



Kilgore College Office of Campus Life

## **EMOTIONAL SUPPORT ANIMAL GENERAL POLICY & OWNER'S AGREEMENT**

### **GENERAL POLICY STATEMENT:**

Kilgore College is committed to reasonably accommodating persons with disabilities. With respect to a request for an emotional support animal, Kilgore College will determine on a case-by-case basis, and in accordance to state and local laws and regulations, whether an animal is a reasonable accommodation. Kilgore College Office of Campus Life approval of a request for an emotional support animal in Kilgore College Housing is subject to the owner's complying with the KC Emotional Support Animal General Rules.

### **DEFINITION:**

For the purpose of this document, comfort and therapeutic animals will be referred to as emotional support animals (hereinafter referred to as ESA). This document is not meant to address service animals. An ESA is a companion animal that a medical professional has determined provides a benefit for an individual with a disability. ESAs alleviate one or more identified effects of a person's disability.

Also for the purpose of this document, the term "owner" will refer to the student who has been authorized to have an emotional support animal in a campus residence.

### **HOUSING AND URBAN DEVELOPMENT (HUD)/FAIR HOUSING ACT REGULATIONS:**

HUD/Fair Housing regulation provides that ESAs be considered a reasonable accommodation in campus housing. Since HUD/Fair Housing regulations only apply to housing facilities, the ESA often may not be allowed in other areas of campus. In order for an ESA to be considered for a reasonable accommodation there should be documentation of the following:

1. The existence of a disability;
2. A relationship between the disability and the relief the ESA provides;
3. ESA registration, if applicable; and
4. The ESA is necessary in order for the owner to use and enjoy a campus residence.

### **ESA LIMITATIONS:**

Kilgore College campus residences are unique in their construction, layout, age and building materials. As a result, campus residences cannot support every request an owner makes for an ESA. Animals that fall into the below categories will not be approved by the Office of Campus Life:

1. Venomous Snakes
2. Birds
3. Wild or exotic animals
4. Animals over 15 pounds
5. Any species under 1 year old
6. Any species not spayed/neutered

7. Animals not current on vaccinations
8. Animals not “house trained”
9. Animals lacking a Clean Bill of Health from a veterinarian.

**PROCESS FOR ATTAINING ESA PERMIT:**

1. Owner must submit completed forms requesting an accommodation, including a statement from the owner’s healthcare practitioner regarding the specific accommodation required, to the Office of Disability Services, which will be responsible for coordinating the request with the Office of Campus Life.
  - a. This request must be submitted at least 30 days prior to the animal arriving on campus.
2. Current (within the last 6 months) documentation must be submitted and must include:
  - a. Verification from a physician, psychiatrist, social worker, or other mental health professional.
  - b. Statement on how the animal serves as an accommodation for the verified disability
  - c. Statement on how the need for the animal relates to the ability of the owner to use and enjoy a campus residence.
3. Owner must provide completed applicable veterinarian records and a copy of any applicable ESA licenses.
4. Owner will then meet with Coordinator of Campus Life to review the ESA General Rules and Owner’s Agreement.
5. Campus Life Specialist will be notified about the ESA and are provided with expectations for engagement.
6. All roommates and/or suitemates of the ESA owner must sign an agreement form acknowledging that they approve of the ESA living with them and the associated expectations.

## OWNER'S AGREEMENT

### **CONTROL:**

The resident is responsible for ensuring the ESA does not interfere with the routine activities of the campus residences or the residential students. Reported behaviors that are not conducive to the community will be adjudicated through the discipline process (*see DISCIPLINE*)

The owner must comply with all state laws and local animal ordinances (*see LOCAL ORDINANCES*) as well as Campus Life procedures including, but not limited to, the following:

- An ESA may reside in the campus residence only after the approval process has been completed.
- Within the campus residences, ESAs are not permitted in any public common space including community/shared spaces, lounges, recreational rooms, study rooms, computer labs, laundry rooms, bathrooms or staff offices. The ESA is not permitted in any other students' campus residence rooms.
- The owner of the ESA is solely responsible for the care, restraint, control and supervision at all times.
- In the event the ESA no longer resides in the campus residence, the owner should contact Campus Life Staff.
- Campus Life reserves the right to request an ESA receive veterinary attention or request updated verification, including an additional Clean Bill of Health at any time during the ESAs residency.

### *LOCAL ORDINANCES:*

Owners who are approved for an ESA in Kilgore College Housing must familiarize themselves with City of Kilgore Animal Ordinances located in the link below.

<http://www.cityofkilgore.com/environmental-services/animal-ordinance>

**UNATTENDED ESAs:**

When left alone, the ESA must be secured in a kennel, cage or other appropriate container. ESAs shall not be left alone for extended periods in an owner's room and should never be left overnight without the owner. The ESA is not permitted to be left in the care of another student. In the event an ESA is left for an extended period of time without proper care, Campus Life will contact the owner or their emergency contact to remove the ESA. If either parties are unable to be reached, Campus Life may notify Animal Control and have the ESA removed. Any costs for removal of the ESA shall be the responsibility of the owner.

**EMERGENCY CONTACT:**

Upon signing the owner's agreement, the owner must provide information for an alternative, off-campus caregiver to be notified if the owner is unable or unwilling to provide adequate care. Kilgore College Office of Campus Life assumes no responsibility or liability for the care of the ESA.

**ESA CONTAINMENT:**

ESAs must be contained within the assigned residential room at all times, except when being transported outside. When outside assigned room, ESA must be in a carrier or restricted by a collar, leash and/or harness. Dogs and cats must wear a collar with a tag identifying the ESA and its owner with name and telephone number.

**ESA IDENTIFICATION:**

The ESA must meet legal requirements for licensing. Campus Life reserves the right to request documentation that the ESA has been licensed. ESAs must wear a collar with current vaccination and identification tags at all times.

**ESA BEHAVIOR:**

Owners are responsible for any odors, noise, damage or other conduct that disturbs or damages the premises. Violations of this standard will result in disciplinary action. (*See DISCIPLINE*)

**FIRE DRILLS AND EMERGENCIES:**

Fire drills are scheduled to test building systems and student compliance with building evacuation expectation. All students present at the time of the fire drill are required to leave the building until the fire drill is over. Owners who are in the campus residence when an alarm activates should promptly exit the building with their ESA. Please note that owners not in the campus residence at the time of a fire alarm or anyone else WILL NOT be allowed into the building to retrieve their EAS. Therefore, the ESA owner should:

- Be aware that fire alarms will ring for an extended period, often in excess of five minutes as part of the drill.
- Be aware of how the continuous alarm may affect the ESA, which will be left alone in its living space during this time.

If an emergency occurs that requires the residence to be evacuated, no person including the owner will be allowed to enter the residence to retrieve the ESA.

**WELL-BEING:**

Campus Life considers that owners may be away from their rooms for extended periods relating to their class schedule. During these periods, the owner must provide any extended care requirements for the ESAs physical and dietary needs. The ESA must not be left alone beyond its unique physical and dietary needs.

**CLEANLINESS AND SANITATION:**

The owner agrees to weekly cleaning, or as needed, of their living space to minimize the accumulation of ESA fur/dander. The owner is responsible for providing the equipment necessary to clean their living space (broom, vacuum, duster, etc.). ESA food should be kept in a closed container within the owner's room.

The owner is responsible for properly containing and disposing of the ESA's waste, which will necessitate different handling precautions and responsibilities based on the ESA species.

- Indoor ESA waste, such as used litter, must be disposed of in a sealed plastic bag. Used litter must be disposed of daily, including sealing in a plastic bag and removing to an outside dumpster. ESA waste may not be flushed down the toilets.
- Outdoor ESA solid waste must be immediately removed by the owner, placed in a plastic bag, securely tied and placed in an outside dumpster.
- If the ESA vomits or becomes incontinent, it is the responsibility of the owner to make sure the contaminated area is cleaned up immediately. Affected surfaces must be cleaned by the owner with appropriate disinfectant.

#### **ROOMMATE CONFLICT:**

If any time one or more roommates do not approve of the ESA in their living space, then the Coordinator of Campus Life will evaluate the information and make accommodations without discrimination related to the disability. Campus Life also reserves the right to provide other reasonable accommodations as necessary dependent on circumstances.

#### **INJURIES:**

If the ESA should be alleged to have caused an accident or injury to a person, the ESA will be removed from the campus residence while an inquiry into the matter takes place. If it is determined the incident did not occur, the ESA will be allowed to return to the campus residence. However, if it is determined that the incident did occur and the ESA was the cause, the ESA may be subject to more stringent restrictions or removal from all campus residences.

#### **ADDITIONAL CONSIDERATIONS:**

##### *CAMPUS RESIDENCE PROCEDURES:*

The owner agrees to abide by all residence life procedures outline in the Residence Life Handbook. Though this reasonable accommodation constitutes an exception to the prohibition of animals in the campus residences, this does not constitute an exception to any other campus residence policy.

##### *DISCIPLINE:*



Any violation of the policies outlined in this document may be considered grounds for immediate removal of the ESA. The owner will be afforded the right to an evaluation of the infraction through the three levels of the discipline process (listed above) as described in the Campus Residence Handbook.

Depending on the severity of the infraction, the discipline process may be expedited and can include disciplinary measures up to and including removal (*see REMOVAL*) of animal and dismissal from campus residences. For the complete campus residence disciplinary procedures, as well as an explanation of the three levels of the discipline process, please see the current Residence Life Handbook, appendix A.

**REMOVAL:**

Should the ESA be removed for any reason, the resident is expected to fulfill their contractual obligations for the remainder of the contract period.

**DAMAGES:**

The owner is solely responsible for any and all damage to persons or property caused by ESA. The owner's financially responsible for the action of the ESA including bodily injury. The owner is responsible for any cleaning or repairs above and beyond a standard cleaning. If fleas or ticks are detected in the campus residences as a result of the ESA, Campus Life reserves the right to treat the building and charge that back to the owner's account.

**ESA MISSING, DAMAGE, or DEATH:**

The owner is responsible for immediately notifying Campus Life if they ESA dies or goes missing. Campus Life is not responsible for loss, damage to or death of the ESA.

Office of Campus Life ONLY below this line:

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**ACKNOWLEDGEMENTS:**

This document was drafted and edited by the following:

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**REFERENCES**

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| _____ Approved _____ Denied (Reason below) _____ Coordinator's Initials |
| _____   |
| _____   |
| Student Signature and Date  |
| _____   |

ASCA Housing and Residential Life Community of Practice . (2019, February). Emotional Support Animal Considerations for Housing and Residential Life.