



# ROLLINS COLLEGE POLICY

|   |   |                        |
|---|---|------------------------|
| <b>Title: Accessibility Services: Emotional Support Animals in Campus Housing</b> | <b>Type</b>   | <b>Student Affairs</b> |
| No: SA 9007   | Approval Date: 8-24-2022  |                        |
| Responsible Office: VPSA, Accessibility Services                                  | Reviewed: VPSA, 8-22-2022; Policy Committee, 8-24-2022; President's Cabinet, 8-24-2022; Approved: President, 8-24-2022. |                        |
| Next Review: 2027-2028  | Revisions:  |                        |

## I. Purpose/Introduction/Rationale

Rollins College (“Rollins”) is committed to equal access and does not discriminate against persons with disabilities in its policies, procedures, programs, or employment processes. Rollins College recognizes the importance of “Service Animals,” as defined by the Americans with Disabilities Act Amendments Act (ADAAA), and Emotional Support Animals (ESAs), supported by the Fair Housing Act. The College is committed to allowing individuals with disabilities the use of a Service Animal on campus to facilitate their full participation and equal access to the College’s programs and activities. Rollins is also committed to allowing ESAs, necessary to provide individuals with mental health disabilities an equal opportunity to fully participate in the College’s residential life program. This policy explains the specific requirements applicable to an individual’s use of an ESA in College housing. Rollins reserves the right to amend this policy as circumstances require. This policy applies solely to ESAs that may be necessary in College housing. It does not apply to service animals as defined by the ADAAA, and whose presence on campus is explained in College Policy [SA 9002 Accessibility Services: Service Animals](#) (click link to access).

Although it is the policy of Rollins College that individuals are generally prohibited from having animals of any type in College housing, Rollins will consider a request by an individual with a disability for reasonable accommodation from this prohibition to allow an ESA that is reasonable and necessary because of a mental health disability. However, no ESA may be kept in College housing at any time prior to the individual receiving approval from the Office of Accessibility Services (“Accessibility Services”) as a reasonable accommodation pursuant to this policy. Any requests for animals in residence for individuals with disabilities that are neither Service Animals nor ESAs should be directed to Accessibility Services. Faculty and staff seeking workplace accommodations involving ESAs should contact the Office of Human Resources. Rollins reserves the right to limit the spaces on campus where ESAs are permitted.

## II. Definitions

**Emotional Support Animals (ESAs):** provide emotional support to an individual with a diagnosed mental health disability and alleviate one or more identified symptoms or effects of a person’s disability. Unlike service animals that are trained to perform specific tasks that are important to the independence or safety of their disabled handler, ESAs are generally not trained to perform disability-specific tasks. Their therapeutic support is a function of their presence and interaction with the person with a disability. ESAs are **not pets**, but they typically are animals commonly kept in households as pets. An ESA may be a dog, cat, rabbit, hamster, gerbil, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure. Under guidelines from the U.S. Department of Housing and Urban Development (HUD), reptiles (other than turtles), barnyard animals, monkeys, and other non-domesticated animals are not considered common household animals. Exceptions to these guidelines regarding animals serving as ESAs will be considered on a case-by-case basis.

**Owner.** The “Owner” is the individual who has requested the accommodation and has received approval to bring an ESA into College housing.

**Emergency Alternate Caretaker.** A person living locally (within a day's drive) of the College, and not another Rollins student living in College housing, who assumes temporary responsibility for the ESA in the event of an emergency involving the Owner.

### **III. Procedure or Application**

Students living on campus must contact Accessibility Services to be approved for an accommodation to have an ESA live with them in College housing.

**A. Inquiries Regarding ESAs in Campus Housing.** When requests are made for a reasonable accommodation for an ESA in campus housing, inquiries may be made to determine qualification as an ESA. Rollins may ask:

1. whether the person seeking the accommodation has a mental health disability, and
2. whether the person making the request has a disability-related need for an ESA.

**B. Accommodation Request Process.** The determination of whether a person has a disability-related need for an ESA involves an individualized assessment. Rollins may ask the person seeking the accommodation to submit reasonable and reliable documentation of a disability and their disability-related need for an ESA. Reliable documentation should be from a physician, psychiatrist, social worker, or other mental health professional, who has an established therapeutic relationship with the student, and should include the following information.

- The patient's/client's name.
- The nature of the health care professional's professional relationship with that patient/client involving the provision of health care or disability-related services and the length of that relationship.
- The type of animal(s) for which the reasonable accommodation is sought.
- The nature of the student's mental health impairment, and how the impairment(s) substantially limits at least one major life activity.
- The specific symptoms that will be reduced by having an ESA, and how those symptoms will be mitigated by the presence of the ESA.
- The consequences, in terms of disability symptomology, which may result if the accommodation is not approved.
- The health care professional's signature, contact information, and any professional licensing information.

Alternatively, the [ESA Medical Provider Form](#) (click link to access) may be completed by an appropriate medical provider to support the request for an emotional support animal.

***Some websites sell certificates, registrations, and licensing documents for emotional support animals to anyone who answers certain questions or participates in a short interview and pays a fee. Under the Fair Housing Act, a housing provider may request reliable documentation when an individual requesting a reasonable accommodation has a disability and disability-related need for an accommodation that are not obvious or otherwise known. In HUD's experience, such documentation from the internet is not, by itself, sufficient to reliably establish that an individual has a non-observable disability or disability-related need for an emotional support animal.***

If eligibility criteria are satisfied, a request for a reasonable accommodation for an emotional support animal will not be denied, unless granting the accommodation would impose an undue financial or administrative burden or would fundamentally alter the nature of Rollins' programs or services.

Rollins considers the following as evidence in determining whether the presence of the animal is reasonable or in making housing assignments for individuals with emotional support animals.

1. The age and breed of the animal; dogs must be at least one year old, and cats must be at least six months old.
2. The size of the animal, e.g., is the space needed for the cage/crate in which the animal will be housed too large for available assigned housing space?
3. Does the animal's presence force another individual from housing (e.g., conflicting disabilities)?
4. Does the animal's presence otherwise violate an individual's right to peace and quiet enjoyment?
5. Is the animal housebroken and able to live with others in a reasonable manner?
6. Are the animal's vaccinations up to date? Dogs and cats must be spayed/neutered and completely immunized against rabies (28 days past first vaccination).
7. Does the animal pose a direct threat to others, or has it in the past, or is it known to display aggressive behavior?
8. Does (or has) the animal cause(d) excessive damage to housing beyond reasonable wear and tear?
9. Does the animal pose health risks from zoonotic diseases or safety concerns regarding containment that cannot be sufficiently mitigated for in the communal living setting?

Rollins will not limit room assignments for individuals with ESAs to any particular building or buildings. Rollins reserves the right to assign an individual with an ESA to a single room without a roommate.

To be considered for a reasonable accommodation for an ESA, students are encouraged to supply supporting documentation to Accessibility Services by established deadlines for requests for housing accommodations. These dates will be updated annually and communicated to all students through the [Accessibility Services website](#) (*click link to access*). ESA accommodation requests made after the communicated deadlines will be evaluated on a case-by-case basis and are dependent upon availability and reasonableness of the request. If the request for accommodation is made after the published deadlines, Rollins cannot guarantee that it will be able to meet the individual's accommodation needs during that term of occupancy.

If the need for the accommodation arises when an individual already resides in College housing, he/she should contact Accessibility Services and complete the Accommodation Request Form as soon as practicably possible. Rollins cannot guarantee that it will be able to meet the accommodation needs during the semester or term in which the request is received.

All final accommodation determinations will be communicated in writing to the student through Accessibility Services.

### **C. Making an Initial Request for an ESA**

1. Student submits the Accommodation Request Form (FoxLink > Student Life Tab > Accommodation Request form). If the student is already registered with Accessibility Services, they complete a supplemental request through their established account in Accommodate.
2. Student must communicate with any student(s) that will be directly living with them in the assigned living space (room, suite, apartment, etc.) about having an ESA. Accessibility Services and/or Residential Life & Explorations (RLE) reserves the right to verify that all parties have consented to the presence of the animal. If a student who is sharing the assigned living space does not wish to live with an ESA, RLE may coordinate new housing assignments, as needed, to accommodate the student with the ESA and the student(s) who do not wish to live with an ESA.
3. The student will meet with a representative from Accessibility Services to review the policy, discuss their request, and complete the [Acknowledgement and Release of Information Consent Form](#) (*linked in this document*).
4. The student submits appropriate documentation supporting their need for an ESA (see part B, above). If the documentation submitted does not contain sufficient information for Accessibility Services to

determine whether an accommodation is necessary, Accessibility Services will inform the individual in writing of the documentation's insufficiency and may request additional information, including speaking directly with the medical provider.

5. Accessibility Services considers the information collected regarding the request, including the student's previous history with having an ESA on campus (if applicable), may seek additional information, and then either approves or denies the request for an ESA. Students will be informed in writing of the decision within seven (7) days.
6. If approved, the student completes and submits the [Animal Registration Form](#) (*linked in this document*), a digital photo of the animal, and up-to-date vaccination records for the animal. On this form, the student must identify emergency information including the animal's veterinarian and an Emergency Alternate Caretaker within one day's drive of the College to contact in case of emergency.
7. If the student is generally approved for an ESA but the specific animal in the request is not deemed reasonable, the interactive process continues for the student to be approved for a specific ESA that is deemed reasonable.
8. Once all documentation is submitted, the animal is approved, and campus partners are notified, the student may move the animal to campus.
9. Approved requests for emotional support animals are only for the current academic year.

#### **D. Renewing a Request for an ESA**

1. The student indicates their intent to renew their previously approved ESA for a new academic year by filling out and submitting the housing accommodation survey by the deadlines established for renewing housing accommodations. In this case, they are requesting the same animal as their previously approved animal.
2. The student must communicate with any student(s) that will be directly living with them in the assigned living space (room, suite, apartment, etc.) about having an ESA. If a student who is sharing the assigned living space does not wish to live with an ESA, RLE may coordinate new housing assignments, as needed, to accommodate the student with an ESA and the student(s) who do not wish to live with an ESA.
3. Accessibility Services will request updated vaccination records if needed, and a new [Acknowledgement and Release of Information Consent](#) (*linked in this document*) form for the new year.
4. The student will acquire their new housing assignment through standard housing selection and assignment procedures.
5. Accessibility Services considers the information collected regarding the renewal request, including the student's previous history with having an ESA on campus, may seek additional information, and then either approves or denies the renewal request for an ESA. Students will be informed in writing of their approval for an ESA.

**E. Removal or Replacement of Approved Animal.** The ESA, once approved, is allowed in College housing only as long as it is necessary because of the student's disability. **The student must notify Accessibility Services in writing if the ESA is no longer needed or is no longer in residence.** To replace an ESA, the new animal must be necessary because of the student's disability and the student must follow the procedures above that relate specifically to the approval of a specific animal. Accessibility Services needs to approve a new animal prior to it being allowed in campus housing facilities.

**F. Accommodation Appeal Process.** Any individual who is dissatisfied with the determination of their accommodation request may appeal the decision by submitting their appeal to the Director of Accessibility Services for review by the Accommodation Advisory Committee. New medical documentation or other relevant facts not part of the original determination must be submitted to Accessibility Services if the student

would like such information considered as part of the review. Accessibility Services will notify the student in writing of the final determination of accommodations.

## **IV. Related Policies or Applicable Publications**

**A. Facilities Access.** An ESA must be contained within the Owner's privately assigned individual living accommodations (e.g., room, suite, apartment) except to the extent the individual is taking the animal out for natural relief. When an ESA is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. ESAs are not allowed in any College facilities other than the College residence hall to which the individual is assigned.

**B. Owner Responsibilities.** Owners are responsible for any damage or injuries caused by their animals and must take appropriate precautions to prevent property damage or injury. The cost of care, arrangements, and responsibilities for the wellbeing of an ESA are always the sole responsibility of the Owner.

### **C. ESA Control Requirements**

- The animal must be under the control of the Owner at all times via an animal carrier, leash, or harness. No student shall permit an ESA to run loose or be off leash/unconfined in an outdoor, public space. If an animal is found running loose, the animal is subject to capture, confinement, and immediate removal from campus.
- The animal should be unobtrusive to other individuals and the learning, living, and working environment. To the extent possible, the Owner should ensure that the animal does not:
  - sniff people, dining tables, or the personal belongings of others;
  - engage in behaviors or noises that are disruptive to others unless such behavior is part of the service being provided to the Owner; or
  - block an aisle or passageway for fire egress.
- Animals cannot be left unattended in vehicles at any time. In the event animals are left unattended in a vehicle, law enforcement will be notified and permitted to use any reasonable means to remove the animal.
- The Owner will be responsible for any charges incurred and all property damage.

**D. Waste Cleanup Rule.** It is the sole responsibility of the Owner to clean up after the animal in a safe and sanitary manner.

### **E. Housing Requirements.**

1. Accessibility Services must approve an ESA before animals enter College housing.
2. The Owner must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other regulations for animals. It is the Owner's responsibility to know and understand these regulations. Rollins has the right to require documentation of compliance with such ordinances, laws, and regulations.
3. The Owner is required to ensure the animal is well cared for at all times. Any evidence of mistreatment or abuse may result in immediate removal of the animal and/or referral to Community Standards and Responsibility for the Owner.
4. ESAs may not be left overnight in campus housing to be cared for by any individual other than the Owner. If the Owner is to be absent from their residence hall overnight or longer, the animal must accompany the Owner or arrangements to care for the animal must be made off-campus. The Owner is responsible for ensuring that the animal is contained, as appropriate for the breed, when the Owner is not present during the day. ***Dogs and cats must be crated when the Owner is not present in the room.***
5. ESAs are not permitted outside of campus housing except for exercise and nature breaks outdoors when accompanied and contained by the Owner. ESAs are not permitted in classrooms, administrative

offices, common spaces, retail or dining locations or other student living areas.

#### 6. Cleanliness Requirements

- a. Cat litter boxes or other such waste cleanup must occur regularly. Animal feces should be securely disposed of in a plastic bag and taken directly to the residence hall outdoor dumpster for disposal. Feces are not to be disposed of in any indoor trash receptacles or through the College sewer system.
- b. Animal accidents within housing must be cleaned immediately with appropriate cleaning products.
- c. Regular and routine cleaning of floors, kennels, cages, bedding, toys, and litter boxes must occur. Odors other than normal healthy animal scents are not acceptable.
- d. If an animal causes the Owner's room or apartment to become flea infested, a professional exterminator will be contracted by the College at the Owner's expense.
- e. The ESA may not be bathed using residence hall facilities.

#### 7. Disruptions or Threats

- a. Animals must not be allowed to disrupt others (e.g., barking continuously, growling, or howling), unless it is part of the service being provided to the Owner.
- b. Animals that constitute a direct threat to the health or safety of staff, residents, or property as determined by the College, must be removed from the premise within 48 hours of notification to the Owner from Accessibility Services. If the Owner is able to control the animal or can address the behavior, the Owner will be required to submit an action plan to Accessibility Services. The plan should include steps to alleviate the issue and a deadline for improved behavior.
- c. If College officials determine the animal to be an immediate threat, the Owner will be asked to remove the animal immediately, or animal control will be summoned to remove the animal.
- d. All liability for the actions of the animal (bites, scratches, etc.) is the responsibility of the Owner.

8. Life Safety Inspections (LSIs) are conducted on a monthly basis by RLE staff; LSIs of rooms with ESAs will include checking for compliance of the guidelines in this policy.

9. When the Owner moves out of campus housing or no longer lives with the animal, RLE staff will assess any possible damages caused by the animal beyond reasonable wear and tear and charge the Owner accordingly.

10. The Owner must provide written consent for Accessibility Services to disclose information regarding the request for and presence of the animal to those individuals who may be impacted by the presence of the animal including, but not limited to, RLE staff, Campus Safety, Facilities, and potential and/or actual roommate(s)/neighbor(s). Such information will be limited to information related to the animal and will not include information related to the individual's disability.

11. The Owner will be given a door sticker and must fill out and display the door sticker indicating that there is an animal in the residence for the purpose of notifying any campus personnel before entering the room.

Violation of any of the housing requirements may result in the Owner having to find alternative off-campus housing for the animal and, as warranted, may result in the resident being in breach of the housing contract.

**F. Campus Emergency Response.** Rollins responding staff members or emergency personnel will not be required to provide care for any emotional support animal including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal.

In the event of an emergency involving the student (including but not limited to COVID-19 isolation), the designated Emergency Alternate Caretaker will assume responsibility in the short term for the animal and take reasonable steps to remove the animal from campus housing.

**G. Conflicting Disabilities.** Some people may have allergic reactions to animals that are substantial enough to qualify as disabilities. Rollins will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities and to resolve the problem as efficiently and expeditiously as possible. Students requesting allergy accommodations should contact Accessibility Services. Staff requesting allergy accommodations should contact the College's Human Resources Office. Prior to approval of the ESA, the Owner is expected to communicate with his/her roommate(s) to determine if there are any conflicting disability concerns (see Section III: Procedure or Application, C.2.).

**H. Removal of Emotional Support Animals.** The College may require the student to remove the animal from campus housing if any of the following occur.

- The animal poses a direct threat to health or safety or causes substantial damage to the property of others or the College.
- The animal's presence results in a fundamental alteration of a College program.
- The animal is found to be loose or running at large.
- There is evidence of neglect, mistreatment, or abuse.
- The student incurs violations of student conduct with regard to this policy.
- The student does not comply with the Student's Responsibilities set forth above.
- The animal or its presence creates an unmanageable disturbance or interference with the College community, including but not limited to excessive noise.

The College will base such determinations upon the consideration of the behavior of the particular animal at issue, and not on speculation or fear about the harm or damages an animal may cause.

If the animal must be removed, the student must do so within 48 hours after being so notified unless the animal poses a direct and immediate threat to health or safety, whereby it must be removed immediately. Should the animal be removed from the premises, the student is expected to fulfill their housing obligations for the remainder of the housing contract.

Any removal of the animal will be done in consultation with the Office of Accessibility Services and may be appealed by the Owner. The Owner will be afforded all rights of due process and appeal.

## **V. Related Policies or Applicable Publications**

[KI 1022 Service Dogs in Teaching and Research Laboratories](#)

[SA 9002 Accessibility Services: Service Animal Policy](#)

## **VI. Effective Date**

This policy is effective August 24, 2022 and supersedes all previously issued versions.

## **VII. Appendices/Supplemental Materials**

[Acknowledgement and Release of Information Consent Form \(linked in this document\)](#)

[Medical Provider Form – ESA \(linked in this document\)](#)

[Animal Registration Form \(linked in this document\)](#)

## **VIII. Rationale for Revision**

N/A

## Acknowledgement and Release of Information Consent Form

I have read and understand Rollins College [Policy SA 9007 Emotional Support Animals in Campus Housing](#) and I agree to abide by the requirements applicable to emotional support animals. I understand that if I fail to meet the requirements set forth in the Policy, Rollins College has the right to remove the emotional support animal and I will be required to fulfill my housing, academic and all other obligations for the remainder of the housing contract.

Furthermore, I give my permission to the Office of Accessibility Services to disclose to others impacted by the presence of my emotional support animal (e.g., Residential Life & Explorations Staff, potential and/or actual roommate(s)/neighbor(s)) 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 emotional support animal and/or resolving any potential issues associated with the presence of the emotional support animal. By signing below, I confirm that I have discussed the presence of my animal with my roommate(s)/suite(s), and they have agreed that the animal can live in the room/apartment/suite.

---

Individual Printed Name

---

Individual Signature

---

Date

---

Accessibility Services Representative

---

Date

---

Residential Life & Explorations Representative

---

Date

## REQUEST FOR INFORMATION Re: Emotional Support Animal (ESA)

*(The health care provider need not use this specific form, but all the information requested here is necessary for the institution to consider the request for an ESA; the form is provided as a convenience.)*

*We recognize that having an ESA in the residence hall can be a real benefit for someone with a significant mental health disorder, but the practical limitations of our housing arrangements make it necessary to carefully consider the impact of the request for an ESA on both the student and the campus community.*

Student's Name: \_\_\_\_\_

Proposed ESA (if identified):

Type of animal: \_\_\_\_\_ Age of animal: \_\_\_\_\_

The above-named student has indicated that you are the health care provider who has suggested that having an Emotional Support Animal (ESA) in the residence hall will have therapeutic benefit in alleviating one or more of the identified symptoms or effects of the student's mental health disability. Generally, we prefer documentation from providers who have personal knowledge of the student, consistent with their professional obligations. Letters purchased from the internet for a set price rarely provide the information necessary to support an ESA request.

The Federal Trade Commission (FTC) has been asked to investigate websites that purport to provide documentation from a health care provider in support of requests for an ESA. The websites in question offer for sale documentation that is not reliable for purposes of determining whether an individual has a disability or disability-related need for an ESA because the website operators and health care professionals who consult with them lack the personal knowledge that is necessary to make such determinations.

So that we may better evaluate the request for this accommodation, please answer the following questions:

### Information About the Student's Disability

Federal law defines a person with a disability as someone who has a physical or mental impairment that ***substantially limits*** one or more major life activities. That suggests that a diagnosis (label) does not necessarily equate with a disability (substantial limitation).

1. What is the nature of the student's mental health impairment (that is, how is the student ***substantially limited?***)
2. Does the student require ongoing treatment?
3. When did you first meet with the student regarding this mental health diagnosis?
4. When did you last interact with the student regarding this mental health diagnosis?

### Information About the Proposed ESA

(Please note that there are some restrictions on the kind of animal that can be approved for the residence hall; it is possible the student may be approved for an ESA, based on the information you provide here, but may not be allowed to bring the specific animal named.)

1. Is the animal named here one that you specifically prescribed as part of treatment for the student, or is it a pet that you believe will have a beneficial effect for the student while in residence on campus?
2. What specific symptoms will be reduced by having an ESA, and how will those symptoms be mitigated by the presence of the ESA?
3. Is there evidence that an ESA has helped this student in the past or currently?

### Importance of ESA to Student's Well-Being

1. In your opinion, how important is it for the student's well-being that an ESA be in residence on campus? What consequences, in terms of disability symptomology, may result if the accommodation is not approved?
2. Have you discussed with the student the responsibilities associated with properly caring for an animal while engaged in typical college activities and residing in campus housing and are you concerned about those responsibilities exacerbating the student's symptoms in any way?

*Thank you for taking the time to complete this form. If we need additional information, we may contact you at a later date. The named student has signed this form (below) indicating written permission to share additional information with us in support of the request.*

Please provide contact information, sign and date this questionnaire (below), and return it to Rollins College Office of Accessibility Services, via email at [access@rollins.edu](mailto:access@rollins.edu), or fax to 407-691-1269.

Contact information:

Address:

Telephone:

FAX and/or Email address:

Professional Signature: \_\_\_\_\_

Type of License: \_\_\_\_\_ License #: \_\_\_\_\_

Date: \_\_\_\_\_

STUDENT (please sign this form before providing it to your mental health provider to complete):  
By signing below, I consent to allowing my health care provider to share information related to my request for an ESA with Rollins College Office of Accessibility Services for the next 60 days.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# Animal Registration Form



**Student:** \_\_\_\_\_  
**R-number:** \_\_\_\_\_  
**Cell phone:** \_\_\_\_\_  
**Hall/Room:** \_\_\_\_\_

Check one: Service Animal  ESA

**Animal Name:** \_\_\_\_\_  
**Age:** \_\_\_\_\_  
**Species/  
 Breed:** \_\_\_\_\_  
**Visual  
 Description:** \_\_\_\_\_

Please attach the following:  
 Vaccination Record  
 Digital Photo  
  
 Rabies #:

|                     | Name | Phone | Relationship |
|---------------------|------|-------|--------------|
| Alternate Caretaker |      |       |              |
| Veterinarian        |      |       |              |