

# Emotional Support Animal Policy

## EMOTIONAL SUPPORT ANIMAL ACCOMMODATIONS IN UNIVERSITY HOUSING

The process for requesting Emotional Support Animal Accommodations is similar to requesting Housing Accommodations. The [Documentation Standards for Emotional Support Animal Form](#) must be filled out by a qualified medical professional. For OARS purposes, a qualified medical professional is defined as a non-family member whose professional training qualifies them to diagnose and treat the impairments associated with the student's disability. The student must either be a current patient of the professional who completes the documents or have a documented, established history of treatment. Each question on the required form **must be completed by a qualified medical professional**.

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### ESA Policy

High Point University (HPU) recognizes the importance of "Emotional Support Animals" (ESAs) under the Fair Housing Act (FHA) that provides physical and/or emotional support to individuals with disabilities. HPU is committed to approving ESAs as a reasonable accommodation in order to provide individuals with disabilities an equal opportunity to use and enjoy University housing.

An emotional support animal (ESA) is a type of reasonable accommodation that affords a person with a disability an equal opportunity to use and enjoy University housing by alleviating one or more identified symptoms or effects of a person's disability. This policy explains the specific requirements applicable to a campus resident's request for and possession of an ESA in University housing. This Policy does not apply to "Service Animals" as defined by the ADA.

Although it is the policy of HPU that residents are prohibited from having animals of any type in university housing, HPU will consider a request by a resident with a disability for a reasonable accommodation to allow an ESA consistent with this Policy. Before a Resident may bring a requested ESA to campus, the Resident must be approved by OARS for a reasonable accommodation under this Policy.

*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](#).*

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### Section 1: Definitions

- A. **Emotional Support Animal:** An "ESA" is a type of reasonable accommodation that affords a person with a disability an equal opportunity to use and enjoy University housing by providing emotional support or alleviating one or more of the identified symptoms or effects of a person's disability. HPU does not limit the type of support animal (i.e., based on breed, type, etc.), but does have the right to limit based on specific issues with the animal's conduct if it poses a direct threat to safety or a fundamental alteration to university programs. An ESA is not trained to assist an individual with a disability in the activities of daily living; accordingly, an ESA is therefore NOT considered a Service Animal under the criteria established by the Americans with Disabilities Act (as amended) and does not qualify for the same legal protections.
- 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 Medical Professional:** An individual with professional medical credentials, not related to the Resident, who is familiar with the Resident's disability and the necessity for the requested accommodation, such as a health care provider, therapist, counselor, or social worker.

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## Section 2: ESA Request Procedure

Approval of an ESA and approval of the particular animal requested by the student is determined on a case-by-case basis. Students 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. **However, if a request is made fewer than six (6) weeks before the intended move-in date, HPU cannot guarantee that the accommodation needs will be met during the first semester or term of occupancy.** Residents requesting an ESA should complete the steps below at least 6 weeks prior to the start of the semester or academic year when they intend to bring the ESA to campus:

- A. Contact the Office of Accessibility Resources and Services to provide notification of an ESA accommodation request. OARS will provide the student with a copy of the **ESA Rules and Responsibilities** for review.
- B. OARS will contact the student to schedule an appointment with an Accessibility Specialist to engage in the interactive process by discussing concerns and experiences with the proposed ESA. During this meeting, the Rules and Responsibilities of Resident with an Approved ESA will be reviewed. *The Resident will be directed to not bring the ESA to campus until they have received their official ESA eligibility letter specifying the date the animal is allowed on campus.* The Accessibility Specialist reserves the right to make an eligibility decision during the initial meeting (and complete the remainder of the Resident request process) or to request a second meeting after the documentation review. The Resident will be directed to discuss the ESA with roommates/suitemates (as applicable) if they have not done so already. OARS will inform the Resident that the roommates/suitemates may be notified of the student's ESA. The Resident will confirm that they waive their right to privacy and confidentiality regarding this information.
- C. The Resident will submit an official accommodation request including information about the animal being requested and will attach:
  - i. The Emotional Support Animal (ESA) Form completed by a reliable medical provider 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.
  - ii. Current and up-to-date vaccination records and/or an annual veterinary visit report for the ESA that includes documentation of animal type and size, current vaccination records, and proof of flea and tick treatment.
  - iii. A current photo of the Emotional Support Animal.
- D. The Accessibility Specialist will review the documentation, discuss with the Accessibility team, and make a determination regarding the Resident's request.
- E. If needed, the Resident will meet with the Accessibility Specialist again (to complete the final steps of approval).
- F. **Approved Request:** The Resident will receive written notification via their HPU email address, and an approved move-in date for the ESA.
  - i. The Accessibility Specialist will inform the Director of Housing Operations, the Assistant Director(s) of Housing Operations, and HPU Security of the approved ESA. A picture of the approved ESA will be attached.
  - ii. HPU reserves the right to notify roommates/suitemates and neighbors, where applicable in residence halls, that the Resident will be living with an ESA as an accommodation.
  - iii. HPU reserves the right to contact the Emergency contact for the ESA provided by the Resident if/when an emergency arises or the student is unable to care for the ESA.

- iv. Should changes in housing assignment for the Resident be required, the Office of Residential Life will partner with the student to search for an appropriate housing assignment for the student and ESA.
- v. The following items must be completed for an ESA to fully approved:
  - 1. The Resident will sign the ESA Rules and Responsibilities.
  - 2. The Resident will complete an In Case of Emergency (ICE) form. This will require the Resident to identify an off-campus person, who is not a current HPU student, who will take possession of the animal if the animal must be excluded from campus under the “Animal Removal” section of this Policy.
  - 3. The student will confirm that they do not have the ESA on campus. The student will also confirm that they have communicated with current and/or future roommates and suitemates about their intention to bring an ESA into the housing assignment.
  - 4. The Accessibility Specialist will send the official approval letter (including the vaccination expiration date for the ESA, the ESA tag number, and the date the animal may be brought to campus). 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.
  - 5. The Resident will be given an identification tag (number should match what is in the official ESA eligibility letter) and door decal for the ESA.
- G. **Denied Request:** The Resident will receive written notification via their HPU email address with reasons for the denial.
  - i. The student has the right to appeal. The appeal process can be found in the Complaint Process section of the OARS’ Policies and Procedures.

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### Section 3: University’s Reasonableness Determination

- A. OARS will conduct an individualized assessment of all ESA accommodation requests. A request for an ESA may be denied as unreasonable if the presence of the animal: (1) imposes an undue financial and/or administrative burden; (2) fundamentally alters University housing policies; (3) poses a direct threat to the health and safety of others or would cause substantial damage to the property of others, including University property; and/or (4) otherwise unreasonably interferes with the operation of the University.
- B. HPU may consider the following factors, among others, in determining whether the request for the ESA is reasonable:
  - i. The size and disposition of the animal.
  - ii. Whether the animal's presence otherwise violates individuals' right to peace and quiet.
  - iii. Whether the animal is housebroken or unable to live with others.
  - iv. The animal's vaccination/veterinary records.
  - v. The history of the animal’s behavior.
  - vi. Whether the animal poses or has posed in the past a direct threat to the individual or others, such as a history of aggressive behavior towards or injuring the Resident or others.
  - vii. Whether the animal causes or has caused excessive damage to housing beyond reasonable wear and tear.

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### Section 4: Access to University Facilities by Emotional Support Animals

- A. 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 set forth elsewhere in this document and in any related document. HPU will not ask for or require a Resident to pay a fee or surcharge for an approved ESA.

## B. ESA Access, Dominion, and Control

An ESA must be contained within the Resident's assigned individual room when the Resident is not present. The ESA is permitted in the shared living space (suite living room area) if the Resident is present and has obtained permission from suitemates. The ESA is not permitted in other students' rooms, or other commonly shared public spaces of the University such as classrooms, academic buildings, administrative buildings, libraries, dining service areas, fitness center, outside recreational areas, pools, the Promenade, Robert's Hall Lawn, etc. ESAs must be taken out of and returned to the Resident's assigned residence by way of the shortest and most direct path. Residence Life will work with the Resident to identify appropriate spaces for the ESA to relieve itself, based on where the Resident resides. The ESA must be maintained under standard restraints, such as a carrier and/or collar, when outdoors, in public areas, or in transit.

ESAs brought on campus must be under the control of the Resident. The Resident must be in full control of the animal at all times (e.g., leash, harness, crate). The Resident is responsible for the animal's well-being, care, and cleaning, including regular feeding, bathing, grooming, daily care, and veterinary services. It is the responsibility of the Resident to ensure that others are not disrupted by the ESA (e.g., barking, excessive noise, etc.).

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## Section 5: Rules & Responsibilities of a Resident

The Resident must agree to abide by the Rules and Responsibilities of a Resident with an Approved Emotional Support Animal.

If the University grants a Resident's request for ESA as a reasonable accommodation, the Resident is solely responsible for the custody and care of the ESA and must meet the following requirements:

### A. General Responsibilities

1. **BEFORE a Resident may bring the requested ESA to campus**, the Resident must be officially approved by OARS following the ESA request process. This includes meeting with an Accessibility Specialist, signing the *Rules and Responsibilities of a Resident with an Approved Emotional Support Animal*, submitting a photo of the proposed ESA, and completing the *ESA In Case of Emergency* form identifying an off-campus person who can immediately take possession of the animal if needed. The student must confirm that they have communicated their intent to bring the ESA with current and/or future roommates and suitemates. The student will be allowed to bring the approved ESA to campus **on the date identified** in the official approval letter from the Office of Accessibility Resources and Services received via HPU email. In most cases, if the ESA request occurs in the middle of the semester, the ESA approval will begin at the start of the **next** semester.
2. Once an ESA has been approved, the Resident agrees to abide by all other residential policies along with the *Rules and Responsibilities of a Resident with an Approved Emotional Support Animal*. The Resident will be referred to the Office of Housing Operations for violations of this policy (including failure to submit updated vaccination/veterinary records).
3. The Resident will be financially responsible for expenses incurred above standard cleaning or for repairs (beyond reasonable wear and tear) to the residential premises, including losses, liability, claims, and harm to others caused by the ESA.

4. The ESA approval will be retained throughout the Resident's time at the University. In the event that the Resident takes a Leave of Absence, is suspended then readmitted, etc., the ESA approval will still apply once the Resident returns to campus, with the exception of suspension or removal from campus directly related to ESA violations.
5. Upon approval, the Resident is **required** to obtain an ESA identification tag and door decal. The ESA tag must be attached to the ESA's collar (if applicable) *at all times* while on campus. If the ESA species is unable to wear a collar, the ESA tag should be displayed on the ESA's enclosure. The door decal must be placed on the door of the student's housing assignment. If the Resident fails to place the tag on the ESA's collar or enclosure, Residence Life will assume the ESA is an unauthorized animal and will proceed with the applicable protocol.
6. An ESA must be contained within the Resident's assigned individual room when the Resident is not present. The ESA is permitted in the shared living space (suite living room area) if the Resident is present and has obtained permission from suitemates. The ESA is not permitted in other students' rooms, or other commonly shared public spaces of the University such as classrooms, academic buildings, administrative buildings, libraries, dining service areas, fitness center, outside recreational areas, pools, the Promenade, Robert's Hall Lawn, etc.
7. When an ESA (regardless of animal type) is left unattended in the Resident's room, they must be stored in a crate, carrier, cage, or kennel. This containment will allow HPU officials to routinely access the residential facilities for maintenance and other routine tasks without posing a risk to the animal or employees.
8. ESAs must be taken out of and returned to the Resident's assigned residence by way of the shortest and most direct path. Residence Life will work with the Resident to identify appropriate spaces for the ESA to relieve itself, based on where the Resident resides.
9. The ESA must be maintained under standard restraints, such as a carrier and/or collar, when outdoors, in public areas, or in transit.
10. The Resident is solely responsible for the animal's well-being, care, and cleaning, including regular feeding, bathing, grooming, daily care, and veterinary services.
11. The Resident is solely responsible for cleaning up after and properly disposing of the ESA's waste in a safe and sanitary manner. ESA dogs **must be** "housebroken" (no puppy pads), and ESA cats must be litter box trained.
12. Under all circumstances, animal waste deposited on university grounds or within the facilities **MUST** be removed immediately and disposed of properly.
13. It is the Resident's responsibility to ensure that others are not disrupted by the ESA (e.g., barking, excessive noise, etc.).
14. ESAs must be taken with the Resident if they leave campus overnight. The ESA may not be left in the care of any other HPU student or employee.
15. The University and University staff are not responsible for retrieving the ESA if the animal escapes or becomes lost.
16. The Resident must abide by current local and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the Resident's responsibility to know and understand these ordinances, laws, and regulations. The University has the right to require documentation of compliance with such ordinances, laws, and/or regulations, such as a vaccination certificate.
17. The Resident is required to communicate with their current and/or future roommates/suitemates regarding their intended ESA. If the roommates/suitemates are not in agreement with the ESA arrangement, the Resident must work with Housing and Residence Life to determine alternative housing arrangements. In some cases, the Resident and roommates/suitemates will be required to engage in the ResLife Roommate Mediation process.

18. The Resident is responsible for submitting updated vaccination records and/or annual veterinary visit reports to OARS prior to expiration of the current records (or anniversary date of ESA approval if vaccinations are not required for the animal). If the Resident fails to submit updated records, OARS will file an ESA violation report and the ESA will be deemed an “unauthorized pet.” A fine of \$100 per day (that the ESA is on campus) is imposed on the Resident and the Resident will be expected to permanently relocate the animal off campus immediately.
19. The Resident’s living space may be inspected for fleas, ticks, pests, and/or damage to the residential facilities once a semester or as needed. The Office of Residence Life will schedule the inspection and notify the Resident before the scheduled inspection. If fleas, ticks, or other pests are detected through inspection, the residence hall will be treated using approved fumigation methods by a university-approved pest control service. The Resident will be billed for the expense of any necessary pest control treatment.
20. The University may remove or require the removal of the ESA if it poses or has posed a threat to the health or safety of others on campus, if the ESA fundamentally alters the nature of a university program or activity, or the Resident does not comply with the *Rules and Responsibilities of a Resident with an Approved ESA*.
21. 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 through OARS and provide new and/or up-to-date documentation for the requested ESA.
22. The University strongly urges the Resident to have their ESA (dog or cat) spayed or neutered prior to bringing the ESA to campus. This recommendation is to ensure animal aggression is minimized and the possibility of the animal becoming pregnant and delivering a litter is prevented. In the situation of an ESA delivering a litter on campus, the Resident will be held responsible and will be referred to the Office of Housing Operations for violations of this policy. Each additional animal will be considered unauthorized, and a fine of \$100 per day, per animal, will be imposed on the Resident.
23. The Resident must notify OARS in writing if the ESA is no longer needed as an accommodation for the student in the residential facilities.

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### Section 6: Agreement between the Student and HPU

The Resident has read and understands the responsibilities of a Resident with an Emotional Support Animal as outlined in the *Rules and Responsibilities of a Resident with an ESA*. Should the student fail in violating the rules and responsibilities identified above, the approved accommodation may be suspended, they may be required to remove the ESA from University facilities, and/or they may be charged with a violation of student policies.

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### Section 7: Voluntary Animal Removal

If a student submits, in writing, that they no longer have their ESA on campus, or OARS is made aware that the student is no longer residing on campus, the Accessibility Specialist will document the change in the student’s account and will remove the student and ESA information from the shared housing spreadsheet. The Accessibility Specialist will leave the approved accommodation in the student’s account. If OARS is notified by the student of the change in their ESA status, OARS will notify Residence Life.

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### Section 8: ESA Approval

ESAs are approved for the entirety of the Resident’s on-campus living. Updated vaccination records and/or annual veterinary visit reports must be submitted prior to expiration of the current records (or anniversary date of ESA approval if vaccinations are not required for the animal). 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. In the event that the Resident fails to submit updated records, OARS will file an ESA violation report and the ESA will be deemed unauthorized. The Resident may incur fines, or the University may remove or require the removal of the ESA. OARS will share the *Rules and Responsibilities of a Resident with an Approved ESA* annually to students with an approved ESA via email. Residents with an approved ESA are permitted to request a new identification tag and door

decal for the ESA at the beginning of each academic year or in the event of a housing re-assignment or damage to the identification tag.

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### Section 9: Animal Removal

- A. 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 causes or has caused excessive damage to university property or the property of others beyond reasonable wear and tear.
    - 3. The animal's presence results in a fundamental alteration to the nature of a university program or activity; or
    - 4. 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* that is sent each academic year.
  - 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 be afforded all rights of due process and appeal as outlined in the appeal process.
  - C. Removal of an ESA from University premises for any reason does not relieve the Resident from their obligation under the housing contract.
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### Section 10: 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.