

## **SUNY Cobleskill Residential Life Office**

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

#### **PART A**

##### **General Considerations**

The College enforces a no-pet policy in its residence halls, College-owned apartments, and campus facilities. Exceptions are made for service and emotional support animals according to the guidelines outlined below.

##### **I. Definitions**

###### **Service Animals**

The Americans with Disabilities Act (ADA) defines a “service animal” as any dog individually trained to do work or perform tasks for the benefit of an individual with a disability. This includes, but is not limited to, guide dogs for the blind, hearing dogs for the deaf/hard of hearing, and service dogs for people with physical disabilities and seizures disorders. Service dogs are not considered “pets” and are explicitly permitted in “No Pets Allowed” areas under state and federal civil rights laws.

Students who wish to bring a service animal to campus should register the request for accommodation with the Accessibility Resources Office in the library. While the College reserves the right to require documentation that an animal used in campus facilities, or any SUNY Cobleskill housing facilities, is a service animal that falls under protections of federal and state laws, students with service animals are not required to fill out Part B of this application.

###### **Assistance/Companion Animals**

An “Emotional Support Animal” is a *pet* that is owned by an individual with a disability. An emotional support animal is not a service animal and unlike service animals, ESAs will not need to accompany the individual with the disability at all times. The Fair Housing Amendments Act of 1988 protects the right of people with disabilities to keep animals for emotional support, even when there is a general “no pets allowed” policy.

##### **II. Reasonable Accommodation Policy for Emotional Support Animals**

With approval in advance, a student with a disability may have an ESA in her/his residence hall bedroom as a reasonable accommodation. The ESA will only be allowed in the individual owner’s residence hall bedroom and not in other buildings on campus. In order to have an ESA in the residence halls, the following is required:

1. The student must be registered as a disabled student with the Accessibility Resources Office located in the library.
2. The request for an ESA must be made in writing (Using Part B of this packet) to the Residential Life Office within three months of the animal's requested arrival on campus.
3. The request must include contemporary (within three months of the animal's requested arrival on campus) documentation, using Part C of this packet, from a licensed health professional (i.e. physician, psychologist, psychiatrist, social worker) who has provided treatment to the student for the disability. The documentation must include:
  - i. Evidence of the disability and the DSM or medical diagnosis from a licensed professional related to the use of an assistance animal. This includes:
    - a. the dates of treatment and the date at which the diagnosis was first made;**
    - b. the symptoms for which treatment was needed;**
    - c. treatments other than use of an assistance animal that have been used for symptom reduction; and**
    - d. the date on which the use of an assistance/companion animal was prescribed.**
  - ii. Evidence of the connection between the diagnosis/symptoms and use of the assistance/companion animal.
  - iii. Evidence that the student will not be able to use and enjoy the residence hall or to participate in the services or programs if the assistance/companion animal is not allowed.
4. The request must include a physical description of the animal, including age, height and weight, and confirmation that the animal is housebroken or confined such that housebreaking is not necessary (e.g., fish in a fishbowl). Also include any equipment that will be needed for the care of the animal.
5. The request must include a contemporary (within three months of the animal's requested arrival on campus) statement from a qualified veterinarian that the animal has received all appropriate vaccinations and is in generally good health using Part D of this packet.
6. Following completion of steps 1 – 5, the submitted request will be reviewed within 30 calendar days. You will be notified of the outcome of the review.
7. If the outcome is approval of the submitted paperwork, in-person meetings will be offered (one with you to review requirements and then one with all roommates to review requirements).
8. The entire process must be completed in advance of any animal moving into a residence hall room.

### **III. Requirements of Owners of Emotional Support Animals**

Individuals with disabilities using assistance/companion animals are responsible for their animals at all times and must comply with the following requirements:

- The owner must have completed the requirements outlined in this procedure and have received the written authorization to have an animal in the residence hall room.
- The owner must supply all materials necessary for the care of the animal.
- The animal is recommended to wear a leash, collar, cape, harness, backpack or other appropriate visible identification that identifies in writing that the animal is an ESA.

- The owner of the animal must be in full control of the animal at all times.
- The owner must ensure that the animal, if appropriate, is on a leash at all times.
- The owner must take responsibility for the behavior of the animal in private and public places, and for due care and diligence in the use of the animal on campus.
- The owner is responsible for any property damage caused by the animal.
- The owner must clean up after the animal, including the sanitary disposal of animal wastes.
- Use of animal shall not constitute a direct threat to the health and safety of others.
- The owner is responsible for the health of the animal.
- Approval for ESAs is for the academic year or remainder thereof. Requests for approval in subsequent academic years must be made annually following the process outlined above using then-current or updated documentation.

The College reserves the right to enforce all relevant rules for the use of such animals through the residence hall agreement and applicable state and federal laws. The College also reserves the right to revoke permission granted for the campus presence of any ESA whose owner fails to follow the requirements set forth in this procedure.