college shall have the right to bill the individual's account for unmet obligations under this provision;
6. The Owner must fully cooperate with College personnel with regard to meeting the terms of this Policy and developing procedures for care of the animal (e.g., cleaning the animal, feeding/watering the animal, designating an outdoor relief area, disposing of feces, etc.);
7. Emotional Support Animals may not be left overnight in College Housing to be cared for by any individual other than the Owner. If the Owner is to be absent from his/her residence hall overnight or longer, the animal must accompany the Owner. The Owner is responsible for ensuring that the Emotional Support Animal is contained, as appropriate, when the Owner is not present during the day while attending classes or other activities;
8. The Owner agrees to abide by all equally applicable residential policies that are unrelated to the individual's disability such as assuring that the animal does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside there;
9. The animal is allowed in College housing only as long as it is necessary because of the Owner's disability. The Owner must notify the Disability Support Services Office in writing if the Emotional Support Animal is not any longer needed or is not in the residence. To replace the Emotional Support Animal, the new animal must be necessary because of the Owner's disability and the Owner must follow the procedures in this Policy and the Reasonable Accommodation Policy when requesting a different animal;

10. Hocking College personnel shall ***not*** be required to provide care or food for any Emotional Support Animal including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal. The Owner will provide and emergency contact for the animal in case a removal is necessary and the owner cannot be reached; and
11. The individual must provide written consent from the Disability Support Services Office to disclose information regarding the request for and presence of the Emotional Support Animal to those individuals who may be impacted by the presence of the animal including, but not limited to, Residence Life personnel and potential and/or actual roommate(s)/neighbors(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.

VI. Removal of Emotional Support Animal

The College may require the individual to remove the animal from College housing if:

1. The animal poses a direct threat to the health and safety of others or causes substantial property damage to the property of others;
2. The animal's presence results in a fundamental alteration of a College program;
3. The Owner does not comply with the Owner's Responsibilities set forth above;
or
4. The animal or its presence creates an unmanageable disturbance or interference with the college community.

The College will base such determinations upon the consideration of the behavior of the particular animal at issue, and not on speculation or fear about the harm or damages an animal may cause. Any removal of the animal will be done in consultation with the Disability Support Services Coordinator and may be appealed to the Hocking College ADA/Section 504 Compliance Officer following the procedure set forth in the Reasonable Accommodation Policy. The Owner will be afforded all rights of due process and appeal as outlined in that process.

Should the Emotional Support Animal be removed from the premises for any reason, the Owner is expected to fulfill his/her housing obligations for the remainder of the housing contract.

VII. Non-retaliation Provision

Hocking College will not retaliate against any person because that individual has requested or received a reasonable accommodation in College housing, including the request for an Emotional Support Animal.

Acknowledgement and Release of Information Consent Form

By my signature below, I verify that I have read and understand the Emotional Support Animal Policy and Agreement and I agree to abide by the requirements applicable to Emotional Support Animals. I agree to provide the additional information required to complete my Request for a Reasonable Accommodation under the Hocking College Emotional Support Animal Policy for University Housing. I understand that if I fail to meet the requirements set forth in the Policy, Hocking College has the right to remove the Emotional Support Animal and I will be nonetheless required to fulfill my housing and all other obligations for the remainder of the housing contract.

I furthermore give permission to the Disability Support Services Office to disclose to others impacted by the presence of my Emotional Support Animal (e.g. Residence Life staff, potential and/or actual roommate(s)/neighbor(s)) that I will be living with an animal as an accommodation. I understand that this information will be shared with the intent of preparing for the presence of the Emotional Support Animal and/or resolving any potential issues associated with the presence of the Emotional Support Animal.

I further recognize that the presence of the Emotional Support Animal may be noticed by others visiting or residing in the College Housing and agree that staff may acknowledge the presence of the animal, and explain that under certain circumstances Emotional Support Animals are permitted for persons with disabilities.

Individual Signature

Date

Disability Support Services Representative

Date

Residence Life Representative

Date

