

Policy Number	608.004
Policy Title	EMOTIONAL SUPPORT ANIMALS IN UNIVERSITY HOUSING
Responsible Officers	Academic Success Center director
Responsible Offices	Academic Success Center
Summary	Emotional support animals (ESAs) may reside with the individual on campus if the animal is necessary for the individual to have the full benefit, enjoyment, and use of the residential facility.
Definitions	<ul style="list-style-type: none"> Emotional Support Animal (ESA): ESAs are those animals that provide emotional support that alleviates one or more identified symptoms or effects of an individual's disability. Approved ESA: Approved ESAs are animals that have approval to live within the owner's privately assigned individual living accommodations (e.g., room, apartment). Owner: The owner is the resident individual who has an approved ESA in university housing under this policy. University Housing: Any housing facility owned or operated by the university, whether leased or owned. Disability: The ADA (Americans with Disabilities Act) defines a person with a disability as a person who has a physical or mental impairment that substantially limits one or more major life activities. This includes people who have a record of such an impairment, even if they do not currently have a disability. It also includes individuals who do not have a disability but are regarded as having a disability. (Source: https://adata.org/faq/what-definition-disability-under-ada).
Approving Body	Academic Council, Administrative Council
Approval Date	08.04.2016 608.000 – Aca C & Admin C by E-vote (02.23.2018) 608.001 – Aca C (08.10.2018); Admin C (08.17.2018) 608.002 – Aca C (05.21.2021); Admin C (05.28.2021) 608.003 – Aca C (06.12.2023); Admin C (05.31.2023) 608.004 – Aca C (11.08.2024); Admin C (11.06.2024)
Last Revision	02.08.2018; 05.08.2018; 08.2018 ; 05.2021 ; 05.2023; 10.2024
Re-evaluation Date	October 2024
Departmental Impact	Residence Life, Security, Physical Plant, Pine View Apartments, Student Life

Failure to follow the following policy may result in disciplinary action, including termination of employment.

Policy Statement

“No animals, with the exception of approved service animals, are allowed on campus or in campus buildings at any time” (CIU 2023-24 Student Handbook).

Exceptions:

- Service Animals
- Turtles (Residence Hall rooms)
- Fish (Pine View Apartments, Hatten Road, Chalet, and Residence Hall rooms)
- Approved Emotional Support Animals (all university housing)

Rationale

CIU recognizes the importance of Emotional Support Animals (ESAs) to certain individuals with disabilities. Individuals with disabilities may apply to have an approved ESA in residence with them if the animal is necessary for the individual to have

the full benefit, enjoyment, and use of the residential facility. The ESA will be permitted to live only in an individual's personal residence provided the owner complies with university's policies regarding such animals. ESAs are not permitted in any other campus buildings/facilities.

The university has a separate policy regarding the presence of service animals on campus since ESAs are not service animals.

According to recent court cases, a university residence hall is considered a student's residence, and issues pertaining to ESAs for individuals with disabilities are governed by FHA (Fair Housing Act) rules.

Relevant cases and other documents:

- University of Nebraska at Kearney (UNK) (<http://www.justice.gov/opa/file/767276/download>, September 2015)
- Kent State University (<http://www.justice.gov/opa/file/809811/download>, January 2016)
- U.S. Department of Housing and Urban Development FHEO Notice (issued January 28, 2020) <https://www.hud.gov/sites/dfiles/PA/documents/HUDAsstAnimalNC1-28-2020.pdf>

Policy Procedures

Section I. Approved ESA Application and Approval Process

Residents requesting permission to keep an approved ESA in university housing will need to complete these steps:

- A. Given the necessary coordination and preparation to ensure the proper accommodation is in place, the approved ESA request is due by:
 1. May 1 for Fall semester
 2. October 1 for Spring semester
 3. February 1 for Summer term
- B. Requests will be made in writing to:
 1. Residence Hall students will send written notification to Residence Life of the need for an ESA after acceptance and submission of room deposit.
 2. Other university housing residents will send written notification to Pine View (PV) management of the need for an ESA.
- C. Necessary documentation:
 1. Students will contact the Academic Success Center (ASC) (academicsuccess@ciu.edu) to discuss the necessary documentation and review the policy.
 2. Other residents will contact PV management to discuss the necessary documentation and review the policy.
- D. There must be an identifiable and clearly established relationship between the individual's disability and the assistance provided by this animal. Documentation of the need for an approved ESA should generally include the following information (dated within the last 12 months):
 1. Verification of the individual's psychological disability from a psychiatrist, psychologist, or licensed professional counselor who is the person's primary treatment provider for this disability. Dated documentation on letterhead will include:
 - A clear diagnostic statement from a professional who is qualified to diagnose such a disability along with the DSM Code
 - The date of the diagnosis along with condition severity
 - An indication of how the professional arrived at the diagnosis (clinical interview, medical history, continuous performance assessment, psychological assessment, behavior rating scales, etc.)
 - Support for the diagnosis and how it meets the definition of a disability under the ADA and/or Section 504 of the Rehabilitation Act
 - A description of how this impairment substantially limits one or more major life activities in general and also in an academic setting
 - Relevant information relating to the impact of medication and/or treatment on the student's ability to participate in all aspects of the university environment (classroom, housing, dining, etc.). If specific

accommodations are being requested, ASC may request that the treating provider specifically indicate that those accommodations, if approved, would not be counter to the treatment plan. An annual update will likely be requested

- Professional opinion that an ESA is necessary to help alleviate symptoms associated with the condition
- Statement on how the need for this particular ESA relates to the ability of the individual to have the full benefit, enjoyment, and use of the residential facility
- Any additional rationale or statement required by CIU to understand the basis for the professional opinion

Note: Documentation provided by a Ph.D. or M.D. is preferred.

If the Verification Form is returned without sufficient information for the ASC to determine whether this accommodation is necessary, the ASC will inform the individual in writing of the verification's insufficiency and may request additional documentation, including speaking directly with the individual supplying the third-party verification.

2. Review of documentation:

- Students: the ASC will review the documentation and consult with the ASC Resource Team* to consider the request.
- Other residents: the PV management will review the documentation and consult with the ASC Resource Team to consider the request.

**The ASC Resource Team consists of three CIU employees who are qualified to provide expert advice about specific disabilities and appropriate accommodations. Members are selected for their expertise and their identities are kept confidential.*

3. If approved:

- Students: the ASC will notify the student, Residence Life, Security, and Physical Plant.
- Other residents: PV management will notify the individual, Security, and Physical Plant.

E. If a request for an ESA is denied, and the owner wishes to appeal the decision:

1. Students may follow the CIU appeals process (see Student Handbook).
2. Other residents may appeal to CFO (Chief Financial Officer).

Section II: Community Living

Upon approval of an ESA, Residence Life or PV management will notify the resident's roommates, hall mates, and/or suite mates (as appropriate) that an ESA will be residing in shared assigned living spaces.

- A. If there are individuals with accommodations for allergies or other disabilities that may be affected by the presence of an animal, either the ESA and its owner or the other parties, as determined by Residence Life or PV management, may be moved to a different location.
- B. CIU will attempt to resolve any conflict in a timely manner. Conflicting needs and/or accommodations of all persons involved will be considered on a case-by-case basis.

Section III. Owner's Responsibilities for Approved ESAs in University Housing

- A. The owner is responsible for assuring that the approved ESA does not unduly interfere with or disrupt the routine activities of the housing area or cause difficulties for individuals who reside there.
- B. The owner is financially responsible for the actions of the approved ESA including bodily injury or property damage. The owner's responsibility covers but is not limited to replacement of furniture, carpet, window, wall covering, and the like. The owner is expected to cover these costs at the time of repair and/or at the time of move-out.
- C. The owner is responsible for any expenses incurred for cleaning beyond a standard cleaning or for repairs to CIU premises that are assessed after the owner and/or the approved ESA vacate the residence. Residence Life or PV management will inspect the student's room before the ESA moves in to determine the state of the room in case of damage caused by the animal. CIU shall have the right to bill the owner for unmet obligations.
- D. The owner must notify both the ASC and Residence Life or PV management in writing if the approved ESA is no longer needed or is no longer in residence. An ESA may not be replaced without approval.

- E. The owner's residence may be inspected for pests as needed. Residence Life or PV management will schedule the inspection. If pests are detected, the residence will be treated using approved methods by a CIU-approved pest control service. The owner will be billed for the expense of any pest treatment beyond standard pest management in university housing.
- F. Approved ESAs must remain in the owner's room at all times (except to toilet the animal, **see IV.A. below**). The ESA may not be in the hallway or in another student's room.
- G. Approved ESAs may not be left overnight in university housing to be cared for by any individual other than the owner. If the owner is to be absent overnight or longer, the animal must accompany the owner. The owner is responsible for ensuring that the approved ESA is contained in the individual's privately assigned residential area when the owner is not present during the day.
- H. The owner agrees to continue to abide by all other residential policies. Reasonable accommodation that may constitute an exception to a policy that otherwise would prohibit having an animal does not constitute an exception to any other policy.
- I. Should the approved ESA be removed from the premises for any reason, owners are expected to fulfill their housing obligations.
- J. The owner is responsible to comply with animal health and well-being requirements described in this policy.

Section IV. Guidelines for Maintaining Approved ESAs at CIU

The following guidelines apply to all approved ESAs and their owners unless the nature of the documented disability of the owner precludes adherence to these guidelines and permission for a variance from the guidelines has been granted.

A. Care and Supervision

Care and supervision of the animal are the responsibility of the individual who benefits from the approved ESA's use. The person is required to maintain control of the animal at all times. The approved ESA must be housebroken and the owner is responsible for ensuring the cleanup of the animal's waste and, when appropriate, must toilet the animal in the area designated by CIU consistent with the reasonable capacity of the owner. Outdoor animal waste must be immediately retrieved by the owner, placed in a plastic bag, and securely tied before disposal in outside trash containers. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and securely tied before disposal in outside trash containers. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces.

B. Animal Health and Well-being

The owner must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals.

1. Health: The ESA must be maintained in good health and hold all appropriate licenses and health certifications.
2. Verification: CIU may request updated verification of the approved ESA's health and licensing at any time during the ESA's residency.
3. Control: The owner must be in full control of the approved ESA at all times. The approved ESA must remain in the owner's residence at all times and be on a leash, harness, or other tether, or in an appropriate container when being transported to and from the residence.
4. Other conditions: The ASC, Residence Life, or PV management may place other reasonable conditions or restrictions on an animal depending on the nature and characteristics of the animal.

C. Damage

Owners of approved ESAs are solely responsible for any damage to persons or CIU property caused by their animals.

D. Emergency contact

Owners must provide emergency contact information. This person may not be a resident in CIU-owned housing and must be able to pick up the ESA immediately in case of an emergency involving the ESA's owner or mandatory removal of the animal.

E. Cages

When the owner is unable to be present in the room with the ESA (class, employment, etc.), the ESA must be secured in an appropriate crate or cage.

F. Removal of Approved ESA

CIU may exclude an approved ESA when (1) the animal poses a direct threat to the health or safety of others; (2) the animal's presence results in a fundamental alteration of CIU's programs or operations; (3) the owner does not comply with owner's responsibilities; or (4) the animal or its presence imposes an undue burden on CIU.

G. Violations

Violations of these or any other CIU housing or campus rules will be reviewed by the Residence Life director or PV management. Consequences will be assigned depending on the frequency of the offense and/or the severity of damage to person or property.

If the violation is not resolved, ESA owners may be referred to Student Life and/or PV management for possible discipline.

Consequences for violations may include (but are not limited to):

1. Fines:

1st offense: minor infraction - \$150.

2nd offense: minor infraction (same or different) - \$500.

3rd offense: minor infraction (same or different) - ESA must be removed by owner or emergency contact within six (6) hours maximum.

2. Immediate expulsion of ESA:

Due to severe threat to person or property, ESA must be removed by owner or emergency contact within six (6) hours maximum.

If owner or emergency contact does not remove ESA within the designated time frame, Campus Security will be contacted for action and ESA may be removed by them or Humane Society.

If ESA is present in living space prior to approval, the ESA owner will incur a \$100 fine per day. The ESA will not be allowed into University housing until the fines are paid in full.

****This policy is currently in effect and may be amended or updated at the university's discretion and with appropriate approvals by the Administrative and Academic Councils. The most current version of the policy will apply, and all ESA owners will be notified of any changes or updates as they occur. It is the responsibility of ESA owners to remain informed of the latest policy provisions.****

