

Emotional Support Animal Guidelines

The University of Tennessee Chattanooga (UTC) recognizes the importance of Service Animals as defined by The Americans with Disabilities Act Amendments Act (ADAAA) and the broader category of Assistance Animals as defined by the Fair Housing Act under the US. Department of Housing and Urban Development that provides support for people with disabilities. UTC is committed to allowing individuals with disabilities the use of their needed animals on campus to facilitate full participation, use and enjoyment of university programming and activities. The University of Tennessee Chattanooga reserves the right to amend this guidance at any time.

Section I: Definitions

A. **Assistance Animals** are a category of animals that may work, provide assistance, or perform tasks for the benefit of a person with a disability, or provide emotional support that alleviates one or more identified symptoms or effects of a person's disability. Assistance animals perform many disability-related functions, including but not limited to, guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing protection or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support. For purposes of reasonable accommodation requests, neither the Fair Housing Act nor Section 504 requires an assistance animal to be individually trained or certified. While dogs are the most common type of assistance animal, other animals can also be assistance animals (US Department of Housing and Urban Development, 2013. *Service animals and assistance animals for people with disabilities in housing and HUD-Funded programs*. FHEO Notice-2013-01).

B. **Service Animals** are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of work can include but are not limited to alerting people who are deaf, pulling a wheelchair, actively grounding a person with PTSD/ASD during an anxiety attack, alerting and protecting a person who is having a seizure or guiding people who are blind. Service animals are allowed access to anywhere the handler is allowed and are not required to present certifications of any kind (US Department of Justice, 2011. *Service Animals*. www.ADA.gov). When it is not obvious what service an animal provides, the following two questions may be asked:

1. Is the dog or service animal required because of the impact of a disability?
2. What work or task has the dog been trained to perform?

C. **Emotional Support Animals** are defined as animals that alleviate one or more identified symptoms or effects of a person's disability. This animal provides the necessary support to an individual with a psychiatric disability and alleviates one or more identified symptoms of an individual's disability. Further, there must be

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an established relationship, or nexus, between the individual's disability and the assistance the animal provides. It allows the student with a disability to receive full benefit or enjoyment of the residential facility on campus. Emotional Support Animals may not be brought into University housing without expressed approval from the Disability Resource Center and Director of Residence Life. The presence of Emotional Support Animals is approved for University housing only and will not be permitted in other campus buildings (e.g. libraries, academic buildings, classrooms, labs, student center). It is important to note that animals needed to alleviate the psychological impact of disabilities may be referred to by various names. For example, companion animals, therapy animals, comfort animals, etc. At UTC, we refer to these animals as Emotional Support Animals.

D. Pets are defined as domesticated animals kept for companionship. Residents are not permitted to keep pets in University housing, other than fish.

Section II: Requesting Emotional Support Animals in University Housing

A student requesting permission to keep an Emotional Support Animal in campus housing should complete the steps below. Approval of an Emotional Support Animal, and (separately) the particular animal requested by the student, are determined on a case-by-case basis.

- A. The student should initiate the request for this accommodation by completing the Accommodation Request Form on the Disability Resource Center application.
- B. The student must meet with the Disability Resource Center to discuss the request to have an Emotional Support Animal in college housing and receive the requirements to pursue this request.
- C. The student should provide current documentation of a disability from a physician, psychiatrist, psychologist, or other mental health professional.

Documentation should include the following:

1. Verification of a disability that substantially limits a major life activity.
2. A description of the ongoing therapeutic relationship between the provider and the student.
3. A description of why the animal is necessary for the student to use or enjoy the living arrangements provided by the university.
4. A description of an identifiable relationship or nexus between impacts of the disability and the support the animal provides.

D. After steps A, B, and C are completed, the Disability Resource Center will review the student's request in a timely manner to determine if it is reasonable due to the impact of a disability.

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Steps in the ESA process:

- a. A meeting will be arranged with the student to carefully review the student's request pertaining to an Emotional Support Animal on campus. At this meeting all rules, regulations and procedures will be discussed.
- b. The student must complete the "Emotional Support Animal Registration Form" (see form below).
- c. The student/housing staff will notify current or potential roommate(s), apartment mate(s), or housemate(s), as appropriate, to obtain their acknowledgment to have a specific Emotional Support Animal housed in their living environment. The student can request support with this process by consulting with staff at the Disability Resource Center. Should there be conflicting considerations between the student approved for an Emotional Support Animal and the needs of roommate(s), apartment mate(s), or housemate(s), such as health/allergy conditions or significant phobia of the animal, either the student requesting the Emotional Support Animal or the concerned roommate(s), apartment mate(s), or housemate(s) may be moved to a different location based on space availability. Residence Life will respond in a timely manner and will carefully consider options for all involved students. This step may require the student with the concern to connect with the DRC for their own accommodation process.
- d. **The animal may not reside in campus housing until the following have been received and approved:**
 - 1) Emotional Support Animal Agreement Form, 2) documentation outlining the need for the Emotional Support Animal from a qualified professional, 3) Emotional Support Animal Registration Form, 4) current animal information including all applicable vaccination and licensing records. 5) The student has spoken with their housing staff member (typically the RD)
- e. Residence Life building staff will be notified (e.g., the Director of Residence Life and Resident Director), as appropriate.
- f. The student must notify the Disability Resource Center and the Director of Residence Life if the animal is no longer in residence or if the student is requesting that the approved animal be replaced by another Emotional Support Animal.
- g. The health and well-being of the animal must be evaluated annually by a veterinarian. Documentation of up-to-date animal records including any applicable vaccinations, and Chattanooga city license, etc. must be documented with the Disability Resource Center for the animal to continue to be on campus.

****Any student who is a late housing applicant and is assigned to housing off site may be required to wait until a permanent housing assignment on campus is established before bringing an Emotional Support Animal to the on-campus residence hall. If the request is denied and a student feels it is unfair, the student may file a complaint with the ADA Coordinator. The Complaint procedure can be accessed at <http://www.utc.edu/equity-diversity/file-complaint.php>**

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Section III: Responsibilities of Students Approved for Emotional Support Animals

A. Care and supervision. The Emotional Support Animal is the responsibility of the student, who is required to always maintain full control of the animal.

1. An Emotional Support Animal must be contained within the student's privately assigned individual living accommodations except to the extent the individual is taking the animal out for natural relief. When transported outside of these environments, the animal must be on a leash or transported in an animal carrier.
2. The student is responsible for ensuring that the Emotional Support Animal does not interfere with routine activities of the residence or cause difficulties for other residents.
3. Emotional Support Animals may not become the responsibility of another student living on campus. The animal must be taken with the student if leaving the campus for a prolonged period of time (more than 8 hours), as appropriate for the animal, including overnight.
4. UTC staff and other students are not required to provide care for or food for Emotional Support Animals.
5. During an emergency evacuation for events such as fire alarms, fires or other evacuations, if comfortable and available, roommates can remove the animal or notify staff/emergency personnel and will not be held responsible for care of, injury to, or the loss of an animal.
6. The student is responsible for ensuring proper cleanup of the animal's waste and, when appropriate, must toilet the animal in designated areas. Solid waste—including litter—must be placed in sturdy, securely tied bags before being disposed of in outside trash dumpsters.
7. The Disability Resource Center and the Director of Residence Life may place reasonable conditions or restrictions on approved animals, depending on the nature and characteristics of the animal according to local, state and federal ordinances.
8. Additional care and supervision considerations or reasonable conditions may be applied at the determination of DRC and Housing and Residence Life as appropriate.

B. Health and Wellbeing. Local ordinances regarding animals apply to Emotional Support Animals, including requirements for immunization, licensing, noise, restraint, roaming animals, and dangerous animals.

1. Dogs must wear a license tag and a current rabies vaccination tag. Current animal records including vaccination history and licensing certificate should be updated annually.
2. Animals housed in campus housing must be in good health as established by a licensed veterinarian.

C. Financial responsibility. Any cost for the actions of the Emotional Support Animal including bodily injury, property damage, pest control and/or excessive cleaning must be met by the student. UTC reserves the right to bill the student's account for charges related to Emotional Support Animals.

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D. Animal Removal. The University may require the individual to remove the Emotional Support 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 responsibilities set forth; and/or consistently violates university or housing policies, or
4. The animal or its presence creates an unmanageable disturbance or interference with the university community

UTC will base such individualized determinations upon the consideration of the behavior of the animal and resident on a case-by-case basis. The university will not base this determination on speculation or fear about the harm or damage an animal could cause. The decision to remove an animal may be appealed pursuant to the grievance procedure. The Owner will be afforded all rights of due process and appeal as outlined in that process.

Should the Emotional Support Animal be removed from the premises for any reason, the owner is still expected to fulfill his/her housing obligations for the remainder of the housing contract.

E. No-Retaliation Provision. UTC will not retaliate against any person because that individual has requested or received a reasonable accommodation in University Housing, including the request for an Emotional Support Animal.

Emotional Support Animal Agreement

By my signature below, I verify that,

1. I have read, understand, and will abide by the guidelines outlined above,
2. I agree to provide the additional information that may be required to complete my request to have an Emotional Support Animal in college housing, and
3. I agree to update veterinarian records annually.

I, furthermore, give permission to the Disability Resource Center to disclose to necessary parties with a need to know (i.e. Residence Life Staff, potential/actual roommates, facility workers) that I will have an Emotional Support Animal in my residence hall room as an accommodation. I understand that this information will be shared with the intent of preparing for an animal in a shared space or resolving any potential issues that may arise due to the presence of the Emotional Support Animal.

Student Signature

UTC ID

Date

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Emotional Support Animal Registration Form

UTC along with the resident, and other parties as appropriate, may consider the following factors in determining whether the presence of the animal is reasonable in the making of housing assignments for individuals with Emotional Support Animals.

1. The size of the animal is too large for available housing space;
2. The animal's presence would force another individual from individual housing (allergies, significant phobia)
3. The animal's presence otherwise violates individual's rights to peace and quiet enjoyment;
4. The animal is not housebroken or is unable to live with others in a reasonable manner;
5. The animal's vaccinations are not up to date;
6. The animal poses or has posed a direct threat to the individual or others such as aggressive behavior towards or injuring the individual or others;
7. The animal causes or has caused excessive damage to housing property beyond reasonable wear and tear.

UTC will not limit room assignments for individuals with Emotional Support Animals to any particular building or buildings because the individual needs an Emotional Support Animal due to the impact of a disability.

Student's Information

Student's Name _____ ID# _____ Phone _____

Student's On-Campus Address (Residence Hall Name and Room Number)

Student's Permanent Address _____

City/State/Zip _____

Emotional Support Animal's Information

ESA Name: _____

Type of animal: _____ Breed/Species: _____

Age of animal: _____

Size of the cage/crate needed for containment: _____

(Note: there are some restrictions on the kind of animal that can be approved for the residence hall; it is possible the student may be approved for an ESA, but it may not be allowed to bring the specific animal named.)

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Veterinarian Verification Form

Please attach, as appropriate, a veterinarian's verification that the animal has all veterinary- recommended vaccinations and has been subjected to all other reasonable and necessary animal care measures to maintain the animal's health and prevent contagious disease, as required by local ordinances and regulation.

I verify that all the above vaccinations are and will remain current through one year or as instructed by the veterinarian.

I verify that the above mentioned animal has been given a stool sample test for internal parasites and that the stool sample was found to be negative for parasites known or suspected of infecting humans, including roundworms, whipworms, hookworms, tapeworms, and Giardia sp; or that the animal has been appropriately treated for these parasites. I further verify that the above-mentioned animal has been treated and/or examined and found to be free of flea infestation.

I verify that the above animal is in general good health.

Veterinarian Signature

Date

Personal Narrative

Dogs and cats are most often requested as ESAs and seem best suited to adapting to the communal living setting of the college residence hall. If another type of animal is being requested, please explain why you believe that animal is a better choice.

Is there evidence that an ESA has helped you in the past or currently? If not, why do you believe this may be an effective support now?

By law ESAs are for support in housing and therefore are not considered as part of an academic accommodation. Please explain what impacts you experience and how having your ESA will minimize those impacts. In other words, what impacts will you experience without your requested ESA present?

Thank you for taking the time to complete this form. If we need additional information, we may contact you at a later date.

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