

## EMOTIONAL SUPPORT ANIMAL POLICY AND PROCEDURES

### **AMDA ACCESSIBILITY SERVICES**

Phone: (347) 266-9428

[LAAccessibility@amda.edu](mailto:LAAccessibility@amda.edu) / [NYAccessibility@amda.edu](mailto:NYAccessibility@amda.edu)

### **Definition**

Emotional Support Animals (ESAs) are a category of animals that provide 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 ADA. In most cases ESAs provide the necessary support to individuals with disabilities without any formal training or certification.

According to the Fair Housing Act (FHA), an individual may keep an ESA in their residence if:

1. The individual has a disability;
2. The animal is necessary to afford the individual an equal opportunity to utilize campus housing; and
3. There is a direct, identifiable relationship between the disability and the assistance the animal provides.

### **Procedure for Requesting an ESA**

For an ESA request to be considered, residents must first submit documentation from a reliable third party to the Accessibility Services office. This documentation must be from a licensed mental health professional and attest to the above points. To ensure that documentation meets all requirements, we strongly recommend using the ESA Verification Form available on the Accessibility Services website. After the resident submits documentation, Accessibility Services will contact the resident to discuss their request.

If there is insufficient information on the ESA Verification Form for Accessibility Services to determine whether an accommodation is necessary, Accessibility Services staff will inform the resident of the insufficiency and may request additional information.

If the request is made fewer than 60 days before the resident intends to move into AMDA housing, AMDA cannot guarantee that it will be able to meet the resident's accommodation needs in time for the first semester of occupancy. If the need for the accommodation arises when the resident already resides in AMDA housing, the resident should contact Accessibility Services and complete the request forms as soon as possible. AMDA cannot guarantee that it will be able to meet accommodation needs during the semester or term in which requests are received.

If an ESA request is approved, Residential Life will contact the resident to discuss housing assignments and have them fill out a contract outlining their responsibilities as a resident with an ESA. The resident will also need to provide Residential Life with a veterinary record for their ESA, including a list of current vaccinations and proof of spay/neuter, from their veterinarian. This record will need to be renewed each year.

Residents must sign a new contract each semester, and renew an ESA request every year.

*NO ESA may be kept in the residence at ANY time prior to the resident receiving explicit approval from BOTH Accessibility Services AND Residential Life! Any animal found within the residence halls without having received approval is subject to removal. Once Housing instructs a student to remove an unauthorized animal, the animal must be removed within 24 hours.*

## Further Conditions of Approval

Generally, only one ESA will be approved for a student, in order to fulfill the intent of FHA requirements in providing support to the student with a mental health disability. As ESAs are limited to the resident's assigned unit and necessitate a cage/crate and appropriate supplies, only one animal will typically be approved to be in a single unit. AMDA may consider the following factors, among others, as evidence in determining whether the presence of the ESA is reasonable:

- The size of the animal or its living space is too large for available assigned housing space;
- The animal poses health risks from zoonotic diseases or there are safety concerns regarding containment that cannot be sufficiently mitigated for inclusion in the communal living setting;
- The animal's presence would force another individual from individual housing (e.g. serious allergies);
- The animal's presence otherwise violates individuals' right to peace and quiet enjoyment;
- The animal is not housebroken or is unable to live with others in a reasonable manner;
- The animal's vaccinations are not up-to-date or the animal has not been spayed/neutered;
- The animal poses or has posed in the past a direct threat to the handler or others such as aggressive behavior towards or injuring the handler or others; or
- The animal causes or has caused excessive damage to housing beyond reasonable wear and tear.
- The college reserves the right to limit approval of proposed ESAs to animals that do not pose health or safety concerns, or which would significantly disrupt the residence hall living environment for others.
- ESA's are subject to current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals.

## Your Responsibilities as an ESA Owner

- You are expected to be in control of your ESA's behavior.
- You are expected to take care of your ESA, including feeding, grooming, exercise, flea and tick removal, and companionship. You may not allow other residents to take responsibility for your ESA's care.
- You may not allow other students to have your ESA in their space.
- You must promptly remove and clean up after your ESA's waste.
- You may not leave your ESA in your residence overnight without you.
- Unlike service animals, ESAs are not trained to perform work or assist with daily living tasks, and do not accompany their owners at all times. They are therefore permitted only in the individual's assigned room and in designated relief spaces. They are not permitted in other campus buildings and spaces.
- If any of the above responsibilities are not met, or if your ESA is posing a direct threat to the health and safety of others, causing damage to the property of others, fundamentally altering an AMDA program, or posing an undue financial or administrative burden on the school, AMDA may require that you remove your ESA from the residence halls.