



Emotional Support Animal (ESA) Policy

Introduction

Randolph College is committed to providing appropriate services and accommodations to students identified with disabilities. The Office of Access Services (“Access Services”) is the primary authorized office, working with the Special Accommodations Committee, to determine the presence of **Emotional Support Animals (hereafter referred to ESA)** in on-campus College housing, for students with disabilities. Every student’s request for an animal on campus in non-public areas will be determined on a case-by-case basis.

Randolph College reserves the right to amend these guidelines as circumstances require.

For all students living in College housing, it is important to understand the following information:

- If a student’s need for an **ESA** arises after a student is already placed in campus housing for the year, they should submit a request to the College through the appropriate process (see Part II below) at least thirty (45) days prior to the date the student would like to bring the animal to the residence hall.
- Students making requests after College housing assignments have already been determined should note that even if the animal is acceptable or approved, the student may need to wait until the following semester to bring the animal into their assigned residence hall room, depending on their current housing arrangements.
- The College will make every effort to make needed arrangements as quickly as possible on a case-by-case basis.

Part I: Definitions & Rules

Owner:

An individual with a disability who has requested the accommodation and has received approval for bringing their **ESA** into College housing.

Emotional Support Animal:

An **ESA** is one that is necessary to afford the person with a disability an equal opportunity to use and enjoy College housing. An **ESA** may provide physical assistance, emotional support, calming, stability and other kinds of assistance. **ESAs** do not perform work or tasks that would qualify them as “Service Animals” under the Americans with Disabilities Act.

ESAs that are not Service Animals under the ADA may still be permitted, in certain

circumstances, in College housing pursuant to the law.

ESAs permitted in College housing typically will be limited to cats and dogs that are at least one **year** of age. Pets are not **ESAs**. Animals that carry infectious diseases (zoonosis), such as rats, reptiles, amphibians and other exotic animals and arachnids, will not be permitted in College housing.

Access to Campus Areas:

Owners living in College housing with an approved **ESA** are allowed to have their **ESAs** in their assigned residence hall rooms, and the access way to and from residence room.

Owners may not take, under any circumstances, their **ESAs** into other student rooms of the assigned residence hall or into any other residence halls on campus, or into any dining centers, or any other campus area or building.

General Responsibilities of Owners in College housing:

Any student approved for an animal in College housing must abide by current local, state and federal 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 College has the right to require documentation of compliance, which will include a vaccination certificate and certificate of health. The College reserves the right to request documentation showing that dogs are licensed in Lynchburg, VA or in the student's city of residence.

ESAs approved to reside in College housing must comply with the requirements set forth below; failure to meet these requirements may result in removal of the **ESA** from housing, although the individual with a disability will be permitted to remain. Documentation of the requirements below must be submitted on an annual basis to Access Services:

- Current vaccination records;
- Proof of flea and tick prevention measures;
- Proof of licensure, as applicable, either in the City of Lynchburg or the city of the Owner's permanent residence; and
- Designated emergency contacts for alternative care providers should the Owner experience an emergency that impacts their ability to care for the animal, such as hospitalization.

Owners with approved animals living in College housing at Randolph College may not transfer daily care responsibilities for their animal to another person without consulting with **Access Services or Assistant Director of Residential Life in** advance. These include feeding, exercising/walking, waste clean-up, and supervision of the animal outside of the

student's assigned residence hall room. In a suite-style residence hall, the common area of the suite is outside the student's assigned private room and therefore requires the Owner to supervise their animal.

*Overnight care of the animal on-campus by another person in the absence of the Owner is prohibited, except for emergency or college related activities. The animal must be taken off-campus whenever the student does not remain overnight in their assigned residence hall room, including but not limited to the student's weekend travel plans or mid-semester breaks (e.g., Thanksgiving week, Spring Break week) **and all** other designated periods when students leave campus overnight.*

In the event that the Owner must leave campus overnight or longer for a College sponsored activity, a proxy may be named to assume responsibility for the care, supervision, and control of the ESA for the duration of the Owner's absence. The Owner must contact Access Services or the Assistant Director of Residential Life prior to leaving campus for College sponsored activities. A conversation must take place between the Owner and the designated proxy to arrange access to the Owner's approved residential space and to determine an appropriate care schedule that is agreed upon by the Owner and proxy.

For each expected absence, the Owner must contact the Coordinator of Access Services or the Assistant Director of Residential Life at least three business days in advance in order to complete the necessary paperwork and for Residence Life and Campus Safety to be notified of the arrangement. The use of a proxy must be approved each time the Owner leaves campus overnight or longer for a College sponsored activity. If an Owner is hospitalized, after business hours, please call security at 947-8000, and someone will assist the Owner with contacting staff that is on call and his/her proxy. At no time will College staff or employees be required to be responsible for the care of an ESA.

An Owner may be charged for any damage caused by their approved **ESA** beyond reasonable wear and tear to the same extent that the College charges other individuals for damages beyond reasonable wear and tear. The Owner's living accommodations in College housing also may 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 fumigation 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 the residence halls. The College shall have the right to bill the individual's account for unmet obligations under this provision.

The Owner must provide written consent for Access Services or Assistant Director of Residential Life to disclose information regarding the request for and presence of the **ESA** to those individuals who may be impacted by the presence of the animal. These individuals include, but are not limited to, College housing personnel, potential and/or actual

roommates, or neighbors. Such information shall be limited to information related to the animal and shall not include information related to the individual's disability. Owners are encouraged to give Residence Life permission to attach a sign to the upper right-hand corner of their residence hall door to signify that an approved animal resides in the space.

When the **ESA** is outside the Owner's assigned room, it must be in an animal carrier or controlled by leash or harness. The Owner is responsible for ensuring that the **ESA** is contained in an enclosure (crate) in their assigned room, as appropriate, when the Owner is not present during the day while attending classes or other activities. In a suite-style residence hall, the common area of the suite is outside the Owner's assigned private room and therefore the animal must be supervised by the Owner. In a suite-style residence hall, the **ESA** must be contained in an enclosure (crate) in the residence room when the residence is away from the residence hall.

Animal Waste Clean-up Rule

Cleaning-up after the **ESA** is the sole responsibility of the Owner. In the event that the Owner is not physically able to clean up after the animal, it is then the responsibility of the Owner to hire someone capable of cleaning up after the animal. The Owner or other-designated person cleaning up after the animal should abide by the following guidelines:

- Always take the animal to a pre-determined, designated area for the animal to relieve itself.
- Always carry equipment sufficient to clean up the animal's feces whenever the animal is on campus.
- Indoor animal waste, such as cat litter, cedar chips, etc., must be placed in a sturdy plastic bag and tied securely before being disposed of in an outside trash receptacle. Animal waste may not be disposed of in sinks, toilets, or indoor trash receptacles. Litter boxes should be placed on mats so that feces and urine are not tracked onto carpeted surfaces.
- Litter boxes, cages, crates, or habitats may not be cleaned in College housing showers and sinks.
- Properly dispose of waste in appropriate outside containers.
- Contact designated staff if arrangements are needed to assist with cleanup. Any cost incurred for doing so is the sole responsibility of the Owner.

Part II: Randolph College's Process Regarding Emotional Support Animals

While it is the general policy of the College that, for both resident students and guests, animals (pets), other than fish, are not permitted in the residence halls, Randolph College will consider a request by an individual with a disability for reasonable accommodation. The College will not limit room assignments for students with approved **ESAs** to any

particular room or buildings because of a student's need for an **ESA** due to disability.

Emotional Support Animals in Residence Halls

The Special Accommodation Committee will authorize an **ESA** for a student with a documented disability to reside in College housing if certain conditions are met, consistent with the Fair Housing Act. The animal must be necessary for the student with a disability to have equal access to College housing and the accommodation must be reasonable. The **ESA** is allowed in College housing only as long as it is necessary because of the Owner's disability. The Owner must notify Access Services in writing if the **ESA** is no longer needed or is no longer in residence. To replace an **ESA**, the new animal must be necessary because of the Owner's disability and the Owner must follow the procedures in these Guidelines and the Reasonable Accommodation Policy when requesting a different animal.

An accommodation is unreasonable if it presents an undue financial or administrative burden on the College, poses a substantial and direct threat to personal or public safety or constitutes a fundamental alteration of the nature of the service or program. The Special Accommodations Committee will make these determinations on a case-by-case basis.

Request Process for an Emotional Support Animal:

A student who will be residing on-campus and is requesting an **ESA** should complete the **ESA Application** and provide documentation of a disability to Access Services by the posted Fall semester deadline. Detailed information, including the link to the **ESA Application** and the current deadlines for incoming and returning students can be found on the Access Services webpage.

If a student's need for an **ESA** arises after a student is placed in campus housing for the year, they should notify Access Services at least thirty (45) days prior to the date the student would like to bring the animal to the residence hall.

A student making a request for an **ESA** after College housing has already been determined should note that even if the animal is acceptable or approved, the student might need to wait until the following semester to bring the animal to their assigned residence hall room, depending on their current housing arrangements. The College will make every effort to make needed arrangements as quickly as is possible on a case-by-case basis.

The documentation from a qualified professional must establish the presence of significant impairment due to disability **and** provide a description of the relationship between the impairment and the presence of the animal. The professional may be asked to provide additional details to support the relationship between the disability and the need for the animal.

The completed **ESA Application** must be submitted in its entirety, including the required documentation from a qualified professional (**Provider Request for Information (re: ESA) Input Form**), before the request for the accommodation of an **ESA** will be considered. After receipt of the completed **Application**, Access Services will contact the student to schedule an appointment to meet with the Director of Access Services and/or the Special Accommodations Committee to discuss the decision regarding the request for the animal. If the animal is approved as an accommodation, the discussion will include restrictions on access to non-public areas of campus, and issues regarding animal control, waste clean-up and other responsibilities.

Emotional distress resulting from having to give up an animal because of a “no pets” policy does not qualify a person for an accommodation under federal law. Any student who brings an **ESA** into College housing before receiving approval from the Special Accommodations Committee is in violation of the “no pets in College housing requirement” as stated in the current Housing Policies and Code of Conduct Contract and is subject to a Student Conduct Referral.

*** Neither Access Services nor the Special Accommodations Committee will make any housing determinations regarding **ESAs** for students living off-campus. Enrolled students living off-campus who are interested in applying for an **ESA** accommodation should consult their apartment manager or landlord about the request process.

The Owner is required to ensure the **ESA** is well cared for at all times. Any evidence of mistreatment or abuse may result in immediate removal of the **ESA**.

The Owner is responsible for feeding and watering the **ESA** within the confines of their personal room. Bowls of food and water should be placed on mats so that water and food do not get on the floor. Food for the animal should be kept in a closed container within the confines of the Owner’s room. Open bags of food are not permissible, as they attract pests.

The Owner must ensure that the **ESA** is kept clean and free from odor; however, the Owner may not use College housing showers, sinks, or bathtubs to clean the animal. The Owner should bring animal wipes and spray bottles to clean the animal.

A. Removal of an Emotional Support Animal

Notwithstanding the restrictions set forth herein, the **ESA** must be properly housed and restrained or otherwise under the dominion and control of the Owner at all times. When an **ESA** is outside the Owner’s assigned room in College housing, it must be in an animal

carrier or controlled by a leash or harness. No Owner shall permit their animal to run loose or be at large. If an **ESA** is found running at large, the animal is subject to capture and confinement and immediate removal from the College housing.

A student may be ordered to remove their **ESA** by a Randolph College Security Officer, College housing staff, or other College official for the following reasons:

- **Out of Control Animal:** An Owner may be directed to remove an animal that is out of control and the Owner does not take effective action to control it. If the improper animal behavior happens repeatedly, the Owner may be prohibited from keeping the animal in College housing until the Owner can demonstrate that they have taken significant steps to mitigate the improper behavior.
- **Non-housebroken Animal:** An Owner may be directed to remove an animal that is not housebroken. When the animal is kept in a cage or other small enclosure the Owner may be directed to remove the animal if the Owner repeatedly fails to maintain a clean, healthy environment for it. An animal that utilizes the hallways for bathroom purposes will also be requested to leave campus.
- **Direct Threat:** An Owner may be directed to remove an animal that Randolph College determines to be a substantial and direct threat to the health and safety of individuals. This may occur as a result of a very ill animal, threatening or aggressive behavior of the animal, a substantial lack of cleanliness of the animal, or potential transmission of zoonotic diseases.

For any other violations of this Policy, the following steps may be followed:

The 1st violation will result in a meeting with the Coordinator of Access Services and the Assistant Director of Residential Life.

The 2nd violation will result in a meeting with the Assistant Director of Residential Life.

The 3rd violation will result in the request to remove the animal from Randolph's premises.

If an ESA has a disease, bites or attacks anyone, Lynchburg City's Animal Control will be called to remove the ESA immediately. Housing and security will follow up to ensure that the ESA is not on campus.

General Procedure for removal:

When it is determined that an ESA must be removed from College property, the Assistant Director of Residential Life, will notify the Owner immediately. The ESA must be removed from campus within 24 hours of the notification. Should the ESA not be removed as instructed, the College will contact the Lynchburg Animal Control to remove the ESA to the nearest appropriate animal shelter; the Owner will assume any costs associated with the removal.

Should the ESA be removed from the premises for any reason, the Owner is expected to fulfill their housing obligations for the remainder of the housing contract.

B. Emergency Situations

In the event of an emergency evacuation, the Owner, if present in their residence hall room at the time of the evacuation, is responsible for safe removal of their **ESA**. A suitable carrier should be maintained in the room for transporting a small animal as needed. College personnel shall not be required to provide care or food for any **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. If an emergency occurs when the student is not present in the room, then the situation may necessitate leaving the **ESA** behind until the area is deemed safe for return by proper authorities.

C. Student Conduct Referral Process regarding Emotional Support Animals

An Owner with an **ESA** is responsible for the animal's behavior and for their presence in designated areas only. The owner must always be mindful of their responsibilities for the animal. The Owner is expected to maintain a healthy, clean-living environment in their assigned room for the animal, to the greatest extent possible, and to address immediately any problems with the environment or noise issues brought to their attention by their Resident Assistant or Area Coordinator. Also, the Owner is expected to decline all invitations from other students to take their **ESA** into non-authorized rooms or residence halls, and to decline all invitations to take the **ESA** into non-public campus areas, including invitations from faculty to bring the animal to class lectures or labs. Faculty, in turn, are discouraged from inviting a student to bring their **ESA** into class. An Owner who fails to meet their responsibilities regarding keeping their **ESA** in a healthy environment, or an Owner who takes their **ESA** into a non-authorized area at any time will be subject to a Student Conduct Referral.

Part III: Appeals and Grievances

Any student dissatisfied by a decision concerning an **ESA** in College housing may appeal through the Associate Provost Office grievance procedures, which can be found. Please contact their office at 947-8126.

Part IV: Acknowledgment

My signature indicates that I have read and understand the Emotional Support Animal (ESA) Policy and agree to abide by the rules and requirements outlined in this Policy.

Owner's Name (Print)

Owner's Signature

Date