



Emotional Support and Service Animal Handbook

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Brescia University Emotional Support and Service Animal Handbook

This handbook details the policy and procedures for the use of emotional support and service animals by students attending Brescia University. Brescia University is committed to creating and sustaining a successful community of inclusive excellence as we prepare students to live, learn, and work among people who experience the world in fundamentally different ways. Within this framework, the University is committed to providing a supportive environment for students with disabilities as well as complying with all applicable provisions of the Americans with Disabilities Act as amended (ADAAA), Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act.

Definitions

Emotional Support Animal:

The Fair Housing Act defines an emotional support animal as any animal that provides emotional support, well-being, or companionship that alleviates or mitigates symptoms of the disability; the animal is not individually trained. Emotional support animals are not limited to dogs and can be other species of animal. Emotional support animals are not family pets and not considered as service animals.

Service Animal:

A service animal as per the ADA is defined as: “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.” Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purpose of this definition. The work or tasks performed by a service animal must be directly related to the owner’s disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Students **do not** have to seek approval or register a service animal on-campus, but Brescia University encourages students to register their service animal with the Office of Student Success. By registering the service animal with the Office of Student Success, the student allows the personnel to assist the student in navigating the campus community with a service animal.

Qualifying To Have an Emotional Support Animal

For a student to qualify to have an emotional support animal:

- The student must have a disability as defined by the ADA;
- The student must complete the proper forms with the Office of Student Success (OSS)
- The student must provide medical documentation.
 - #Medical documentation must include the following information:
 - Name of Student
 - Confirm that student does have a disability as defined by the ADA
 - Length of relationship with treating professional
 - Need for emotional support animal and how the disability is alleviated
 - Letter should include license #, NPI of the attesting treating professional
- The student must have an established relationship with the animal to be considered an emotional support animal (no less than 3 months);
- *The emotional support animal must be approved through OSS, in conjunction with other offices as needed;
- The owner must notify the OSS if the animal is no longer needed
- If the animal is replaced, the owner must submit a new request.

Other guidelines for Emotional Support Animal qualifications:

- **Species:** The University reserves the right to limit approval of a proposed ESA to an animal that does not pose health or safety concerns or would significantly disrupt the residence hall living environment for others. Generally, ESAs are domesticated animals and most frequently are dogs, cats, or rabbits. Certain unusual animals pose unavoidable safety and/or public health concerns.
- **Age:** The college residential setting is not an appropriate environment in which to raise a young animal. Typically, animals should be at least six (6) months of age, must be completely housebroken, must be spayed or neutered (if applicable), and must have received their first rabies vaccination (if applicable) before they can live in campus residential facilities.
- **Size/Weight:** The college residential setting is not an appropriate environment for certain sizable animals. For animals sixty (60) pounds or heavier will generally not be approved without additional documentation. If your requested ESA exceeds this size, the ESA approval process must include a meeting with the Office of Student Success and Office of Residence Life.
- **Number of ESAs:** Generally, the presence of only one ESA will be approved for a student in order to fulfill the intent of the FHA requirements in providing support to the student.
- **Number of ESAs in a housing unit:** In general, only one animal is approved for any given residential unit (room, suite, apartment, house). This will be determined by the Office of Residence Life.

#Note: Students are advised not to use online companies that offer to certify or register Emotional Support/Assistance Animals. There is no such designation recognized legally nor at Brescia --it is the person not the animal who must get qualified for this accommodation.

** Note: Students should not bring animals to campus before receiving official approval from the Office of Student Success. If the student brings an animal to campus before being approved, they will be subject to the rules and disciplinary action outlined in the Student Handbook.*

Responsibilities Regarding Emotional Support Animals

Owner

- Care and supervision of the animal is the sole responsibility of the owner/individual who benefits from the animal's use. The person is required to maintain control of the animal at all times. The person is also responsible for ensuring the clean-up of the animal's waste. The animal must not be left alone overnight or for extended periods of time. The animal must not be left outside unattended in student's dwelling or campus buildings.
- Animals are to be kept in appropriate enclosures with flooring and liner to prevent any damage to living quarters, and to easily allow removal of waste. Animals are to be left in enclosure when an individual is not present in the room.
- The animal is only permitted within the privately assigned room of the resident and approved outdoor areas. Animals shall not be allowed in bathrooms, laundry facilities, indoor recreational rooms, lounges, hallways, computer labs, study rooms, or other areas of the University campus. It also cannot be taken into classrooms or other buildings on campus or allowed to roam freely on campus grounds.
- The animal must be on a leash, harness, or other tether at all times when outside of the individual's privately assigned room, unless the individual is unable to use one of those because of disability. If this is the case, the animal still has to be under an alternative form of control (e.g., voice control or signals).
- The animal must be immunized against disease common to that type of animal. Dogs must have current vaccination against rabies and wear a rabies vaccination tag. Animals that can be neutered/spayed, must be.
- The animal must have regular flea treatment in order to prevent fleas, ticks, and other pests. 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 student will be billed for the expense of any pest treatment. If the problem reoccurs, the student's housing contract may be terminated.
- The animal must be in good health. Animals to be housed in Brescia University housing must have an annual clean bill of health from a licensed veterinarian and provide proof of this. Brescia University has authority to direct that the animal receives veterinary attention.
- Any suspected or observed issues related to animal abuse or neglect will be reported to the proper investigatory authorities and may subject the student to University disciplinary action as well.
- The person will provide contact information for an alternate caregiver that does not live in campus housing. This information will be used in case of an emergency, or if the person is unable or unwilling to provide adequate care for the animal. The University will assume no responsibility/liability for the care of a resident's emotional support animal. If alternate caregiver refuses to care for the animal, it will be transferred to the local animal shelter or humane society.
- Approved animals may not be left overnight in the student's residence to be cared for by another student. Animals must be taken with the student if they leave campus for a prolonged period.
- If another student, who is not the owner, is found caring for the animal, that student along with the owner will be subject to campus conduct proceedings outlined in the Student Handbook.

Campus Community:

- Must allow emotional support animals to reside with their owners in their residence hall room or suite once they are approved as a disability related accommodation.
- Contact the OSS if any questions or concerns arise relating to emotional support animals, including any additional questions regarding visitors to campus who have emotional support animals.
- Report any emotional support animals who misbehave or any owners (or other individuals) who mistreat their emotional support animals to the Office of Student Success.
- Refrain from charging a fee for the emotional support animal to reside in the residence hall. Reserve the right to assess fees for any damages incurred.
- Follow boundaries with the emotional support animal, as placed by owner.

Responsibilities Regarding Emotional Support Animals Continued

Office of Student Success

- Is responsible for developing the necessary procedures for Brescia University and facilitating the use of emotional support animals by students on campus
- Assist owners and the Brescia community when questions or concerns relating to emotional support animals on campus and seek legal advice when necessary.

Office of Residence Life

- Provide safe and adequate housing for emotional support animal and owner.
- Assist owners and the Brescia community when questions or concerns relating to emotional support animals on campus.
- Provide adjudication for housing infractions related to emotional support animals.

Important Considerations Regarding Emotional Support Animals:

An emotional support animal **can be asked to leave or not allowed participation** on campus if:

- The animal is found by Brescia University to be out of control or disruptive and the animal's owner does not take immediate and effective action to control it.
- The animal is not housebroken
- The animal is found to be neglected or mistreated and prompt corrective action is not taken.
- The animal is physically ill.
- The animal is unreasonably dirty.
- An emotional support animal attempts to enter a place on campus where the presence of an emotional support animal causes danger to the safety of the owner, animal, or other members of campus.
- An emotional support animal attempts to enter a place on campus where an emotional support animal's safety is compromised.
- The owners has received multiple adjudicated infractions relating to the emotional support animal and has failed to take effective action to address said infractions.
- Students whose animal is found to be disruptive, unkempt or endangers the safety of others will be referred to Office of Student Affairs/ Dean of Students for conduct violation.
- All animals involved in aggressive behaviors can be immediately removed from campus regardless of status. Aggressive behavior includes, but is not limited to, biting, or fighting with other animals or people. The owner must undergo the student conduct process following any incidents. The university may take steps such as reporting the animal to the local animal control office, banning the animal from campus, or requiring behavior assessments.

If an emotional support animal is removed from campus, the student must relocate it within 72 hours.

Significant allergies to animal dander and other concerns:

- Concerns of this nature will be addressed on a case-by-case basis. When the emotional support animal owner notifies roommates of the presence of the ESA, it is within the roommates right to refuse to sign emotional support animal agreement paperwork. The roommate and emotional support animal owner should contact the Office of Student Success who will work in conjunction with the Office of Residence Life to address concerns including those related to allergies or fears related to certain types of animals as early as possible. Issues or concerns that may arise during the academic year should be reported as quickly as possible to either the Office of Student Success or Office of Residence Life. The Office of Residence Life reserves the right to relocate the emotional support animal and owner or the roommate, based on housing availability. The Office of Residence Life or Office of Student Success will resolve any conflict in a timely manner, considering the conflicting needs and/or accommodation of all persons involved. In the event that an agreement cannot be reached, the offices, in conjunction, will determine a ruling to resolve the dispute. Students who wish to appeal the ruling may do so via the published grievance policies.

Special Situations or Exceptions

- Students should contact the Office of Student Success to discuss any special situations regarding emotional support animals that are not covered by this policy, as well as any exceptions to this policy that might be requested by a student. All exceptions must be approved in writing by Office of Student Success personnel.

Release of ESA existence:

- The Office of Student Success and Office of Residence Life reserve the right to notify all residence life staff (including, but not limited to residence assistants and graduate assistants), maintenance staff, housing keeping staff, and appropriate University officials of ESA existence and residence. This information is shared for the safety of the student and their emotional support animal. All aforementioned University employees are bound by confidentiality.

Responsibilities Regarding Service Animals

Owner:

- Is responsible to attend to and be in full control of the service animal at all time. A service animal shall have a harness, leash, or other tether unless a) the owner is unable to use a harness, leash or tether, or b) using a harness, leash, or tether will interfere with the animal's ability to safely and effectively perform its duties.
- Animal does NOT have to have identifiers showing that it is a service animal, however, the university would recommend identification so that the general population knows that the animal is "on duty."
- Is responsible for the costs of care necessary for a service animal's well-being. The arrangements and responsibilities with the care of a service animal is the sole responsibility of the owner at all time, including regular bathing and grooming, as needed.
- Is responsible for independently removing or arranging for the removal of the service animal's waste. Waste must be disposed in a sealed bag in a trash area outside of the residence hall.
- Is responsible for complying with local and state licensing laws for animal rights and owner responsibilities. Service animals must be current with immunizations and wear a rabies vaccination tag.
- Is responsible for paying for any damage to campus property caused by the animal
- Animals must leave campus with the student anytime the student leaves overnight and/or during University breaks.
- Brescia University may prohibit the use of service animals in certain locations due to health and safety restrictions or places where the animal might be in danger.

Campus Community:

- Must allow service animals to accompany their owners at all times and everywhere on campus where the general public or students are allowed, except for places where there is a health, environmental, or safety hazard.
- Contact the Office of Student Success if any questions or concerns arise relating to the service animal.
- Only two questions can be asked about service animals:
 - b) Is the Service Animal required because of a disability?
 - c) What work or task is the dog trained to perform?
- Do not ask questions about the disability.
- Do not pet or feed a service animal.
- Do not attempt to separate the animal from the owner.
- Do not startle or tease a service animal.
- Refrain from charging a fee for the emotional support animal to reside in the residence hall. Reserve the right to assess fees for any damages incurred.
- Report any service animals who misbehave or any owners (or other individuals) who mistreat their service animal to the Office of Student Success

Office of Student Success

- Is responsible for developing the necessary procedures for Brescia and facilitating the use of service animals by students on campus.
- Assists owners and the Brescia community when questions or concerns arise relating to service animals on campus and seeks legal advice when necessary.

Important Considerations Regarding Service Animals:

A service animal **can be asked to leave or not allowed participation** on campus if:

- The animal is found by the University to be out of control or disruptive and the animal's owner does not take immediate and effective action to control it.
- The animal is not housebroken or kept in a cage where waste can be managed effectively
- The animal is found to be neglected or mistreated and prompt corrective action is not taken.
- The animal is physically ill.
- The animal is unreasonably dirty.
- A service animal attempts to enter a place on campus where the presence of a service animal causes danger to the safety of the owner, animal, or other members of campus.
- The owners has received multiple adjudicated infractions relating to the service animal and has failed to take effective action to address said infractions.
- Students whose animal is found to be disruptive, unkempt or endangers the safety of others will be referred to Office of Student Affairs/ Dean of Students for conduct violation.
- All animals involved in aggressive behaviors can be immediately removed from campus regardless of status. Aggressive behavior includes, but is not limited to, biting, or fighting with other animals or people. The owner must undergo the student conduct process following any incidents. The university may take steps such as reporting the animal to the local animal control office, banning the animal from campus, or requiring behavior assessments.

If a service animal is removed from campus, the student must relocate it within 72 hours.

Etiquette around service animals and their owners:

- Do NOT pet, touch or otherwise distract a service animal when it is working. Doing so may interfere with its ability to perform its duties
- Do NOT feed a service animal. Their work depends on a regular and consistent feeding regiment that the owner is responsible to maintain
- Do NOT attempt to separate the owner from the service animal
- Do NOT harass or deliberately startle a service animal
- Do NOT initiate conversations about the student's disability.

Significant allergies to animal dander and other concerns:

- Concerns of this nature will be addressed on a case-by-case basis. When the emotional support animal owner notifies roommates of the presence of the ESA, it is within the roommates right to refuse to sign emotional support animal agreement paperwork. The roommate and emotional support animal owner should contact the Office of Student Success who will work in conjunction with the Office of Residence Life to address concerns including those related to allergies or fears related to certain types of animals as early as possible. Issues or concerns that may arise during the academic year should be reported as quickly as possible to either the Office of Student Success or Office of Residence Life. The Office of Residence Life reserves the right to relocate the emotional support animal and owner or the roommate, based on housing availability. The Office of Residence Life or Office of Student Success will resolve any conflict in a timely manner, considering the conflicting needs and/or accommodation of all persons involved. In the event that an agreement cannot be reached, the offices, in conjunction, will determine a ruling to resolve the dispute. Students who wish to appeal the ruling may do so via the published grievance policies.

Animal Agreement and Request Form

Requirements:

In addition to the required documentation from a licensed treating professional, the person must provide the following documentation before being considered for the accommodation of an animal.

1. Meeting with the Office of Student Success
2. Record of up-to-date Vaccinations
3. Record of current Veterinarian Clean Bill of Health (including neuter/spay information)
4. Signed Statement of Acknowledgement of the Emotional Support and Service Animal Handbook
5. Completed form of Identification and Emergency Contact/Alternate Caregiver of Animal
6. A clear photograph of the Animal
7. Completed roommate/suitemate form (see last two pages of handbook)

Removal of an Emotional Support/Comfort Animal

The owner of an emotional support animal may be asked to remove the animal from Brescia University facilities if the owner or animal fails to comply with the policies in this handbook, which is in accordance with the Student Code of Conduct. The student must provide contact information of an off-campus alternative caregiver if they are unable or unwilling to provide adequate care.

Alternate Caregiver's Information

Alternate Caregiver's Name: _____ Phone: _____

Address: _____, City/State: _____ Zip Code: _____

Animal Registration Form

Student Name: _____ Student ID: _____

Phone Number: _____ Email: _____

Campus Address: _____

Permanent Address: : _____

Animal Name: _____ Species and Breed: _____

Animal's Sex: _____ Color: _____ Age _____ Anticipated Weight: _____

Physical Description of Animal _____

By my signature below, I verify that I have read, understand, and will abide by the guidelines outlined in the handbook above. I also agree to provide additional information that may be required to complete my request to have an emotional support animal in Brescia University housing.

Student Signature: _____ Date: _____

Office of Student Success _____ Date: _____

Roommate Acknowledgement Regarding Emotional Support Animals

Name of animal owner: _____

Type of animal: _____

**This form should be returned to the Office of Student Success with the completed handbook.
Each roommate should be able to access a copy of the completed version of this form.
If a student changes roommates, this form must be updated and on file.**

Should I have any concerns regarding the behavior, location, or care of the animal, I will first discuss my concerns with the animal’s owner. If I continue to have concerns, then I will contact the Office of Student Success, Office of Residence Life, and/or Dean of Students.

By my signature below, I acknowledge that I will share my assigned Brescia University housing with a roommate/suitemate who has an approved emotional support animal and that my roommate(s) and I have discussed the questions on the Roommate Contract Regarding Emotional Support Animals.

Roommate/Suitemate’s signature Date

Roommate/Suitemate’s signature Date

Roommate/Suitemate’s signature Date

Roommate/Suitemate’s signature Date

Roommate/Suitemate’s signature Date

Roommate Contract Regarding Emotional Support Animals

This is to be used in conjunction with the Roommate Acknowledgement Regarding Emotional Support Animals when a resident requests an ESA. **This form should be returned to the Office of Student Success with the complete handbook.**

Please make this document available to all roommates/suitemates in case questions or concerns arise.

Responsibilities

- The animal is the responsibility of the student with the ESA accommodation
- Feeding/water/medicine for the ESA is done by the student with the ESA
- Walking the animal for toileting if it is needed is done by the student with the ESA
- The student with the ESA is not to be gone overnight without their ESA
- The student with the ESA will take their animal with them if they leave for college breaks
- ESAs should only be kept in the individual bedroom of the student with the ESA accommodation
- All ESA supplies and equipment (food, bowls, cages, litterbox, etc.) should only be kept in the individual bedroom of the student with the ESA accommodation

Questions

1. Are treats/human food allowed to be given by roommates?

2. How often will the litter box/cage/toileting area be cleaned by the student with the ESA?

3. Additional questions and concerns?