

Medaille College Policy on Accommodated Housing, Emotional Support and Assistance Animals

Medaille College ["Medaille"] has a strong commitment to providing access to students with disabilities, and understands that certain persons with documented disabilities may require disability related accommodations in order to obtain equal access to campus residential spaces. With that, the college also recognizes the importance of "Service Animals" as defined by the Americans with Disabilities Act Amendments Act [ADAAA] of 2008, as well as "Emotional Assistance Animals" as defined by the Fair Housing Amendments Act [FHAA] of 1988.

Generally, it is college policy that "due to considerations of health, safety, cleanliness, and professionalism, members of the college community (faculty, administration, staff, students, guests) are not to bring animals onto the Buffalo campus of Medaille College, its college-operated student housing or any other campuses affiliated with Medaille College, such as the Rochester campus." (*Vol.2.16.21 Campus and Community Policies*) However, to ensure access to individuals with disabilities, the College will make an exception to its general pet policy to provide a reasonable accommodation for a documented disability.

PROCEDURES FOR REQUESTING AN EMOTIONAL SUPPORT ANIMAL [ESA]

A request for an Emotional Support Animal should be submitted to Disability Services prior to housing selection. Review of completed requests for Emotional Support Animals will be conducted by an Accommodation Review Committee. It is important to note that the review may take 30 days or more; accordingly, students should submit their requests to Disability Services at least 30 days prior to the date the student would like to bring the animal to housing. Late requests will be accepted and considered, but Medaille cannot guarantee that it will be able to meet late applicants' accommodation needs, including any that develop during the semester.

Animals may not be brought into campus housing for the purpose of serving as an emotional support animal, without prior written approval of Disability Services. Handlers of unauthorized animals will be given 24 hours to remove the animal from campus. Any animals on the Medaille campus who are not currently serving as an accommodation for an individual with a disability will be subject to the general college policy on animals.

New students: The request for an emotional support animal should be made in writing utilizing the Housing Accommodation Form, and should be submitted to Disability Services upon submission of the housing application and deposit.

Current students seeking first time approval of an emotional support animal: Students should submit their request to Disability Services as soon as their need arises. Please note students cannot bring a non-service animal into campus housing without prior approval of Disability Services.

Students previously approved for an emotional support animal: Students who have been previously approved for an emotional support animal should renew their intention of utilizing the animal for the following academic year. The student should contact Disability Services by February 1st of each year so the request is prior to housing sign-up for the following term. In the

renewal process a statement from a qualified veterinarian will be required certifying that the animal has received all appropriate vaccinations, is in generally good health, and can appropriately reside in a residence life environment without detriment to its health.

ESA Requests must include:

1. The request must include a physical description of the animal, including height and weight, and confirmation that the animal is housebroken or confined such that housebreaking is not necessary (e.g., fish in a fishbowl). Also include any equipment that will be needed for the care of the animal.
2. The request must include a statement from a qualified veterinarian that the animal has received all appropriate vaccinations, is in generally good health, and can appropriately reside in a residence life environment without detriment to its health.
3. Documentation of Disability

Documentation of disability must be from a third party professional (i.e. physician, psychologist, psychiatrist, social worker) who has provided treatment to the student for the disability. **Please utilize the Housing Accommodation Form and attach any additional relevant documentation.**

The documentation should include:

- Evidence of the disability and the DSM or medical diagnosis from a licensed professional related to the use of an assistance animal
- Dates of treatment and the date at which the diagnosis was first made
- Symptoms for which treatment was needed
- Treatments other than use of an assistance animal that have been used for symptom reduction
- Date on which the use of an assistance animal was prescribed
- Evidence of the connection between the diagnosis/symptoms and the use of the assistance animal to treat or manage those symptoms
- Evidence that the student will not be able to use and enjoy the residence hall/apartments or to participate in the services or programs if the assistance animal is not allowed

Upon approval of an Emotional Support Animal, the Residence Life staff will notify the student's roommates or suitemates that the approved animal will be residing in shared assigned living space, and will solicit their acknowledgement of the approval. Any roommates or suitemates of the Handler must sign an acknowledgment that the Emotional Support Animal will be in residence with them. In the event that one or more roommates or suitemates do not approve, then, in Medaille's discretion, either the Handler and animal or the non-approving roommates or suitemates may be moved to a different location

The presence of an assistance animal cannot unduly interfere with the enjoyment of campus living facilities by roommates, suitemates and/or members of the College community. To the extent possible, the Residence Life Office will work with students in order to identify options that will allow for the presence of the assistance animal while maintaining suitable living facilities for others.

All determinations of reasonable accommodations will be made on a case by case basis by Disability Services or appropriate college designee.

RIGHTS AND RESPONSIBILITIES

The College may deny a request for an ESA if the presence of that animal would:

1. Impose an undue financial and/or administrative burden to the college;
2. Pose a direct threat to the health and safety of others;
3. Pose a fundamental alteration of the programs and services provided.

The College also has the right to consider the following factors when determining reasonableness and in making housing assignments for individuals with an ESA:

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;
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;
7. The animal causes or has caused excessive damage to housing beyond reasonable wear and tear.

The ESA must be kept within the privately assigned individual living accommodations (e.g., room, suite, or apartment) except when taking the animal out for natural relief. When an ESA is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. ESA are not allowed in any College facilities other than College residence halls (e.g. dormitories, suites, apartments, in-dorm study lounges, etc.) to which the individual is assigned.

Upon approval of an ESA request, the student (handler) acknowledges that they are the sole individual responsible for the custody and care of the ESA and will agree to meet the responsibilities outlined in the **ESA Handler Agreement**. This agreement will be reviewed with the student, and renewed each year an ESA accommodation is requested and approved.

EMOTIONAL SUPPORT ANIMAL HANDLER AGREEMENT

Individual's Responsibilities for Assistance Animal

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

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 assistance animal is only allowed in College housing and not permitted in other areas of the College (e.g. dining facilities, libraries, academic buildings, athletic building and facilities, classrooms, labs, individual centers, etc.).
3. The owner is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner.
4. 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 assistance animal and/or discipline for the individual.
5. An individual with a disability may be charged for any damage caused by his or her assistance 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 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. ESA's 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.
8. The owner is responsible for ensuring that the assistance animal is contained, as appropriate, when the owner is not present during the day while attending classes or other activities.

9. 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.
10. The animal is allowed in College housing only as long as it is necessary because of the owner's disability. The owner must notify Disability Services in writing if the assistance animal is no longer needed or is no longer in residence. To replace an assistance animal, the new animal must be necessary because of the owner's disability and the owner must follow the procedures in the **Policy on Accommodated Housing, Emotional Support and Assistance animals**.
11. Medaille personnel shall *not* be required to provide care or food for any assistance 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.
12. The individual must provide written consent for Disability Services to disclose information regarding the request for and presence of the assistance animal to those individuals who may be impacted by the presence of the animal including, but not limited to, relevant College personnel and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.

Removal of Assistance/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 or 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;
4. The animal or its presence creates an unmanageable disturbance or interference with the College community;
5. Any removal of the animal will be done in consultation with the Disability Services Office;
6. Should the assistance 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.

By my signature below, I verify that I have read, understand and will abide by the requirements outlined here and I agree to provide the additional information required to complete my request for an Emotional Support Animal under the **College's the Policy on Accommodated Housing, Emotional Support and Assistance animals**. I agree to abide by the requirements applicable to assistance animals.

I understand that if I fail to meet the requirements set forth in the Policy, Medaille has the right to remove the Emotional Support animal and I will be nonetheless required to fulfill my housing, academic, and all other obligations for the remainder of the housing contract. I furthermore give permission for Disability Services 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 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
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Disability Services Representative	Date
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Residence Life Office Representative	Date
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