

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 an accommodation for individuals with disabilities under applicable disability laws. 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. *Completion of the ESA request process does not guarantee approval.* This policy does not apply to Service Animals or Service Animals-in-Training as defined by the ADA or NC state law.

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 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. Generally, animals considered for approval as an Emotional Support Animal (ESA) must meet the following requirements:
- Be a cat or dog (requests for other animals will be reviewed individually)
 - Be at least one year of age
 - Be spayed or neutered
 - Have an established bond with the student for at least six months

Typically, only one cat or dog is approved as ESA. 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 Healthcare Professional:** An individual with appropriate professional credentials, who is not related to the Resident, and whose professional training qualifies them to diagnose and treat the impairments associated with the student's disability. The student must be a current patient of the professional completing the documentation 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 medical professional**. Examples of a qualified medical professional include: a health care provider, therapist, counselor, or social worker.

Section 2: ESA Request Process

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, students are generally required to obtain ESA approval through OARS at least six (6) weeks prior to the first day of the semester in which they intend to bring the animal 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. It is recommended that residents requesting an ESA should complete the steps below at least 8 weeks prior to the start of the semester or academic year when they intend to bring the ESA to campus:

- A. **Request:** Contact the Office of Accessibility Resources and Services to provide notification of an ESA accommodation request and will complete the request within the Accommodation platform. The online request form will include the following:
 - i. Student will review and acknowledge agreement to the **ESA Rules and Responsibilities** for review and acknowledgement.
 - ii. The Resident will provide an “In Case of Emergency (ICE)” Contact. This individual should be an off-campus person, who is not a current HPU student, staff or faculty member, who will take possession of the animal if the animal must be excluded from campus under the “Animal Removal” section of this Policy or in an emergency situation.
 - iii. The student 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:** 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.*
- C. **Documentation:** 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, which will be provided following the ESA intake meeting, 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. *NOTE: HPU does not accept ESA form letters or documentation obtained from letter-writing services (“mill” letters) as an acceptable form of documentation.*
 - ii. Current veterinary records dated within the past 12 months must be provided and must include the animal’s species, breed (if applicable), age, spay/neuter status, current vaccination status, evidence of appropriate flea and tick prevention or treatment, veterinary examination records, and the date of adoption or purchase.
 - iii. A current photo of the Emotional Support Animal.
- D. **Review:** The Accessibility Specialist will review the documentation, confer with the Accessibility team, and make a determination regarding the Resident’s request.
- E. **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, Facilities Operations personnel, and HPU Security of the approved ESA. A picture of the approved ESA will be attached.
 - 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 residence halls, that the Resident will be living with an ESA as an accommodation.
 - iv. 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.
 - v. 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.
 - vi. Once an approval has been made, the student will:
 - 1. Receive an 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.
 - 2. Obtain from OARS an identification tag (number should match what is in the official ESA eligibility letter) and door decal for the ESA.
- F. **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.

Section 3: ESA Approval Standards

- A. **Individualized Assessment:** 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) does not meet the requirements for approval under applicable state and federal disability regulations; (2) creates an undue financial or administrative burden; (3) fundamentally alters University housing policies or operations; (4) poses a direct threat to the health or safety of others or would result in substantial property damage, including damage to University property; or (5) otherwise creates an unreasonable interference with the operations of the University.
- 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 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.
- 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 otherwise approved as another type of accommodation. Residents are responsible for maintaining control of their ESA and ensuring compliance with all ESA responsibilities.

Section 4: Rules & Responsibilities of a Resident

If 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:** 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, submitting all supporting documentation, submitting a photo of the proposed ESA. *The ESA may*

only arrive on campus on the date identified in the official letter of approval. If the ESA request occurs in the middle of the semester, the ESA approval will (in most cases) begin at the start of the **next** semester.

- 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 and provide up-to-date documentation for a new ESA.
 - iii. Approved cats and dogs must 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.
 - iv. Generally, animals considered for ESA approval must be a cat or dog, at least one year of age, and have an established bond with the Resident for at least six (6) months.
2. **ESA Identification:** The Resident must display the ESA identification tag on the animal's collar and housing door decal provided by OARS. Failure to properly identify the approved ESA may result in the animal being treated as an unauthorized animal.
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 all suitemates have provided permission. The ESA is not permitted in other students' 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 subject 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 accommodation as necessary to facilitate housing arrangements. In some circumstances, the Resident and roommates/suitemates may be required to participate in the ResLife Roommate Mediation process.
 - ii. 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.
 - 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 may conduct inspections of the Resident's living space as needed to ensure compliance with ESA responsibilities and address concerns related to sanitation, pests, or property damage. The Resident may be responsible for associated costs.
- v. HPU is not responsible for retrieving lost, escaped, or missing ESAs.

7. **Changes in ESA Status:** The Resident must notify OARS in writing if the ESA is no longer needed as an accommodation.

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 through the student conduct process through the Office of Community Standards and/or the Office of Student Life.

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.

Section 9: 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 is not provided with appropriate care to maintain health and well-being, 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 to the nature of a university program or activity;
 - 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 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.

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.