



## LANCASTER BIBLE COLLEGE

### **Emotional Support Animals (ESA) Policy**

The College is committed to providing a supportive environment for students with disabilities and complying with all applicable provisions of the Americans with Disabilities Act as amended (ADAAA), Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act (FHA).

#### **Definition:**

Emotional Support Animal (ESA) is the term used for a domestic animal prescribed as treatment by a licensed mental health professional for therapeutic support to its owner. The College will only allow an ESA that is permitted by local and state laws and conform to standards within this policy and will not allow any ESA that is commonly known to carry salmonella. Under the Fair Housing Act (FHA), a person with a disability may keep an emotional support animal in the individual's dwelling when there is an established need for the therapeutic nature of the animal that is connected to the individual's disability.

#### **Considerations and Approval Process:**

Students may qualify for this accommodation if: 1) the student has a documented disability, 2) the animal is necessary to afford the student with a disability equal access, and 3) there is an identifiable and documented relationship between the disability and the assistance that the animal provides.

Students must receive approval from the Disability Services Office (DSO) prior to bringing an ESA to campus. Students can request approval by completing an initial *ESA Request for Information* Form, and providing documentation from a licensed mental health professional in accordance with the Fair Housing Act and HUD regulations. Documentation may be no more than six months old.

The DSO will review the student's documentation and the determination of whether or not an ESA will be permitted is made on a case-by-case basis, after an interactive process between the student, the DSO, and Residence Life staff. If documentation is sufficient and an ESA is approved, a Residence Life staff member will contact the student to determine a housing option for the student. Updated (no more than six months old) documentation should be provided to the DSO for every academic year that an ESA request is made.

Students should note that housing options may be limited because the College must balance appropriate accommodations for students with disabilities with students who have allergies and/or animal fears. Advance notice of the need for an ESA is essential for the College to provide a smooth transition for the student and the rest of the community where the student will reside. For this reason, documentation should be provided to the DSO at least two weeks before the housing registration deadline. If a request for accommodation is made fewer than

sixty days before the beginning of a new semester (fall or spring), the College cannot guarantee that it will be able to meet the individual's ESA request during that term of occupancy.

A request for an ESA may be denied as an unreasonable accommodation if the presence of the animal: 1) imposes an undue financial and/or administrative burden, 2) fundamentally alters the College housing policies; and/or 3) poses a direct threat to the health and safety of others or has caused substantial property damage to the property of others, including College property. Any denial of an ESA request can be appealed to the College's ADA Compliance Officer.

### **Requirements for Emotional Support Animals**

The care and supervision of the ESA is solely the responsibility of the student owner. The student must be in full control of the ESA at all times. The size of the animal must not be too large for the assigned housing space. The ESA must be maintained (kept clean, free from fleas or ticks, etc.) and may not create safety hazards for other people in the dorm room. Local and state ordinances and laws regarding animals apply, including requirements for immunizations, licensing, noise, restraint, at-large animals and dangerous animals.

An animal's behavior, noise, odor and waste must not exceed reasonable standards for a well-behaved animal. These factors should not create unreasonable disruptions for other residents. If the noise (whining, barking or meowing, noisy toys) is excessive as judged by Residence Life staff, it is grounds to remove the ESA from campus. Dog's must be housebroken and cats must be litter box trained. ESA's may also be excluded from the college campus if the student does not control the ESA or the animal behaves in unacceptable ways, including but not limited to, uncontrolled barking, jumping on other people, or running away from the handler.

The student must ensure that the animal relieves itself in appropriate areas, as specified by Residence Life and is responsible for regularly cleaning up and properly disposing of the ESA's waste (i.e. litter box, wood chips/cage, etc.) in the dumpster nearest the dorm in which the student resides. People who are physically unable to accomplish this task are responsible for arranging for it to be done and any costs that it incurs.

The animal must remain only in the student's private residence, unless being taken outside for natural relief. The animal must be contained in an appropriate cage, kennel, or enclosure in the student's room when the student is not present in the room. Owners cannot leave their ESA unattended overnight. ESA's must be on a leash any time it is outside of the student's residence hall room. The student may not take the animal to any other College building other than his or her assigned residence hall room unless otherwise specified in a College approved accommodation. If the ESA escapes the room, when found, the college retains the right to remove the ESA from the campus.

Any suspected or observed issues related to animal abuse or neglect will be reported to the Office of Student Affairs, and if verified, the animal will be removed and the student may be subject to college disciplinary action.

The student, not the College, is responsible for the actions of the ESA including, but not limited to, any bodily injury or property damage. Students with ESAs will be charged if additional cleaning or damage occurs as a result of having the animal in the dorm. Roommates, Campus Safety, Physical Plant and their grounds crew, housekeepers, and Residence Life staff will be notified of the presence of the approved ESA in a particular space. In addition, the College retains the right to remove the ESA, at the owner's expense, should the animal become a direct threat to the health and safety of others or violates these requirements in any way.

**Acknowledgement and Consent:**

\_\_\_\_\_ I verify that I have read, understand, and will abide by the requirements outlined in this policy.

\_\_\_\_\_ I give my permission to the Disability Services Office at Lancaster Bible College to disclose to others impacted by the presence of my ESA that I will be living with an animal as an accommodation. I understand that this information will be shared with the intent of preparing for the presence of the ESA and/or resolving any potential issues associated with the presence of the ESA.

\_\_\_\_\_ I acknowledge that the College may contact Animal Control, the Human Society, or some other appropriate government agency to remove the ESA from the College's premises if the removal of the ESA is required in the College's sole judgement.

\_\_\_\_\_ Further, I acknowledge that the presence of an ESA may be noticed by others and agree that staff may acknowledge the presence of the animal, and explain that under certain circumstances ESA's are permitted for persons with disabilities.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Residence Life Representative Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Disability Services Representative Signature

\_\_\_\_\_  
Date