Oberlin College Policy and Procedure on Emotional Support Animals For Students with Disabilities

Definitions

**Pets:** A pet is any animal kept for ordinary use and companionship. Animals as defined below, are not considered pets. As described in the Oberlin College Housing and Dining Regulations, “Fish and other aquatic animals that can only survive in water are the only pets permitted by students in college housing.”

**Emotional Support Animals:** An Emotional Support Animal (or ESA) is an animal selected to play an integral part of a person’s treatment process. The animal demonstrates a good temperament and reliable, predictable behavior in the context of housing. An emotional support animal is prescribed to an individual with a disability by a mental health or health care professional. This animal is not a service animal, and unlike a service animal, an emotional support animal does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times. Laws protecting service animals do not cover emotional support animals, and therefore emotional support animals are not permitted in any Oberlin facility or in any residential dwellings outside of the student’s assigned housing. Based on the Fair Housing Act, for a student to have an emotional support animal in housing on campus:

1. The student must have a disability as defined by the ADA, and
2. The animal is a necessary to provide the student with a disability “an equal opportunity to use and enjoy a dwelling,” and
3. A relationship exists between the assistance the animal provides and the disability of the student.

Policy

An ESA may reside in college housing when it may be necessary to afford the person with a disability an equal opportunity to use and enjoy residential housing.

1. Before an ESA can move into college housing with a person with a disability, a request must be submitted to Oberlin College’s Office of Disability Services and approval must be granted (preferably at least 30 days prior to move in).
2. If the disability is not obvious, ODS may require documentation from a licensed physician or mental health provider, including without limitation a qualified psychiatrist, social worker, or other mental health professional, to provide sufficient information for the Office of Disability Services to determine:
   - That the individual qualifies as a person with a disability (i.e. has a physical or mental impairment that substantially limits one or more major life activities); and
That the animal may be necessary to afford the person with a disability an equal opportunity to use and enjoy college housing (i.e. that the animal would provide emotional support or other assistance that would ameliorate one or more symptoms or effects of the disability).

While ESA’s are generally not allowed indoors on Oberlin’s campus other than in college housing, people with disabilities may request approval from ODS to have the support animal accompany them to other campus areas. Such requests will be considered on a case-by-case basis consistent with applicable laws.

Procedures for Requesting an ESA

- Students must receive an emotional support animal designation prior to bringing their animal to campus. Students should meet with the Director of Disability Services to discuss their request and clarify the process.
- The Director will collect applications (available on the website, www.oberlin.edu/disability/under Housing and Dining), review documentation, present the request to the Housing and Dining Accommodation Committee, and communicate the decision with the appropriate members of the college community.
- Like all disability accommodations, the determination of whether or not an ESA will be permitted in Oberlin College housing is made on a case-by-case basis through an interactive process between the student, the Director, and the Committee.
- Once approved, the Director will notify the Residence Life Office. A Residential Life staff member will likely then contact the student for additional details and, along with the student’s other residential life preferences or needs, determine a housing option for the student. Students should note that housing options might be limited as the College balances appropriate accommodations to students with disabilities with students who have allergies and/or animal fears. Consequently, advance notice (as soon as possible) of the need for an animal is essential to the College providing a smooth transition for the student.
- All students with ESAs are required to complete the registration form (attached) and provide evidence of up-to-date vaccinations yearly.

Responsibilities of Students Using Emotional Support Animals

Oberlin College is not responsible for the care or supervision of emotional support animals. People with disabilities are responsible for the cost, care, and supervision of the animals.

1. Compliance is required with any laws pertaining to animal licensing, vaccination, and owner identification. Lorain County law requires that a dog is licensed and wears a tag at all times. <http://www.loraincounty.com/auditor/dog-licenses>
2. 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. ESAs may not pose a direct threat to the health and safety of persons on the college campus, cause physical damage to property, or fundamentally alter the nature of the College operations.

3. The ESA must be maintained (kept clean, free from fleas or ticks, etc.) and may not create safety hazards for other people.

4. 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) is excessive as judged by residence life staff, it is grounds to remove the ESA from campus. ESA's may also be excluded from the college campus if the animal behaves in an unacceptable way, and the student does not control the ESA. Uncontrolled barking, jumping on other people, or running away from the handler are some examples of unacceptable behavior for an ESA. Any suspected or observed issues related to animal abuse or neglect will be reported to the proper investigatory authorities and may subject the student to college disciplinary action as well.

5. The student is responsible for immediately cleaning up and properly disposing of the ESA’s waste and is responsible for having the equipment to do so. People who are physically unable to accomplish this task are responsible for arranging for clean up and for any costs that it incurs. The College retains the right to designate a particular area for the ESA to relieve itself and/or for the disposal of its waste.

6. ESAs are limited to the residential space (room) of the student except when exiting or entering the student’s residential building. It may not be taken into bathrooms, laundry facilities, indoor recreational rooms, lounges, hallways, computer labs, study rooms, or other areas of the residence hall. It also cannot be taken into classrooms or other buildings on campus or allowed to roam freely on campus grounds.

7. The student, not the College, is responsible for the actions of the ESA including, but not limited to, any bodily injury or property damage.

8. Students with ESAs are likely to be charged if additional cleaning or damage occurs as a result of having the animal on campus. The student is expected to pay these costs upon repair or cleaning.

9. For the safety of workers, any work orders submitted to the College must have an indication that there is an animal in the room. The work order should also indicate the type of animal.
Restrictions

Oberlin may pose some restrictions on an animal under certain circumstances. Any animal may be excluded from an area in which it was previously authorized if

- The animal is out of control and effective action is not taken to control it;
- The animal is not housebroken;
- The owner fails to maintain the cage or litter box such that the cleanliness of the room in not maintained;
- The animal poses a direct threat to the health or safety of others that cannot be mitigated by reasonable modifications of policies, practices, or procedures, or the provision of auxiliary aids or services.

In considering whether an animal poses a direct threat to the health or safety of others, the Office of Disability Services will make an individualized assessment based on reasonable judgment.

If you are thinking of having an emotional support animal, we have some questions for you to think about as you consider what type of animal to acquire. You do not have to write any answers or return anything to us.

Appeals or Grievances

Policies for Office of Disability Services Appeals or Oberlin College Grievance Policies and Procedures are available on Disability Services website at http://new.oberlin.edu/office/disability-services/policies/ or on request.

Questions to Ask Yourself

1. Are you prepared for the cost of owning an animal, e.g. vet bills, food, litter?
2. Are you prepared to find the time for an emotional support animal? Each day, how much time will your animal require? How much time will your animal take to clean up after? How much playtime does your animal require to stay healthy and happy?
3. How will you get access to the vet when your animal is ill or when your animal needs vaccinations? We do have two veterinary clinics in town, Dowd’s and Oberlin Animal Hospital.
4. What responsibility do you have for your animal when it is around others, including your roommate? How will you keep everyone safe?
5. When does your animal require shots?
6. What will you do with your animal when you need to be out of town?
7. What will happen to your animal when the school year is complete?
8. Do you want to have liability insurance on your animal?
9. Who will take care of your animal in case of an emergency?
Oberlin College

Emotional Support Animal Registration

Please provide the following information along with a copy of the proof of vaccination.

Student’s Name: ____________________________________________________________

Phone: ______________________________________ T# ______________________

Campus Address: __________________________________________________________

Animal’s Name: __________________________________________________________

License #: ________________ Vaccination Record is attached: ________________

Veterinarian: _____________________________________________________________

Description of animal

I have read and agree to abide by the Emotional Support Animals Policies and Procedures for Students with Disabilities.

Student’s Signature: ___________________________ Date: ___________________