

Emotional Support Animal (ESA) Contractual Guidelines & Agreement



Disability Resource Center

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An Emotional Support Animal (ESA) is an Animal that assists an individual with alleviating the symptoms of a disability and provides opportunities for students to enjoy the residential life at Asbury Theological Seminary. An ESA is not a Service Animal and does not have the right of public access. Unlike a Service Animal, an ESA 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. An ESA is incorporated into a treatment process to assist in alleviating the symptoms of that individual's disability while in their residence setting. On Seminary campuses, treatment is considered to take place within the person's residence and therefore may not have access to Seminary work environment or other public access. ESA types are typically Animals commonly kept in households. Examples include but are not limited to a dog, cat, small bird, rabbit, hamster, gerbil, fish, turtle, or other small, domesticated Animal that is traditionally kept in the home. (hud.gov)

I. Approval Procedures

- A. Students must obtain approval for maintaining an ESA from the Disability Resource Center prior to bringing the Animal to campus.
- B. Request for an ESA should be made not less than thirty (30) days prior to it being brought into campus residence. The Seminary cannot assure that the request for an ESA can be met if the request is made with less than 30 days' notice. Given housing limitations, the Seminary's ability to approve a request may be significantly decreased when the request is not timely submitted (including when the need for an ESA develops after the deadline). In the event that an individual requests approval of an ESA without meeting this time frame, and one or more current roommates or suitemates are not in accordance with the situation, Residence Life staff will make every effort to resolve the situation.
- C. Approval for an ESA is not transferable to another Animal.
- D. A student who requests an ESA in Seminary housing submits the **Emotional Support Animal (ESA) Request Form** to the Disability Resource Center.
- E. The form must be submitted annually and should be submitted at least thirty (30) calendar days before the start of the academic year.
- F. The **Reasonable Accommodations in Housing Review Committee** will evaluate all of the information submitted for this request and will determine to what extent the housing accommodations request will be granted.
- G. The committee will inform the student in writing as to the final decision with rationale for the decision.
- H. A roommate or suitemate of a student with an ESA completes the **Roommate Agreement Form**. If there is a roommate conflict due to an ESA, Residence Life staff will determine alternate placement of students on a case-by-case basis.
- I. Once approved, the student submits this **Emotional Support Animal (ESA) Contractual Guidelines and Agreement**.

II. Application Guidelines

- A. A person may keep one Emotional Support Animal (ESA) in a Seminary residence hall or apartment as a reasonable accommodation if:
 1. the person has a disability;
 2. the Animal is necessary to afford the person with a disability an opportunity to fully use and enjoy a dwelling; and
 3. there is an identifiable relationship between the disability and the assistance the Animal provides.
- B. The approval of a specific Animal for the purpose of an ESA may be subject to several considerations (e.g., the age of the Animal, the space needed to house the Animal, the care and feeding requirements, the risk of infectious disease in the communal living setting, etc.). As such, the Seminary reserves the right to limit approval of proposed ESAs to Animals that do not pose health or safety concerns or significantly disrupt the residence hall living environment for others.
- C. An Emotional Support Animal (ESA) is typically a companion Animal that provides therapeutic benefit to an individual with a mental or psychiatric disability. ESA types are typically Animals commonly kept in households, as stated above. The type of Animal that will be allowed in the residence of the Seminary will be based on discretionary decisions within the approval process.
- D. The Seminary has determined that the campus residence facility, in most cases, is not an appropriate environment in which to raise a young puppy. Generally, dogs must be at least 6 months of age and have received their vaccinations before they can live in-residence in Seminary housing.

- E. An Animal must be prescribed to an individual with a disability by a mental health professional. The mental health professional must affirm that the ESA alleviates at least one of the identified symptoms or effects of the existing disability. Generally, such documentation will come from a treating mental health professional.
- F. Generally, only one ESA is approved for those residing in campus housing.
- G. ESAs are not generally allowed to accompany students into academic buildings or other non-residential facilities.
- H. ESAs may not be allowed when the Animal poses a direct threat to the health or safety of others, if the Animal causes substantial property damage or poses an undue financial burden on the Seminary, if the owner cannot effectively control the Animal, if the Animal is not housebroken, or if the presence of the Animal fundamentally alters the nature of the Seminary's housing operations. Such determinations are made on a case-by-case basis by the Director of Student Services.
- I. Permission for an ESA in campus residence is granted for an approved Animal provided that its behavior, noise, odor, and waste do not exceed reasonable standards for a well-behaved Animal and that these factors do not create unreasonable disruptions for other residents. If the noise (crying, barking or meowing especially when student is not around) is excessive as judged by Residence Life staff, it may be grounds for the student to have the permission for keeping the Animal on campus revoked.
- J. The owner is responsible for ensuring that all veterinarian-recommended vaccinations are completed and documented. Proof of rabies vaccination must be provided to Residence Life, as appropriate to the species of an animal, before moving the ESA into the residence.
- K. The ESA must be contained within the student's room at all times, except for elimination needs or when being transported outside the private residential area. When the Animal is transported outside of the residential area it must be leashed or in a transport carrier. It may not be taken into hallways, lounges, bathrooms, laundry facilities, or other areas of the residence hall or apartment. It also cannot be taken into classrooms or other buildings on campus unless permission is granted.
- L. All animals except Service Animals and Emotional Support Animals that are brought to campus must be leashed and are restricted to outdoor public areas. Pets are allowed in selected, approved student housing locations. This policy applies to all students and employees, and all campus visitors.

III. Issues Related to ESAs

- A. Students with medical condition(s) that are affected by Animals (e.g., respiratory diseases, asthma, severe allergies) should contact the Student Services staff if they have a health or safety-related concern about exposure to an ESA. Such students will be asked to provide medical documentation that confirms there is a condition(s) and identifies recommended accommodations. The Residence Life staff will resolve any conflict in a timely manner, considering the conflicting needs and/or accommodations of all persons involved.
- B. The Seminary may notify other students about an ESA's presence in their room, hall, and/or apartment without disclosure of the owner's disability, and/or may require the owner to use signage notifying others of the Animal's presence in the room.
- C. Failure to comply with the Animal policies and/or related requests of the Student Services staff may result in a fine, disciplinary action, or additional action deemed necessary by Asbury Theological Seminary.

IV. Contractual Guidelines and Agreement for Maintaining an Emotional Support Animal (ESA)

Once a student has been determined to qualify to maintain an ESA in the Residence of Asbury Theological Seminary by Disability Resource Center, the following additional requirements must be met.

- A. The student must sign the **Emotional Support Animal (ESA) Contractual Guidelines and Agreement** which provides the boundaries and obligations of students who are approved for an ESA.
- B. An ESA is permitted in campus housing in accordance with Housing and Residence Life policies and is not allowed in any other part of the campus, unless there is permission.
- C. The student who owns an ESA on campus must provide the following care for the Animal:
 - Maintain all required veterinary recommended vaccinations and licenses and maintain documentation of these vaccinations and licenses. Proof of rabies vaccination must be provided, as appropriate to the species, to Residence Life before moving the Animal into the residence.
 - Adhere to all state, local and municipal statutes, codes and guidelines regarding Animal care, vaccination, licensure, leash control, cleanup rules, and Animal health. Any Animal found on campus not in compliance may be subject to removal or impounding by police. Owners and/or handlers may be subject to disciplinary action.
 - Ensure the Animal is well cared for at all times, including responsibility for proper feeding, grooming, veterinary care, treating for fleas and ticks, and cleaning up the Animal's waste. All Animals must be housebroken.
 - Properly contain all Animal feces by placing the waste in a disposable/plastic bag and disposing it in an appropriate outdoor waste receptacle.
 - Litter boxes should be placed on mats in well ventilated areas, so that feces and urine are not tracked onto carpeted surfaces.

- Refrain from bathing the Service Animal in Seminary bathrooms or kitchens.
 - Assume all responsibility for Animal actions regardless of circumstances.
 - Ensure the Animal is crated, caged, or stationed when left unattended in a residence room, hall, and/or apartment.
 - Ensure the Animal is removed from the residence, and not left unattended over any breaks.
 - Ensure the Animal wears a vet issued rabies tag where applicable.
 - Provide contact information for surrogate care of an Animal with an individual who does not reside on the Seminary property in the event the owner has a medical emergency, or other type of emergency, and is unable to attend to the Animal.
 - Inhibit all aggressive behavior towards humans or other Animals, as determined by the Residence Life staff on a case-by-case basis. Uncontrolled aggression will require removal of the Animal by the owner.
 - Ensure the Animal does not cause undue disruption to Asbury Theological Seminary operations. Undue disruption may include, but is not limited to, excessive noise, physical harm to humans or other Animals, and destruction of property. The Student Services staff reserves the right to deem any other act an undue disruption.
- D. The Physical Plant staff will not enter a room to make repairs or spray for bugs if an Animal is inside. Animal owners should call the Physical Plant at Ext. 2298 to arrange for any maintenance service.
- E. The student's residence may be inspected for fleas, ticks or other pests as needed. Residence Life staff 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 Seminary-approved pest control service. Students will be billed for the expense of any pest treatment. If the problem reoccurs, the student may lose their accommodation to keep their Animal on campus.
- F. The student is financially responsible for the actions of the Animal and for all claims involving bodily injury or property damage. This includes, but is not limited to any replacement of furniture, carpet, window or wall covering as well as cleaning costs considered above the normal cleaning provided for rooms.
- G. If the owner has exhibited negligence or mistreatment of an Animal, the owner may be subject to disciplinary action, including the removal of the Animal from campus buildings and residence.
- H. Residence Life has the authority to relocate a student and the ESA as necessary per current contractual agreements.
- I. The Seminary reserves the right to request an updated verification at any time during the ESA's residency.
- J. All ESAs must reside with the person they are registered to.
- K. The owner must notify Residence Life and the Disability Resource Center in writing if the Animal is no longer needed as ESA, or if the Animal is no longer in residence. To replace one Animal with a different Animal, the student must file a new request.
- L. The owner agrees to continue to abide by all other residential policies.
- M. Seminary personnel shall not be responsible for removing the Animal during emergency evacuation for events such as fire alarms. 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.
- N. Any negligence or mistreatment by an owner of an Animal will not be tolerated. The owner may be subject to disciplinary action, including the removal of the Animal from campus.
- O. If the Animal must be removed from the premises for any reason, the student is expected to fulfill her/his housing obligations for the remainder of the housing contract.
- P. In the event that a request to remove the Animal is made, the request must be fulfilled within 7 calendar days. If the Animal is not removed within 7 calendar days of the request, the Seminary will take the Animal to an appropriate Animal shelter.
- Q. Residence Life has the authority to relocate a student and the Animal as necessary per current contractual agreements.
- R. Any Animal found on campus not in compliance may be subject to removal or impounding by police. Owners and/or handlers may be subject to disciplinary action.
- S. Failure to comply with these policies and/or related requests of the Student Services Staff may result in a fine, disciplinary action, immediate removal of the Animal from campus buildings, or additional action deemed necessary by Asbury Theological Seminary. If this occurs, the student may appeal the decision by following the Resolution of Grievance process.

The above student has provided documentation that supports a request for an Emotional Support Animal and has approval for maintaining an ESA in Seminary housing.

DIRECTOR OF DISABILITY SERVICES (NAME PRINTED)

DIRECTOR OF DISABILITY SERVICES (SIGNATURE)

DATE

DIRECTOR OF HOUSING (NAME PRINTED)

DIRECTOR OF HOUSING (SIGNATURE)

DATE

By my signature below, I verify that I have read, and agree to abide by, all the guidelines outlined above.

STUDENT NAME (PRINTED)

STUDENT ID#

STUDENT SIGNATURE

DATE

STREET ADDRESS

CITY

STATE

ZIP CODE

PHONE

EMAIL

ANIMAL BEING REQUESTED

BREED

NAME OF ANIMAL

COLOR OF ANIMAL

Please submit vet records showing rabies vaccinations, as appropriate to species, with paperwork and a photo of the animal.

In the event of a medical emergency, and the owner is unable to attend to the ESA, the following nonresidential individual will take responsibility of the ESA:

SURROGATE NAME

DATE

STREET ADDRESS

CITY

STATE

ZIP CODE

PHONE

EMAIL