COLUMBIA COLLEGE
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www.columbiasc.edu

Emotional Support Animal Policy

The Federal Trade Commission (FTC) has been asked to investigate websites that purport to provide documentation from a healthcare provider in support of requests for an ESA. The websites in question offer for-sale documentation that is not reliable for purposes of determining whether an individual has a disability or a disability-related need for an ESA because the website operators and health care professionals who consult with them lack the personal knowledge that is necessary to make such determinations.

I. Policy Statement

Although it is the policy of Columbia College that students are prohibited from having animals of any type in college housing, CC will consider a request by a student with a mental health disability for reasonable accommodation from this prohibition to allow the presence of an emotional support animal (ESA). The college will consider such modification of policy, as mandated by the Fair Housing Act (FHA), to ensure that the student has an equal opportunity to use and benefit from Columbia College's housing program. This policy explains the specific requirements applicable to an individual's use of an ESA in college housing. Columbia College reserves the right to amend this Policy as circumstances require. This policy applies solely to ESAs that may be necessary in campus housing.

No ESA may be kept in housing at any time prior to the student receiving approval as a reasonable accommodation pursuant to this Policy. Animals found to be in residence prior to this formal approval must be removed immediately. Failure to abide by this restriction will be considered a violation of the Student Code of Conduct.

II. Definitions

Emotional Support Animal (ESA): An Emotional Support Animal is defined as an animal that provides necessary emotional support to an individual with a mental or psychiatric disability that alleviates one or more identified symptoms of an individual's disability, but which are not considered Service Animals under the ADAAA. Their therapeutic support is a function of their presence and interaction with the person with a disability**.**

Approved ESA: An Approved Emotional Support Animal is an animal that has been permitted in designated areas of residential communities as a reasonable accommodation under this policy.

Owner: The Owner is the individual who has requested the accommodation and has received approval to bring an ESA into College Housing.

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

Approval for having an ESA in residence is a two-step process. First, the student must establish their need for an ESA. Approval for a specific animal to serve in that role is a separate step. The student may need to consider an alternative to the requested animal. Generally, ESAs approved to reside in Columbia College housing are dogs or cats, but the college will consider requests for other commonly domesticated animals on a case-by-case basis.

Even if a student with a disability establishes necessity for an ESA and it is allowed in 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.

III. Procedures for Requesting an Emotional Support Animal in College Housing

The procedure for requesting an ESA shall include the requirements set forth below.

A. An individual with a disability must complete all forms in the Columbia College Accessibility Application, as outlined below. Copies of the Columbia College Accessibility Application are available through Accessibility Services at Accessibility Services Application. The Columbia College ESA Application packet includes the following forms:
    1. Accessibility Services Application
    2. Acknowledgment and Release of Information Consent Form
    3. Medical Documentation from a licensed mental health provider that provides ongoing therapeutic treatment to the student.
    4. Emotional Support Animal Health and Well-Being Medical Statement (Vaccination records)
    5. Emergency Contact Information Regarding Emotional Support Animal

B. Columbia College will accept and consider requests for ESAs in college housing at any time. The animal is not permitted in college housing until the owner has received written notification that the ESA has been approved.

However, if the request for accommodation is made later than the below-stated deadlines, it may not be possible to fulfill the request during the requested term of residence. If the completed application packet is received by the deadlines below, Columbia College will consider the application and decide before the start of the semester requested.

Returning Students

- *Requests for the Fall semester – March 1st*
- *Requests for the Spring semester – October 1st*

Incoming 1st Year and Transfer Students

- *May 15th for Fall semester*
- *October 15th for Spring semester*

C. If it is determined that the requested ESA accommodation is necessary and reasonable, the student will be contacted, in writing, within 5 business days of the determination to arrange a meeting to discuss the implementation.
    1. If it is determined that additional information is required to make the determination of whether the requested ESA accommodation is necessary and reasonable, the student will be contacted, in writing, within 5 business days of this determination with a request for more information.

D. If it is determined that the requested ESA accommodation will be denied, the student will be contacted, in writing, within 5 business days of this determination. If desired, the student may use the grievance procedure provided on the Accessibility Services webpage.

E. Approval for an ESA is good only for the academic year for which it has been approved. A renewal request for an ESA must be submitted for each academic year.

IV. Criteria for Determining If Presence of the ESA is Reasonable

A. College housing is unique in several aspects including the mandatory assignment of roommates for many individuals and the mandate that individuals must share a room, suite, or apartment in certain residential living situations. In addition, only one ESA is approved for an individual, and only one animal is allowed in a single residential unit.

B. For all requests for ESAs, Accessibility Services will consult with Housing & Residence Life in deciding on a case-by-case basis of whether the presence of an ESA is reasonable. 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 college 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 college property.

Columbia College, in consultation with the students (and other parties as deemed appropriate), will consider the criteria below in determining the making of reasonable accommodations and housing assignments for individuals with ESAs:

1. *The space needed for the cage/crate in which the animal will be housed is too large for available assigned housing space exceeding 40lbs.*
2. *The animal must be at least one year of age.*
3. *Vaccination status of Animal (animal must be fully vaccinated)*
4. *Animals must be housebroken AND crate trained*
5. *Type of Animal (reptiles and exotic species will not be allowed)*
6. *The animal's presence is not problematic for another individual living in housing (e.g., because of allergies or fears)*
7. *The animal's presence is not disruptive to the housing environment for other residents (e.g., because of noise or odors)*
8. *The animal does not pose 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.*

V. Criteria for Determining If Presence of the ESA is Necessary

A. Columbia College may consider the following factors, among others, as evidence in determining whether the presence of the animal is necessary. Determinations are made on a case-by-case basis.
   1. The application is complete and thorough.
   2. The response of the psychiatrist, or mental health professional thoroughly answers all listed questions and gives sufficient evidence supporting the nexus between the prescription of an animal and the therapeutic benefit in alleviating one or more of the identified symptoms or effects of the student's mental health disability.
   3. The student has ongoing therapeutic treatment with the mental health provider.
   4. The student completes the intake interview and the need for a reasonable accommodation is determined.

VI. Access to College Facilities by Approved ESA

A. Approved ESAs

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

B. Dominion and Control

Notwithstanding the restrictions set forth herein, the Approved ESA must be properly always housed and restrained or otherwise under the dominion and control of the Owner. No Owner shall permit the approved animal to go loose or run at large. If an Approved ESA is found running at large, the animal is subject to capture and confinement and immediate removal from college housing.

VII. Owner's Responsibilities for Approved ESA

If the college grants an Owner's request to live with an Approved ESA, the Owner must meet with the Director of Housing & Residence Life (or appointed designee) **AFTER moving onto campus with the approved ESA** to discuss ESA related requirements and questions.

The Owner is solely responsible for the custody and care of the Approved ESA and must meet the following requirements:

A. The Owner must abide by current city, county, state, and federal ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the Owner's responsibility to know and understand these ordinances, laws, and regulations. The College has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate. The College reserves the right to request documentation showing that the animal has been licensed.

B. 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 Columbia College.

C. The Owner is required to ensure the animal is well always cared for. Any evidence of neglect, mistreatment, or abuse may result in immediate removal of the Approved ESA and/or discipline for the responsible individual. Any animal that must be taken outside to relieve themselves should not be left alone for long periods of time. Doing so may be considered neglect.

D. An individual with a disability may be charged for any damage caused by his or her Approved ESA beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear. Any damage must be reported in a timely manner to the Area Coordinator. If there is a need for additional cleaning beyond normal maintenance, the student will be asked to cover those costs. 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 methods by a college-approved pest control service. The Owner will be billed for the expense of any pest treatment above and beyond standard pest management in college housing.

E. The Owner is liable for injury caused by an Approved ESA to another person or animal. Any injury must be reported in a timely manner to the Director of Housing & Residence Life.

F. The Owner must fully cooperate with college personnel about meeting the terms of this Policy and developing procedures for care of the Approved ESA (e.g., cleaning the animal, feeding/watering the animal, designating an outdoor relief area, disposing of feces, etc.). The College shall be empowered, with cause, to direct the ESA Owner to cause the ESA to receive veterinary attention.

G. Approved 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 college housing overnight or longer, the animal must accompany the Owner. The Owner is responsible for ensuring that the Approved ESA is contained, as appropriate when the Owner is not present while attending classes or other activities. At such times, the Approved ESA must be kept in a cage, crate, carrier, or kennel.

H. 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.

I. The Approved ESA is allowed in College Housing only as long as it is necessary because of the Owner's disability. The Owner must notify Columbia College Accessibility Services and Housing in writing if the Approved ESA is no longer needed or is no longer in residence.

J. To replace an Approved ESA, the Owner must provide the following updated documents. Accessibility Services must approve the new animal as reasonable before the animal is brought to campus.

    1. Request for Emotional Support Animal Roommate Notification and Agreement

    2. Emotional Support Animal Health and Well-Being Medical Statement

K. Columbia College personnel shall not be required to provide care or food for any Approved 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.

L. The Owner must provide written consent for Columbia College personnel to disclose information regarding the request for and presence of the Approved ESA 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 should be limited to information related to the animal and should not include information related to the individual's disability.

M. Before bringing an ESA to campus, the student requesting an ESA must provide the name and contact number of two individuals who can immediately remove the animal from campus in the event of an emergency. The individual may not be another student who intends to take the animal to another college housing location. The animal must be evacuated to an off-campus location.

N. For students with roommates: All roommates of the Approved ESA Owner in the college housing location (room, suite, or apartment) must sign an agreement

allowing the Approved ESA to be in residence with them. If one or more roommates do not approve, either the Owner and Approved ESA or the non-approving roommate(s) may be moved to a more suitable location, as determined by Housing & Residence Life staff.

VIII. Removal of Approved ESA

Columbia College may require the individual to remove the Approved ESA from college housing if any of the following are true:

A. The animal poses a direct threat to the health or safety of others or causes substantial damage to the property of others, including College property.
B. The animal's presence results in a fundamental alteration of a college program.
C. The Owner does not comply with the Owner's Responsibilities set forth above.
D. The animal or its presence creates an unmanageable disturbance or interference with the college community.
E. The owner is too ill or unable to care for the animal.

The college will base such determinations upon the consideration of the behavior of the animal at issue, and not on speculation or fear about the harm or damage an animal may cause. Any removal of an Approved ESA will be done in consultation with the Director of Accessibility Services and Housing & Residence Life, depending on the reason for the removal.

If the Owner is told to remove the Approved ESA from campus and has not done so within 48 hours of notification, the college reserves the right to remove the animal and take it to the nearest humane society location or other appropriate location. The student will then be reported to Student Life for violation of the student code of conduct.

The college reserves the right to immediately remove any animal that poses a direct threat to the health or safety of others.

Should the Approved 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 contract.

IX. Non-retaliation Provision

Columbia College shall not discriminate against or retaliate in any manner whatsoever against any person because that individual has requested or received reasonable accommodation in College Housing, including a request for an ESA.