



Emotional Support Animal Policy & Agreement

Emotional Support Animal

Roanoke College recognizes the importance of “Service Animals” as defined by the Americans with Disabilities Act Amendments Act (ADAAA), and of Emotional Support Animals (ESAs), supported by the Fair Housing Act. Roanoke College is committed to allowing ESAs necessary to provide individuals with disabilities an equal opportunity to use and enjoy College housing. This Policy explains the specific requirements applicable to an individual’s use of an ESA in College housing. Roanoke College reserves the right to amend this Policy as circumstances require. This Policy applies solely to ESAs that may be necessary in College housing. It does not apply to “service animals” as defined by the Americans with Disabilities Act Amendments Act (ADAAA), and whose presence on campus is explained in the Roanoke College Service Animal Policy and Guidelines.

Although individuals are generally prohibited from having animals of any type in College housing, Roanoke College will consider a request by an individual with a disability for reasonable accommodation from this prohibition to allow an ESA that is reasonable and necessary because of a disability. However, no ESA may be kept in College housing at any time prior to the individual receiving approval as a reasonable accommodation pursuant to this Policy.

Definition: Emotional Support Animal (ESA)

An Emotional Support Animal (ESA) is generally defined as an animal that provides therapeutic support to improve a person’s physical, social, emotional, and/or cognitive functioning. Unlike service animals that are trained to perform specific tasks that are important to the independence or safety of their disabled handler, ESAs are generally not trained to perform disability-specific tasks. Their therapeutic support is a function of their presence and interaction with the person with a disability. ESAs are not pets, but they typically are animals commonly kept in households as pets. An ESA may be a dog (most common), cat, small bird, rabbit, hamster, gerbil, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure. Exceptions to these guidelines regarding animals serving as ESAs will be considered on a case-by-case basis. Under guidelines from HUD, reptiles (other than turtles), barnyard animals, monkeys, and other non-domesticated animals are not considered common household animals.

Due to an individual’s disability, an ESA may be necessary for a student to enjoy the full benefit of the College housing program. However, even if the individual with a disability establishes necessity for an ESA and it is allowed in College housing, an ESA is not permitted in other areas of the College (e.g. dining facilities, libraries, academic buildings, athletic buildings and facilities, classrooms, labs, individual centers, etc.).

Procedures for Requesting an Emotional Support Animal (ESA)

Each academic year, the student must complete the following steps to request an ESA accommodation. The accommodation for an ESA is granted for one academic year and must be renewed each year by repeating the request process. If the ESA is granted in the spring, the student must repeat the request process for the following fall.

The College will engage in the “interactive process” to determine whether a student’s request for an ESA can be granted.

- 1. Request for ESA Accommodation Form:**

Students requesting an ESA in the College setting, must contact Accessible Education Services (aes@roanoke.edu) to receive Request for Emotional Support Animal Forms.

DEADLINES

- March 15th for Fall housing accommodation requests for returning students
- April 15th for Summer housing accommodation requests
- June 15th for Fall housing accommodation requests for new students
- November 15th for Spring housing accommodation requests

If the request is made after the established deadline, Roanoke College cannot guarantee that it will be able to meet the individual’s accommodation needs.

- 2. ESA Medical Documentation Form:**

In order for a student to be considered for an ESA, sufficient documentation must be provided by the student’s treating health care provider, to demonstrate:

- The existence of a disability that substantially limits one or more major life activities for the student making the ESA request; and
- That the requested animal is specifically prescribed as part of treatment for the student to have equal opportunity to use and enjoy College housing

- 3. Rules and Responsibilities Agreement Form:**

This form must be reviewed by a staff member and the student. The student must sign the form prior to the ESA being admitted to campus.

- 4. ESA Health Documentation:**

Students requesting an ESA in campus housing must provide documentation from a licensed veterinarian that the ESA is current on all applicable vaccines, and is in good health. All ESAs must have an annual wellness visit with a licensed veterinarian.

Criteria for Determining if the Presence of the Emotional Support Animal is Reasonable

Roanoke College may consider the following factors, among others, in determining whether the presence of the animal is reasonable or in the making of housing assignments for individuals who request an ESA:

1. The space needed for the cage/crate in which the animal will be housed is too large for available assigned housing space.
2. The animal's presence would force another individual from individual housing (e.g. serious allergies);
3. The animal's presence otherwise violates individuals' right to peace and quiet enjoyment;
4. The animal is not housebroken or is unable to live with others in a reasonable manner;
5. The animal's vaccinations are not up-to-date;
6. The animal poses health risks from zoonotic diseases or safety concerns regarding containment that cannot be sufficiently mitigated for inclusion in the communal living setting.
7. The animal poses or has posed in the past a direct threat to the individual or others such as aggressive behavior towards or injuring the individual or others; or
8. The animal causes or has caused excessive damage to housing beyond reasonable wear and tear.
9. The age of the animal. Generally, dogs should not be in residence until they are at least 10 months old in order to ensure that they have had all appropriate vaccinations, are fully housebroken, and can live in a communal setting, including being caged/crated for several hours at a time, without being disruptive.

Roanoke College will not limit room assignments for individuals with ESAs to any particular building(s).

Competing Disabilities Between Students

There may be instances where there are conflicting disabilities between students. The College will try to accommodate both students, if possible. The College will address competing disabilities fairly.

Access to Roanoke College Facilities by the Emotional Support Animal

An ESA must be contained within the privately assigned individual living accommodations (e.g., room, suite, apartment) except to the extent the individual is taking the animal out for natural relief. When an ESA is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. ESAs are not allowed in any College facilities other than College residence halls (e.g. dormitories, suites, apartments, etc.) to which the individual is assigned.

The ESA must be properly housed and restrained or otherwise under the control of the Owner at all times. No Owner shall permit the animal to go loose or run at large. If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from College housing.

Individual's Responsibilities for an Emotional Support Animal

1. Local licensing requirements must be followed:
 - All animals moving into Salem, VA must be licensed within thirty days.
<https://www.salemva.gov/Departments/Treasurers-Office/Dog-Cat-Licenses>
 - Applicable regulations regarding animals may be found here:
<https://salemva.gov/Departments/Animal-Shelter/Animal-Control-Services>

The College has the right to require documentation of compliance with such ordinances, laws, and/or regulations. The College reserves the right to request documentation showing that the animal has been licensed.

2. The Owner is responsible for removal and proper disposal of the animal's waste. Removal must be immediate. The animal's waste must be bagged and deposited into an outside trash receptacle. If the animal urinates or defecates inside of a building, or in another area that requires cleaning or maintenance, the student must notify Residence Life & Housing and will be responsible for the cost of such cleaning.
3. The Owner is required to ensure the animal is well cared for at all times. The Owner must take precautionary measures such as flea medication, flea and/ tick collars, and/or taking the animal to the vet for flea and tick baths (if applicable). Any evidence of mistreatment or abuse may result in immediate removal of the ESA and/or discipline for the individual.
4. All liability for the actions of the animal (bites, scratches, etc.) is the responsibility of the Owner. Damages and extraordinary cleaning caused by the animal are the responsibility of the Owner. Replacement or repair of damaged items will be the financial responsibility of the Owner. The Owner's living accommodations may also be inspected for fleas, ticks or other pests if necessary as part of the College's standard or routine inspections. 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 must not use chemical agents and insecticides to exterminate fleas and ticks. The Owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls.
5. The Owner must fully cooperate with College personnel with regard to meeting the terms of this Policy and developing procedures for care of the animal (e.g., cleaning the animal, feeding/watering the animal, disposing of feces, etc.).
6. ESAs may not be left overnight in College Housing to be cared for by any individual other than the Owner. If the Owner is to be absent from his/her residence hall overnight or longer, the animal must accompany the Owner. The Owner is responsible for ensuring that the ESA is contained in a crate, carrier, or kennel when the Owner is not present during the day while attending classes or other activities. This containment will allow the College officials to access the residential facilities for maintenance and other routine tasks without posing risk to the animal or employees.

Individual's Responsibilities for an Emotional Support Animal (cont.)

7. The Owner agrees to follow all equally applicable residential policies that are unrelated to the individual's disability such as assuring that the animal does not interfere with the routine activities of the residence or cause difficulties for individuals who reside there.
8. The animal is allowed in College housing only as long as it is necessary because of the Owner's disability. The Owner must notify Accessible Education Services in writing if the ESA is no longer needed or is no longer in residence.
9. Roanoke College staff shall ***not*** be required to provide care or food for any ESA including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm. 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.
10. The individual must provide written consent for Accessible Education Services to disclose information regarding the request for and presence of the ESA to those individuals who may be impacted by the presence of the animal including, but not limited to, Residence Life & Housing staff and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.
11. The Owner must provide an emergency contact (not a student in residence) should someone else need to care for the ESA unexpectedly.

Removal of the Emotional Support Animal

The College may require the individual to remove the animal from College housing if:

1. The animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others;
2. The Owner does not comply with the Owner's Responsibilities set forth above; or
3. The animal or its presence creates an unmanageable disturbance or interference with the College community.

If a decision is reached to remove the ESA the Owner will generally have up to 48 hours to comply.

The College will base such determinations upon the consideration of the behavior of the particular animal at issue, and not on speculation or fear about the harm or damages an animal may cause.

Should the ESA be removed from the premises for any reason, the Owner is expected to fulfill his/her housing obligations for the remainder of the housing agreement.

Non-Retaliation Provision

Roanoke College will not retaliate against any person because that individual has requested or received a reasonable accommodation in College housing, including a request for an ESA.

By my signature below, I verify that I have read, understand and will abide by the requirements outlined here and I agree to provide any additional information that may be required to complete my request.

Student Name (Please print): _____ Date: _____

Student Signature: _____ Date: _____

Staff Name (Please print): _____ Date: _____

Staff Signature: _____

Emergency Contact for ESA (not a student in residence) should the ESA need to be cared for by someone else unexpectedly.

Name: _____

Address: _____

Phone: _____