Medaille Policy on Emotional Support Animals on Campus

Medaille College (“Medaille”) understands that certain persons with documented disabilities may require the companionship of an Emotional Support Animal as a reasonable accommodation. Set forth below are specific requirements and guidelines for such persons. Medaille reserves the right to amend this policy as circumstances require.

Section I. Definitions and Overview

A. Accommodation

An “accommodation” is the case by case variation or waiver of the application of a particular rule to a disabled individual in order to lessen the burden that the rule would otherwise impose on the individual.

B. Campus

“Campus” refers to Medaille’s facilities located at both 18 Agassiz Circle, Buffalo, New York 14214 and 1880 S. Winton Road, Rochester, New York 14618, and encompasses the buildings and land contained therein.

C. Emotional Support Animal

An “Emotional Support Animal” provides emotional support that alleviates one or more identified symptoms or effects of a person’s disability, or otherwise provides assistance or performs tasks for the benefit of a person with a disability.

Some, but not all, animals that assist persons with disabilities are professionally trained or trained by their handlers. Unlike a Service Animal, an Emotional Support Animal 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.

Emotional Support Animals may be considered only for access to university housing. They are not permitted in other areas on campus (e.g. libraries, academic buildings, classrooms, labs, Sullivan center, etc.).

D. Handler

A “Handler” is the person who has requested an accommodation and has received approval from Medaille to bring an Emotional Support Animal on campus.

E. Service Animal

A “Service Animal” is a dog or miniature horse that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, and pulling a wheelchair.
D.  Accessibility Services

“Accessibility Services” refers to Medaille’s Accessibility Services Office, which is located in Huber 101 and can be reached at access@medaille.edu.

F.  Accommodation Review Committee

The “Accommodation Review Committee” is a committee of Medaille officials that determines whether to approve a student’s request for an Emotional Support Animal as an accommodation.

G.  Residence Life

“Residence Life” refers to Medaille’s Residence Life Office, which can be contacted at (716) 880-2224.

Section II.  Procedures for requesting to have an Emotional Support Animal in on-campus housing as a reasonable accommodation

Emotional Support Animals may not be brought into on-campus housing without written approval of Accessibility Services.

A.  Procedures for requesting Emotional Support Animals in on-campus housing:

1.  A student requesting permission to keep an Educational Support Animal in on-campus housing must make a formal request to Accessibility Services prior to each academic year. Any approval given by Accessibility Services with respect to an Emotional Support Animal is only valid for, at most, the academic year for which the approval was given.

2.  A request for an Emotional Support Animal should be submitted to Accessibility 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 Accessibility 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.

3.  Documentation of the need for an Emotional Support Animal should be a reflection of the student’s current level of functioning and must be dated within the 12 months prior to the date of application. The documentation must include the following information from a physician, psychiatrist, social worker, or other mental health professional:

   a.  Verification of the individual’s disability;

   b.  Statement on how the animal serves as an accommodation for the verified disability; and
c. Statement on how the need for the animal relates to the ability of the resident/student to use and enjoy on-campus housing.

4. The Coordinator of Accessibility Services will review the documentation and will determine, on a case-by-case basis, and with potential collaboration with other offices via an Accommodation Review Committee on campus, whether to approve the request. If the request is approved, Accessibility Services will arrange a meeting with the student to review this policy. The approval of a request is animal-specific and is not transferrable to another animal.

5. Students whose request for an Emotional Support Animal through this process is denied may appeal the denial. Appeals shall be made to the Vice President of Academic Affairs within 10 days after the decision. The appeal must be in writing and indicate the reason(s) why the student believes the decision is inappropriate. The Vice President of Academic Affairs will review the appeal and provide a written decision, which will be considered final.

6. Upon approval of an Emotional Support Animal, residential building staff will be notified as Medaille deems appropriate.

7. 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 acknowledgment 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. If housing an Emotional Support Animal creates health concerns for a roommate or suitemate, the conflict will be handled pursuant to Section III, below.

8. Upon approval of an Emotional Support Animal, the Residence Life 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 as an accommodation to a student with a disability; there will be no disclosure of the student’s disability.

9. An animal must not be in residence prior to approval by the Accommodation Review Committee. Students and their roommates or suitemates who have an unapproved animal in their residence are subject to disciplinary action up to and including disciplinary probation and removal from the residence halls. Regular follow up visits will be made to ensure that the animal has been removed.

**Section III. Conflicting health conditions**

Medaille personnel will make a reasonable effort to notify tenants in the residence building where the approved Emotional Support Animal will be located.
Students with medical conditions that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) are asked to contact Accessibility Services if they have a health or safety concern about exposure to an Emotional Support Animal.

Accessibility Services and Residence Life staff will collaborate, as necessary, to resolve conflicts related to an Emotional Support Animal. Staff members will consider the needs and/or accommodations of all resident students involved. In the event that an agreement cannot be reached among the students, Accessibility Services and Residence Life will make a final determination, not subject to appeal.

Section IV. Handler’s responsibilities

A. Handler’s general responsibilities:

1. The Handler is responsible for assuring that the Emotional Support Animal does not unduly interfere with the routine activities of the residence or negatively impact students who reside there.

2. The Handler is financially responsible for the actions of the Emotional Support Animal. The Handler will be billed for any expenses due to bodily injury, cleaning expenses, or property damage beyond normal wear and tear.

3. The Handler must notify Accessibility Services in writing if an approved Emotional Support Animal is no longer needed as an Emotional Support Animal or is no longer housed in the residence.

4. If a Handler requires a new or additional Emotional Support Animal, the Handler must file a new formal request to Accessibility Services.

5. The Handler’s residence may be inspected by Medaille from time to time, in Medaille’s discretion, for fleas, ticks or other pests. If fleas, ticks or other pests are detected through inspection, the residence will be treated. The Handler will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls.

6. Emotional Support Animals must be contained within the privately assigned residential area (room, suite, apartment) at all times, except when transported outside the private residential area in an animal carrier or controlled by leash or harness. The documents approving use of the Emotional Support Animal shall provide in what manners the animal may be transported. When outside the residence, the Handler shall carry proof of the animal’s approval.

7. Emotional Support Animals may not be left overnight in on-campus housing when the Handler is not present. Emotional Support Animals must be taken with the Handler if he or she will be away from campus for one or more nights.

8. Medaille may, in Medaille’s discretion, relocate the Handler and Emotional Support Animal as necessary.
9. The Handler agrees to abide by all other residential policies. Reasonable accommodation which may constitute an exception to a policy that otherwise would prohibit having an animal does not constitute an exception to any other policy.

10. The Handler agrees to provide the information and signature of the individual who will be able to care for the ESA should the Handler be unable to due to an emergency situation (said individual does not need to have information regarding the Handler’s disability).

11. The Handler agrees to abide by all applicable federal, state, and local laws providing for the protection of animals, including, but not limited to, animal cruelty laws.

12. Any violation of the rules contained herein may result in immediate removal of the Emotional Support Animal from campus. In such a case, the Handler will be afforded all due process rights normally afforded through the student disciplinary process.

13. Should the Emotional Support Animal be removed from the premises for any reason, the Handler is expected to fulfill his or her housing obligations for the remainder of the Room and Board Contract.

14. The Handler must comply with animal health and well-being requirements as set forth in Section V, Item C.

Section V. Guidelines for maintaining an approved Emotional Support Animal at Medaille

A. Introduction

The following guidelines apply to all Emotional Support Animals and their Handlers, unless the nature of the documented disability of the Handler precludes adherence to these guidelines and written permission for a variance from the guidelines has been granted by Accessibility Services.

B. Care and supervision

Care and supervision of the animal are the responsibility of the Handler. The Handler is required to maintain control of the animal at all times.

The Handler is also responsible for ensuring the cleanup of the animal’s waste and, when appropriate, must toilet the animal in areas designated by Medaille. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and 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.

C. Animal health and well-being

1. Vaccination: In accordance with local ordinances and regulations the animal must be 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 are followed.

2. **Health:** Animals, other than cats and dogs, must have an annual clean bill of health from a licensed veterinarian. Documentation can be a vaccination certificate for the animal or a veterinarian’s statement regarding the animal’s health. Medaille has authority to direct that the animal receive veterinary attention. (Local licensing law is followed.)

3. **Licensing:** Medaille reserves the right to request documentation showing that the animal has been licensed in accordance with the law.

4. **Other Conditions:** Medaille may, in its discretion, place other reasonable conditions or restrictions on the animal depending on the nature and characteristics of the animal.

**D. Removal of an approved Emotional Support Animal**

Medaille may rescind its approval and remove an approved Emotional Support Animal if, in Medaille’s discretion, any of the following arise:

- The animal poses a direct threat to the health or safety of others;
- The animal’s presence results in a fundamental alteration of Medaille’s program;
- The Handler does not comply with the requirements and responsibilities imposed by this policy; or
- The animal creates an unmanageable disturbance or interference with the Medaille community.

**E. Areas off limits to Emotional Support Animals**

All areas except for private living spaces in university housing are off limits to approved Emotional Support Animals without prior authorization from Accessibility Services.

**Section VI. Requirements for faculty, staff, students, and all other members of the Medaille community**

Members of the Medaille community must not:

1. Touch or pet an Emotional Support Animal unless invited to do so by the Handler;
2. Feed an Emotional Support Animal;
3. Deliberately startle an Emotional Support Animal;
4. Separate or attempt to separate a Handler from his or her Emotional Support Animal; or
5. Inquire for details about the Handler’s disabilities, as the nature of a person’s disability is a private matter.