Emotional Support Animal Policy

EMOTIONAL SUPPORT ANIMAL ACCOMMODATIONS IN UNIVERSITY HOUSING

Emotional Support Animal Accommodations in University Housing

High Point University (HPU) recognizes that Emotional Support Animals (ESAs) may be approved as a reasonable accommodation for individuals with disabilities when required by applicable law. An ESA is an animal that provides disability-related support and may afford an individual an equal opportunity to use and enjoy University housing by alleviating one or more identified symptoms or effects of the individual's disability. This policy outlines the requirements and responsibilities related to requesting and maintaining approval for an ESA in University housing. Submission of a request or completion of the ESA request process *does not guarantee* approval. *HPU will review each request individually and will approve an accommodation only when required and reasonable under applicable law and University policy.* This policy does not apply to Service Animals or Service Animals-in-Training, which are dogs that are individually trained to do work or perform tasks for the benefit of an individual with a disability, as defined by the ADA or NC state law. Please see the University's Service Animal Policy for more information about the process that should be followed to request a service animal.

High Point University reserves the right to amend this policy at any time. The most current version of the policy will be posted at Animals on Campus | Office of Accessibility Resources and Services | High Point University.

Section 1: Definitions

A. Emotional Support Animal: An "ESA" is an animal that provides emotional support, comfort, therapy, companionship, or therapeutic benefits or other assistance that alleviates one or more of the identified symptoms or effects of a person's disability, thereby enabling the individual to use and enjoy University housing. Generally, HPU will consider cats and dogs for ESA approval. Requests involving other animals will be reviewed on a case-by-case basis. In determining whether a requested ESA is reasonable in university housing, HPU may consider factors including the animal's age, health, vaccination status, spay or neuter status, behavior history, temperament, size, and ability to live safety in a shared residential environment. Typically, only one animal may be approved as an ESA for use in University Housing.

B. **Resident:** The "Resident" is the individual who resides in university housing and has requested to bring an ESA into University housing as a reasonable accommodation under this Policy.

C. **Office of Accessibility Resources and Services:** The Office of Accessibility Resources and Services (OARS) collaborates with individuals, faculty, and staff as it strives to ensure that individuals with disabilities have equal access to all HPU programs and activities.

D. **Qualified Healthcare Professional:** An individual with appropriate professional credentials, who is not related to the Resident, and whose professional training qualifies the individual to diagnose or treat the impairments associated with the Resident's disability. The Resident must be a current patient of the professional or have a documented, established history of treatment with that professional. Each question on the required form (*Documentation for Emotional Support Animal Accommodations and Consent for Information Transfer*) **must be completed by a Qualified Healthcare Professional.** Examples of a Qualified Healthcare Professional include: a health care provider, therapist, counselor, or social worker.

E. **University Housing:** Any facility owned or operated by the University for the purpose of housing residential students, whether leased or owned by the University and regardless of location.

Section 2: ESA Request Process

Approval of an ESA and approval of the particular animal requested by the Resident is determined on a case-by-case

basis. Residents are not required to renew their request each academic year to have an ESA in University Housing, though updated veterinary or vaccination records may be required on a yearly basis. High Point University will accept and consider ESA requests for reasonable accommodation in University Housing at any time**.** To allow sufficient time for reviews, OARS strongly recommends that Residents submit all required materials at least six (6) weeks before they intend to bring the ESA to campus. Providing at least six (6) weeks of advance notice allows OARS sufficient time to complete the review and approval process and helps support the Resident's intended timeline for bringing the ESA to campus.

The ESA accommodation decision review process will not begin until all the steps outlined below, including submission of all required supporting documentation, have been completed. A Resident must complete the below **steps A through C** to request the use of an ESA in University Housing:

A. **Request:** Resident contacts the Office of Accessibility Resources and Services to provide notification of an ESA accommodation request and completes the request within the Accommodation platform. The online request form includes the following:
    i. The Resident must review and acknowledge agreement to the **ESA Rules and Responsibilities of a Resident with an Approved Emotional Support Animal**.
    ii. The Resident will provide an "In Case of Emergency (ICE)" Contact. This individual should be a person, who is not a current HPU student, staff or faculty member, who will take possession of the animal if the animal must be removed from campus under the "Animal Removal" section of this Policy or in an emergency situation.
    iii. The Resident will confirm that they have communicated with current and/or future roommates and suitemates about their intention to bring an ESA into the housing assignment.
B. **Intake Meeting:** Resident schedules an appointment with an Accessibility Specialist to engage in the interactive process by discussing disability-related concerns and experiences with the proposed ESA. During this meeting, the Rules and Responsibilities of a Resident with an Approved Emotional Support Animal will be reviewed. *The Resident will be informed that the animal is considered "unauthorized" until they have received an official letter from the Office of Housing and Residence Life of the date the animal is allowed on campus.*
    C. **Documentation:** Resident submits the required medical and veterinary documentation for the requested animal by email or through the accommodation portal, including the following:
    i. **OARS ESA Form -** The *Documentation for Emotional Support Animal Accommodations and Consent for Information Transfer Form*, which will be provided following the ESA intake meeting, completed by a Qualified Healthcare Professional with information regarding the Resident's disability, including an explanation of how the requested animal alleviates one or more symptoms of the Resident's disability. *NOTE: HPU does not accept ESA form letters or documentation obtained from letter-writing services ("mill" letters) as an acceptable form of documentation.*
    ii. **Veterinary Records -** Current veterinary records dated within the past 12 months must be provided and include applicable information regarding the animal's species, breed, age, veterinary examination records, current vaccination status, evidence of appropriate flea and tick prevention or treatment, and spay/neuter status. The veterinarian may complete the *OARS Animal Health Verification Form* in lieu of submitting the animal's veterinary records. Vaccination records must also be provided if this option is selected.
        iii. **ESA Photo -** A current photo of the proposed Emotional Support Animal.
D. **Review:** The Accessibility Specialist reviews the documentation, confers with the Accessibility team, and makes a determination regarding the Resident's request.
E. **Approved Request**: OARS sends the Resident written notification to the Resident's HPU email address identifying the approved ESA accommodation. A separate letter will be issued identifying approval of the specific animal. ***Note:*** *A Resident may be eligible for an ESA accommodation; however, the specific proposed animal may not meet the requirements for approval consistent with the factors set forth in Paragraph 3(A)*

below. The Office of Housing and Residence Life will issue written notification to the Resident regarding **the date the ESA may be brought to campus**.

i. The Accessibility Specialist informs the Director of Housing Operations, the Assistant Director(s) of Housing Operations, Facilities Operations personnel, and HPU Security of the approved ESA. A picture of the approved ESA will be included in the notification.

ii. HPU reserves the right to conduct periodic room inspections to ensure compliance with the Rules and Responsibilities of a Resident with an ESA and to maintain the health, safety, and well-being of the residential community.

iii. HPU reserves the right to notify roommates/suitemates and neighbors, where applicable in University Housing, that they will be sharing a living environment with an approved ESA.

iv. HPU reserves the right to contact the Emergency contact for the ESA provided by the Resident if/when an emergency arises or the Resident is unable to care for the ESA.

v. Upon approval of the requested accommodation, the Resident will:

1. Receive an eligibility letter outlining that the Resident is approved for an Emotional Support Animal accommodation;
2. Receive a separate Animal approval letter, which will include the vaccination expiration date for the ESA and the ESA tag number. The Resident will be reminded that they must submit their ESA's updated veterinary/vaccination records in a timely manner to avoid violating the ESA policy;
3. Receive written notice from the Office of Housing and Residence Life regarding the date the animal may reside on campus; and
4. Obtain from OARS an ESA tag for placement on the ESA (which should match ESA tag number included in the official Animal approval letter) and door decal for placement on the Resident's door.

F. **Denied Request:** OARS sends the Resident written notification via their HPU email address that their request for an ESA accommodation is denied with reasons for the denial. If the Resident qualifies for an ESA accommodation, but the proposed animal is not approved, the Resident will receive written notification via their HPU email address that their proposed animal is denied with reasons for the denial.

i. The Resident has the right to appeal in accordance with the Complaint Process section of the OARS' Policies and Procedures.

Section 3: ESA Approval Standards

A. **Individualized Assessment:** OARS will conduct an individualized assessment of all ESA accommodation requests. An ESA accommodation request, or the proposed animal, may be denied when the available information establishes that:

1. The request does not meet the requirements for an approved accommodation under applicable state and federal disability regulations;
2. The accommodation would impose an undue financial or administrative burden on the University;
3. The accommodation would result in a fundamental alteration of university housing policies or operations;
4. The available information does not establish that the proposed animal would provide disability-related emotional support that alleviates one or more identified disability-related symptoms or effects;
5. The proposed animal would result in a direct threat to the health or safety of others or would result in substantial property damage, including damage to university property; or
6. The accommodation would otherwise result in an unreasonable interference with university housing operations or the health, safety or enjoyment of the residential community.

B. **Reasonableness Factors:** HPU may consider factors including, but not limited to, the animal's behavior history, temperament, age, size, ability to live safely in a shared residential environment, veterinary records, and any history of aggression, disruption, or property damage.

C. **Equal Access to Housing for Individuals with Disabilities:** HPU will not limit room assignments for individuals with ESAs to any particular residence hall because the individual needs an ESA because of a disability. Subject to the Rules and Responsibilities of a Resident with an Approved Emotional Support Animal and in any related document, HPU will not ask for or require a Resident to pay a fee or surcharge for an approved ESA.

D. **ESA Access, Dominion, and Control:** Approved ESAs are permitted only in University housing as an approved accommodation and are not permitted in academic buildings, classrooms, dining facilities, or other University facilities unless approved for such use via another type of accommodation separate and apart from the ESA accommodation approval. Residents are responsible for maintaining control of their ESA and ensuring compliance with all ESA responsibilities in accordance with the Rules and Responsibilities of a Resident with an Approved Emotional Support Animal.

Section 4: University Housing and Co-Resident Concerns

A. **Animal Preference Form:** Residents living in University housing are encouraged to complete an animal preference form during the housing selection process, indicating their willingness to live with various types of animals. Residents are not required to provide an explanation for their preferences. This information may be considered when determining housing placement for a Resident approved for an ESA; however, preferences do not guarantee a particular housing assignment.

B. **Housing Review Process:** Residents approved for an ESA accommodation and a specific animal through OARS will work with the Office of Housing and Residence Life to ensure that their housing assignment is appropriate.

1. The Housing Operations team within the Office of Housing and Residence Life will be notified by OARS to determine a date the animal can arrive on campus.
2. The Housing Operations team will review the current living space for roommates, suitemates, or housemates that have animal preferences that conflict with the approved ESA.
3. Should a conflict be present in the living space, the Housing Operations team will contact all residents to outline options for resolving the animal preference and ESA conflict within a specific timeframe. Options include, but are not limited to:
    i. The ESA owner with an approved ESA voluntarily choosing to relocate.
    ii. A roommate/suitemate voluntarily choosing to relocate.
    iii. All residents compromise to live together despite the presence of the ESA.
    iv. The ESA owner choosing not to bring the animal to campus. *Note: This must be formally documented with the Office of Accessibility Resources and Services (OARS).*
4. If a unanimous agreement is not reached within that timeframe, the Office of Housing and Residence Life will partner with the Resident to search for an appropriate housing assignment for the Resident and the approved ESA in accordance with University policy.
5. Residents may later determine that they are no longer willing to live with an animal. In such circumstances, Housing and Residence Life will encourage the residents to engage in a mediated conversation to reach a mutually agreeable resolution.

Section 5: Rules and Responsibilities of a Resident with an Approved ESA

If the ESA is approved as an accommodation, the Resident is solely responsible for the care, supervision, and behavior of the ESA and must comply with the following requirements.

A. General Responsibilities:

1. **Approval Requirements:** The Resident must receive approval from OARS for both the ESA accommodation and the specific animal. *The ESA may only arrive on campus on the date identified in the official ESA Housing Approval letter issued by the Office of Housing and Residence Life.*

i. The ESA approval remains valid while the Resident is enrolled and residing in University housing unless the approval is modified, suspended, or removed due to policy violations or changes in circumstances.
ii. ESA approval is valid *only* for the specific animal OARS names in the official ESA approval letter. To replace a previously approved ESA, the Resident must complete a supplemental accommodation request, provide up-to-date documentation for a new ESA and receive a new official ESA animal approval letter, ESA tag number, and ESA door decal for the replacement ESA.
iii. The University recommends that cats and dogs be spayed or neutered prior to arriving on campus. Additional animals resulting from breeding or an ESA giving birth while on campus will be considered unauthorized and must be immediately removed from University housing.
iv. The University recommends that animals considered for ESA approval be at least one year of age, be spayed or neutered, and have an established bond with the Resident.

2. **ESA Identification:** The Resident must ensure the ESA wears the OARS-issued ESA identification tag on the animal's collar and place the ESA door decal as directed by OARS. Failure to comply may result in the animal being treated as an unauthorized animal and will be subject to applicable Residence Life sanctions.
3. **Animal Location and Control:** An ESA must remain in the Resident's assigned individual room and must be secured in a carrier, cage, or kennel when the Resident is not present. An ESA may be in shared living spaces (such as a suite living room) only when the Resident is present and is documented by all residents of the assigned living space in the ESA section of the Roommate Workbook. The ESA is not permitted in other Residents' rooms or public spaces of the University (i.e., classrooms, academic buildings, administrative buildings, etc.). When outside the residence, the ESA must be under the Resident's control using appropriate restraints or containment. The Resident must use designated routes and locations identified by Housing and Residence Life for the ESA's outdoor needs.
4. **Animal Care and Behavior:** The Resident is responsible for the ESA's daily care, including feeding, grooming, veterinary care, and maintaining appropriate living conditions. The Resident must immediately clean up animal waste and ensure the ESA does not create unreasonable disturbances, including excessive noise or disruptive behavior.
5. **Veterinary Records and Compliance:** The Resident must maintain compliance with applicable local, state, and federal animal requirements and submit updated veterinary/vaccination records (including rabies and wellness records), or other required documentation to OARS by the established deadlines. OARS will send reminders of upcoming vaccination records and/or annual veterinary visit reports at the three (3) month, two (2) month, and one (1) month mark prior to the expiration date. Failure to submit updated documentation may result in an ESA violation report, and the ESA may be considered an unauthorized animal, subjecting the Resident to applicable sanctions.
6. **Housing Responsibility and Costs:**
    i. The Resident must communicate their intent to bring an ESA to current and future roommates/suitemates. HPU may notify roommates/suitemates of an approved ESA as necessary to facilitate housing arrangements. By bringing an ESA to campus, the Resident understands that information related to the approved accommodation may need to be shared with university personnel on a need-to-know basis to evaluate or implement the accommodation. Disability-related information will be shared only as necessary for these purposes and will otherwise be treated confidentially in accordance with applicable law and University policy. In some circumstances, the Resident and roommates/suitemates may be required to participate in the ResLife Roommate Mediation process.
    ii. HPU will not charge a pet fee or surcharge for an approved ESA. HPU may conduct inspections of the Resident's living space as needed to ensure compliance with the *Rules and Responsibilities of a Resident with an Approved ESA* and to address concerns related to sanitation, pests, or property

damage. The Resident remains financially responsible for costs attributable to the ESA that exceed standard cleaning or repairs associated with normal wear and tear, including costs related to damage to the residential premises, losses, liability, claims, or harm to others caused by the ESA.

iii. The Resident is responsible for ensuring appropriate care arrangements for their ESA whenever they are away from campus or unable to provide care. The ESA may not be left in the care of any other HPU student or employee.

iv. HPU is not responsible for retrieving lost, escaped, or missing ESAs. This responsibility shall remain with the Resident.

7. **Changes in ESA Status:** The Resident must notify OARS in writing if the ESA is no longer needed as an accommodation within ten calendar days of the Resident making this determination.

B. **Failure to Comply**: The Resident acknowledges that failure to comply with the ESA Policy or the *Rules and Responsibilities of a Resident with an Approved ESA* may result in sanctions or removal of the ESA from University housing, and/or referral of the Resident to the Office of Community Standards and/or the Office of Housing and Residence Life for review in accordance with the Student Code of Conduct.

Section 6: Voluntary Animal Removal

If a Resident submits, in writing, that they no longer have their ESA on campus, or OARS is made aware that the Resident is no longer residing on campus, the Accessibility Specialist will document the change in the Resident's account and will notify Residence Life of the change in the Resident's ESA status. The Accessibility Specialist will retain the approved accommodation in the Resident's account.

Section 7: Involuntary Animal Removal

A. HPU reserves the right to restrict or remove an ESA if the animal's behavior, conduct, or presence poses a direct threat to the health or safety of others, results in substantial property damage, or creates a fundamental alteration to the University's programs, services, or operations. The University may require the removal of the animal from university housing if:

1. The animal poses a direct threat to the health and safety of others;
2. The animal is not housebroken;
3. The animal is disruptive and not effectively controlled;
4. The animal's health or well-being is not appropriately maintained and/or the animal is mistreated or abused;
5. The animal causes or has caused excessive damage to university property or the property of others beyond reasonable wear and tear;
6. The animal's presence results in a fundamental alteration of the university's housing program; or
7. The Resident fails to comply with any of their responsibilities under this Policy and the *Rules and Responsibilities of a Resident with an Approved Emotional Support Animal*.

B. The decision to remove an ESA will be made based on individualized determinations regarding the behavior of the ESA and Resident and not on speculation or fear about the harm or damage an ESA may cause. Prior to removal, a Resident may receive a written warning. However, immediate removal may be necessary in certain situations such as when the ESA poses a threat to the safety of others on campus. The Resident will receive any applicable review and appeal rights.

C. Removal of an ESA from University premises for any reason does not relieve the Resident from their obligation under the housing contract.

Section 8: No Retaliation

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