

1.26 EMOTIONAL SUPPORT ANIMALS (ESA) IN SAINT LOUIS UNIVERSITY CAMPUS HOUSING POLICY

Saint Louis University understands the importance of providing reasonable accommodations in its housing policies and practices where necessary for individuals with disabilities to fully participate in the University housing program. Fulfilling this commitment, SLU recognizes the necessity of "Service Animals" as defined by the Americans with Disabilities Act Amendments Act (ADAAA) and "Assistance Animals", a broader term covered under the Fair Housing Act (FHA) pertaining to individuals with mental health disabilities. This policy is specific to Emotional Support Animals (ESA) within Saint Louis University campus housing. Saint Louis University reserves the right to amend this policy at any time as circumstances require.

Definition

Emotional Support Animal (ESA): An Emotional Support Animal (ESA) is an animal that is prescribed by a healthcare or mental health professional to an individual with a mental health disability as part of necessary treatment. An Emotional Support Animal differs from a service animal in that the animal does not assist the person with activities of daily living nor does it accompany the individual at all times.

Emotional Support Animals (ESA) in University Housing

With the exception of fish or hermit crabs within a 10-gallon tank, the university maintains a "no pets" policy in university housing. However, in accordance with Federal law (Fair Housing Amendments Act), the university will consider requests for accommodations to the housing policy to allow students experiencing significant mental health impairments to keep an Emotional Support Animal (ESA) with them in-residence. **No Emotional Support Animal may be kept in University housing at any time prior to the individual receiving approval as a reasonable accommodation pursuant to this policy.** If a student is found on-campus with an unapproved animal, the student must remove the animal immediately and will be referred to the Office of Student Responsibility and Community Standards.

Note Regarding Missouri Senate Bill 644 (SB644)

Pursuant to SB644, 4. As used in sections 209.150 to 209.190, the term "service dog" [means any dog specifically trained to assist a person with a physical or mental disability by performing necessary tasks or doing work which the person cannot perform. Such tasks shall include, but not be limited to, pulling a wheelchair, retrieving items, carrying supplies, and search and rescue of an individual with a disability] shall have the same definition as in section 209.200.(d) "Mental health service dog" or "psychiatric service dog", a dog individually trained for its owner who is diagnosed with a psychiatric disability, medical condition, or developmental disability recognized in the most recently published Diagnostic and Statistical Manual of Mental Disorders (DSM) to perform tasks that mitigate or assist with difficulties directly related to the

owner's psychiatric disability, medical condition, or developmental disability.

Process for Requesting Emotional Support Animals in University Housing

The procedure for requesting an Emotional Support Animal follows the general procedures set forth in the Housing Accommodations Policy for the University and the requirements set forth below. However, to the extent the requirements and procedures in this Policy conflict with the Housing Accommodations Policy, this Policy shall control. Approval of an Emotional Support animal is a two-step process between Disability Services and Housing and Residence Life. A typical 15 business day timeline for accommodation approval or denial begins once all required documentation and applications are submitted and an appointment with Disability Services has been completed. At the conclusion of the review process, the decision of approval or denial of the accommodation will be sent to the student's SLU email. Housing and Residence Life will then meet with the student to go through the required documentation forms and veterinarian records before the requested animal is approved to come on campus.

Criteria for Determining Reasonability of Emotional Support Animal

The presence of only one ESA will be approved for a student, in order to fulfill the intent of the FHA requirements in providing support to the student with a mental health disability.

University Guidelines for Emotional Support Animals

Dogs and cats must be spayed or neutered and have received all age appropriate vaccinations before they can live in-residence in University housing. A licensed veterinarian must complete and sign the (Emotional Support Animal Veterinarian Form), confirming the above requirements have been met. All potential Emotional Support Animals are required to see a licensed veterinarian before being allowed on campus.

For all requests for Emotional Support Animals, Disability Services will make determinations on a case-by-case basis of whether the presence of an Emotional Support Animal is reasonable. A request for an Emotional Support Animal can 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; and/or
3. poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including University property.

Saint Louis University may consider the following factors, as well as others, as evidence in determining whether the presence of the animal is reasonable or in the making of housing assignments for individuals with Emotional Support Animals:

1. The size of the animal or the animal's habitat poses a safety risk or an undue burden to the residents. Examples of this could include the animal's need for a heat lamp, large cages or tanks that cause an obstruction in shared spaces, or a water habitat that would require a larger than 10-gallon tank

2. The animal's presence otherwise violates an individual's right to peace and quiet enjoyment;
 3. The animal is not house broken or is unable to live with others in a reasonable manner;
 4. The animal's vaccinations are not up-to-date based on the age of the animal;
 5. The animal poses or has posed in the past a direct threat to the safety or health of the individual or others such as aggressive behavior towards or injuring the individual or others, or potential transmission of zoonotic diseases; or
 6. The animal causes or has caused excessive damage to housing beyond reasonable wear and tear;
 7. The requested animal requires the consumption of other animals (i.e. live feedings, flash frozen animals, dried insects)
3. The owner is required to ensure the animal is well cared for at all times. Any evidence of mistreatment or abuse may result in an immediate removal of the Emotional Support Animal/or discipline for the individual.
 4. Saint Louis University will not ask for or require an individual with a disability to pay a fee or surcharge for an approved Emotional Support Animal.
 5. An individual with a disability may be charged for any damage caused by his or her Emotional Support animal beyond reasonable wear and tear to the same extent that the university charges other individuals for damages beyond reasonable wear and tear. The owner's living accommodations may also be inspected for fleas, ticks, or other pests, as necessary. If fleas, ticks, or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a University-approved pest control service. The owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls. The University shall have the right to bill the owner's account for unmet obligations under this provision.

Access to Housing Facilities

Saint Louis University will not dictate room assignments for individuals with disabilities who have been approved for an Emotional Support Animal to any particular residence hall. Housing assignments will not be made or changed based on the approval of an Emotional Support Animal.

Animal Living Quarters

An Emotional Support Animal must be contained within the owner's University assigned living accommodations (e.g., room, suite, apartment) except to the extent the individual is taking the animal out for natural relief.

Dominion and Control

Notwithstanding the restrictions set forth herein, the Emotional Support Animal must be properly housed and restrained or otherwise under the dominion and control of the owner at all times. Proper restraint must be appropriate to the animal (i.e. a dog must have a leash no greater than 5 feet when inside university buildings). Animals that are traditionally caged or kept in a tank must remain in that enclosure at all times unless being held by the owner. As per Saint Louis city leash law, no owner shall permit the animal to go loose or run at large in University housing or elsewhere on campus except for any designated dog park. If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from the University housing.

Standards for Approved Emotional Support Animals

1. The owner must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the individual'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, which may include a vaccination certificate.
2. The owner is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner and, when provided, must use animal relief areas designated by Saint Louis University. The owner may not use artificial waste collection devices within university facilities. Animals whose primary residence does not require a cage, habitat, or litter box will relieve themselves outside and no closer than 15 feet from building entrances or exits. Waste must be placed in an impermeable container and disposed of in an outside garbage dumpster on a regular basis.
6. The owner must fully cooperate with University 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, designating an outdoor relief area, disposing of feces, etc.).
7. Emotional Support animals may not be left overnight in University housing to be cared for by any individual other than the owner. The animal cannot be relocated to another student's on-campus residence. If the owner is to be absent from their residence hall overnight or longer, the animal must accompany the owner. When the owner is not present during the day while attending classes or other activities, the owner is responsible for ensuring that the Emotional Support Animal is contained (caged or crated) as appropriate. The University reserves the right to inspect the enclosure to be used in containing the animal.
8. The owner agrees to abide by all equally applicable residential policies that are unrelated to the individual's disability such as assuring that the animal does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside there.
9. The animal is allowed in University housing only as long as it is necessary because of the owner's disability. The owner must notify the Department of Housing and Residence Life in writing if the Emotional Support Animal is no longer needed or is no longer in residence. To replace an Emotional Support animal, the new animal must be necessary because of the owner's disability and the owner must follow the procedures in this policy and the Housing Accommodations Policy when requesting a different animal.
10. Saint Louis University personnel shall not be required to provide care or food for any Emotional Support Animal 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.
11. The owner must provide the University with the name and contact information for someone who does not reside in University housing, but lives within four hours of Saint Louis and who can take responsibility for the animal within 12 hours should the owner be unable or unavailable to care for it.
12. The individual must provide written consent for Disability Services to disclose information regarding the request for and presence of the Emotional Support Animal to those individuals who may be impacted

by the presence of the animal including, but not limited to, Residence Life personnel 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.

Allegations of Policy Violations

Informal grievances related to an approved Emotional Support Animal will be handled through the residence hall staff for resolution between parties. Allegations of policy violations related to an approved Emotional Support Animal will be investigated as a part of the student conduct process. Any information gathered, including, but not limited to, video/picture evidence and owner/roommate experience, will be taken into consideration in holding the owner accountable for policy violations.

Removal of Emotional Support Animals

Saint Louis University may require the individual to remove the animal from University 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 animal's presence results in a fundamental alteration of a University program;
3. The owner does not comply with the owner's responsibilities set forth above; or
4. The animal or its presence creates an unmanageable disturbance or interference with the University community.

Decisions to remove an approved Emotional Support Animal will be based on the actual behaviors of the animal – not speculation of fear about any harm and/or damage an animal may cause. Any removal of an Emotional Support Animal will be done in collaboration between the Department of Housing and Residence Life, Disability Services, and the Office of Student Responsibility and Community Standards. If it is decided that the animal should be removed, the timeline in which the animal should be removed will be based on the severity of the situation and will be communicated in a written document through the student's SLU email. In the case that an animal has caused significant harm or damage, the animal is subject to immediate removal from campus. If it is determined that the animal must be removed from the University housing and the owner fails to comply with the stated time frame, the University may have the animal removed to the nearest, appropriate animal shelter. In the event the animal is not removed, the owner will be required to meet with University personnel in the Office of Student Responsibility and Community Standards and face potential conduct sanctions. Should the Emotional Support Animal be removed from the premises for any reason, the owner is expected to fulfill their housing obligations for the remainder of the housing contract.

Removal Appeal

Decisions to remove an animal may be appealed to the Director of Disability Services who will then assemble a team of qualified professionals to review the appeal. Appeals should be provided in written format within five (5) calendar days of the initial date of the decision communication. During the appeal process, the animal will not be allowed on campus. The appeal must state a specific reason for reconsideration of the decision. Appeals may only be based on:

1. New information that was not available at the time of the initial decision;
2. A procedural error that occurred that unfairly impacted the decision;

3. There is just cause to reconsider the decision, such as a demonstrated bias against the student.

Saint Louis University, Department of Housing and Residence Life Animal Registration Form

Student Information

Academic Year Requesting Accommodations (e.g., 2020-2021, 20201-2022, etc.):

Name:

Today's Date:

Banner #:

DOB:

Home City, State:

Phone #:

SLU E-mail Address:

Major:

Highlight Year: Fr Soph Jr Sr 5th/6thYr Grad

Information of Contact who will accept the animal in the event of necessary relocation/removal due to hospitalization or if student is unresponsive to communication

Name:

Phone:

Address:

Email:

Relationship to student:

I attest that I have spoken to the above contact about this responsibility:

Signature of Contact:

I give permission to Housing and Residence Life to contact the above person if I cannot be contacted:

Emotional Support Animal Checklist

This checklist must be completed with a Department of Housing and Residence Life representative. Please read and initial each statement below.

___ The care of the animal is the sole responsibility of the person who benefits from the animal. The university is not responsible for the care or supervision of emotional support animals. The student is responsible for the cost, care, and supervision of emotional support animals including but not limited to:

- compliance with any laws pertaining to animal licensing, vaccination, and identification;
- keeping the animal under control and taking effective action when it is out of control;

- feeding, watering, and walking the animal; and
- cleaning and properly disposing of all waste.

___ Emotional support animals are not permitted outside of the student's dwelling unless permission has been granted by the university. In such instances, the emotional support animal must be kept under control by a leash, harness, or tether.

___ The student who resides with an emotional support animal must adhere to all Housing and Residence Life policies regarding noise, safety, disruption, cleanliness, et cetera. An animal may be removed if it howls, yelps, barks, meows, or makes any sound as to reasonably disturb any person or it attacks or injures others without aggressive provocation.

___ The student is responsible for ensuring the animal does not unduly interfere with the routine activities of the residence hall or cause difficulties for students who reside there. Sensitivity to students with allergies and to those who fear animals is important to support a healthy residential community.

___ The emotional support animal must be house-trained, and waste may only be disposed of in outside commercial garbage dumpsters. Waste must be removed immediately from grass, dirt, or other grounds and must be placed in an impermeable container prior to disposal. The student is required to keep appropriate cleaning materials and waste bags in their possession when the animal is present on university property.

___ Litter boxes and animal habitats must be cleaned frequently and kept from odor. Litter boxes should be placed on mats on tile or vinyl bathroom floors so that feces and urine are not tracked onto carpeted surfaces. Disposal of cat litter by flushing it down toilets, sinks, or any other plumbing fixture is prohibited, including litter marketed as "flushable". If the animal has an accident indoors, it is the student's responsibility to immediately and appropriately clean up.

___ Animals may not be left alone when the person is traveling, including weekend trips and break periods, and must be crated as appropriate for the animal when the student is not in the residence. An acceptable period of time for the animal to be left alone is ___ hours. This time has been determined by the student in conjunction with Housing and Residence Life staff.

___ The student must provide a current photo of the emotional support animal and provide additional information about the animal (breed, age, sex, color, weight, etc) to remain on file in the Department of Housing and Residence Life.

___ The student is responsible for ensuring all vaccinations are completed and documented. Proof of vaccination must be provided initially and on an annual basis. The university reserves the right to request an updated vaccination record at any time during the animal's residency.

___ All animals must be kept clean and free of parasites. Animals must be cleaned and dried from walking in the rain or mud before entering the residence hall. Animals must be groomed regularly as recommended by a licensed veterinarian.

___ All city ordinances must be followed and proof of city registration of the animal must be provided upon the initial request. The animal should wear a tag at all times, which states the animal's name and the student's cell phone number.

___ The student will be held financially responsible for all damages in the living unit including and not limited to pest control, deep cleaning and

odor reduction, stain removal, and damage to all property of others or the university.

___ The student must be present as requested for preventive and routine maintenance, for residence life health and safety inspections, and for any other purposes that require staff to enter the private living areas of the dwelling as determined by the Department of Housing and Residence Life. An exception may be made in cases of emergency as determined by the Department of Housing and Residence Life.

___ The student must notify the Department of Housing and Residence Life in writing if the animal is no longer needed as an emotional support animal or is no longer in residence. The student must file a new request to replace an animal with a different animal.

Statement of Acknowledgement

By my signature below, I verify that I have read the requirements for requesting approval for an emotional support animal as well as the emotional support animal checklist. I agree to comply with all requirements and standards. I understand that violation of these requirements and standards may result in immediate removal of the animal from Saint Louis University housing. If this occurs, I understand I have a right to appeal the decision, but if the decision is ultimately that the animal must be removed I am still required to fulfill my housing obligation per my housing contract. I give permission for the Department of Housing and Residence Life to disclose the presence of the emotional support animal to university staff or others who may be impacted by the animal on a need to know basis. I understand this information will be shared with the intent of preparing for the presence of the emotional support animal and/or resolving any potential issues associated with the presence of the emotional support animal in university housing.

Student Name (please print): _____

Student Signature: _____

Date: _____