

## **Policy on Emotional Support Animals in University Housing**

The University of San Diego is committed to providing reasonable accommodations to individuals with disabilities. While pets are not permitted in University housing, the University complies with applicable laws that require the consideration of Emotional Support Animals in the residential setting as a reasonable accommodation for individuals with disabilities. This policy governs the presence of Emotional Support Animals in University housing.

### **Definitions**

**Emotional Support Animal.** An Emotional Support Animal (ESA) is an animal that provides emotional support that alleviates one or more identified symptoms or effects of a person's existing disability and/or that works, provides assistance, or performs tasks for the benefit of a person with a disability. Unlike a Service Animal, an ESA does not necessarily need to be trained, and is not limited to any specific type of animal. An ESA is not a pet or a Service Animal.

**Owner.** The Owner is the resident student or resident employee who has an approved ESA in University housing under this policy.

**Pet.** A pet is an animal kept for ordinary use and companionship. A pet is not considered an ESA or a Service Animal.

**Service Animal.** A Service Animal is a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. With the exception of miniature horses in certain circumstances, other animals do not qualify as Service Animals. An ESA is not a Service Animal. For information about Service Animals, please contact either the Disability and Learning Difference Resource Center (for students) or Human Resources (for employees).

### **Application and Approval Process**

A student seeking to keep an ESA in University housing must make a formal request through the Disability and Learning Difference Resource Center (DLDRC). An employee seeking to keep an ESA in University housing must make a formal request through the Department of Human Resources. The request should be made at least 60 days before the start of the semester or academic year for which the presence of an ESA is requested.

The individual requesting to keep an ESA in University housing must submit documentation from a treating physician, psychiatrist, psychologist, or other licensed mental health professional that supports the need for the ESA. The documentation

must be current, presented on professional letterhead, and signed by the licensed provider. The documentation must indicate whether the person making the request has a disability and describe how an ESA will provide support that alleviates one or more identified symptoms or effects of the requesting person's disability. There must be an identifiable and clearly established relationship between the individual's disability and the support the ESA provides. The documentation must specifically prescribe an ESA and note the type of animal that is recommended.

In addition, before a specific ESA is approved, the Owner must submit documentation from a licensed veterinarian that the ESA is in good health and that its required immunizations are up-to-date. As part of the approval process, the individual requesting the ESA may be required to meet with University housing representatives, the DLDR, and/or Human Resources.

The Office of Residential Life will provide written notification of the approval of an ESA request. Any approval is animal-specific. If an individual intends to replace an approved ESA with a new animal, a new request must be made.

ESAs may not be brought into University housing before receiving written approval from the Office of Residential Life.

Upon the Office of Residential Life's approval of an ESA, individuals who may be impacted by the presence of the animal will be notified as necessary, including for example University personnel and potential or current roommates or neighbors.

### **Owner Responsibilities**

The Owner of an approved ESA is responsible for the following:

- The Owner must abide by all applicable laws and regulations pertaining to the licensing, vaccination, health, treatment, and other requirements for animals. The University has the right to require documentation of compliance with these requirements. The University's standard is based on the healthcare requirements published by the [Morena Pet Hospital](#) and those recommended by the [San Diego Humane Society](#).
- The Owner must be in full control of the ESA at all times. The ESA must remain in the Owner's residence hall room at all times, except when transported outside the room in an animal carrier or controlled by a leash or harness. An approved ESA is not permitted in University facilities other than the individual's assigned University housing. The Owner is responsible for ensuring that the ESA is contained, as appropriate, when the Owner is not present during the day while attending classes or other activities.

- The Owner must remove and properly dispose of the ESA's waste (e.g. urine, excrement, fur, cage shavings, etc.) which must be placed in a sturdy plastic bag before disposal, and must be disposed in an outside trash receptacle. An approved ESA must be clean and well groomed, and the Owner is responsible for taking measures for flea, tick, or other infestations and odor control.
- The Owner is solely responsible for the care and supervision of the ESA. If it is suspected that an ESA is being neglected, mistreated, or has been abandoned, the University may contact the County of San Diego Department of Animal Services and arrange for removal of the ESA.
- The Owner is responsible for ensuring that the ESA does not unduly interfere with the routine activities of the residence area. ESAs are not permitted to display behaviors or create noises that are considered disruptive or aggressive to others (e.g. excessive barking, growling, biting, hissing, or scratching), unless that behavior is part of the needed disability service to the Owner.
- The Owner is responsible for ensuring that the ESA is completely house-trained. Dogs must be trained to relieve themselves outside. Training pads are not permitted.
- The Owner is financially responsible for the ESA, including for any bodily injury or property damage caused by the ESA. The Owner's financial responsibility may include, e.g., replacement of furniture, carpet, room furnishings, and costs of damage to other University property beyond reasonable wear and tear.
- The Owner must notify the Office of Residential Life in writing if the approved ESA is no longer needed or is no longer in residence.
- An ESA may not be left overnight in University housing without the Owner being present. If the Owner is to be absent from University housing overnight or longer, the ESA must accompany the Owner or the Owner must make alternative arrangements for the ESA to be cared for by an off-campus provider. When the residence halls are closed for breaks, the Owner must make proper arrangements for the removal and care of the ESA.
- The Owner must provide contact information for an alternative caregiver/emergency contact who will take responsibility for the ESA and remove it from campus should the Owner be unable to care for it (e.g. due to hospitalization or accident). The caregiver/emergency contact must reside off campus and must be available to remove the ESA in a timely manner appropriate for the animal species and needed (generally within 6 hours for dogs and no more than 12 hours for other animals). The name and contact information for

the alternative caregiver/emergency contact must be confirmed and/or updated each semester.

- In the event of an emergency and the Owner and caregiver/emergency contact cannot supervise the animal, the Owner agrees to all the relevant fees for boarding at the [Morena Pet Hospital](#). The relevant fees include all the requirements and needs expected at the time of admission by the [Morena Pet Hospital](#). The costs will be affixed to the Owner's Student Account.
- The Owner must continue to abide by all other applicable residential policies.

### **Removal of ESAs**

The University may take appropriate measures, up to and including revocation of approval of a specific ESA and/or removal of an ESA, if:

- The Owner violates this policy and, where cure is possible, fails to cure the situation after being notified of the violation;
- The University determines that the ESA presents a direct threat to the health, safety, or property of the Owner or others;
- The University determines that the ESA results in a fundamental alteration of the University's programs or activities; or
- The ESA is no longer needed to assist with a disability.

### **Appeals**

If approval for an ESA is denied or revoked by the Office for Residential Life, the individual submitting the request or Owner may appeal the decision in writing to the Assistant Vice President/Dean of Students whose decision on the appeal is final.

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