

**Emotional Support Animal Policy & Agreement
Occidental College Disability Services**

Full Name

Student ID#

Email address

Cell phone number

ESA name

Type of animal (dog, cat, etc.)

Breed

Color

Weight

Age

Vaccinations (Y/N)

License Number

Gender

Spay/Neuter (Y/N)

By signing below, I certify that,

- 1. I have read and I agree to the Emotional Support Animal Policy Agreement and the information I have provided is accurate.
- 2. I understand that completion of the ESA Application (Policy Agreement, Request Form, Vaccination Records, Photo of Animal) does not guarantee that my application will be approved.
- 3. I agree my animal is not allowed on campus until I have received an official email approval from the Disability Services Office with a move-in date for my animal. I understand if I bring the ESA to campus before the ESA has been approved my ESA application is void.
- 4. I agree to sign this document each new academic year that I attend Occidental College with my emotional support animal.
- 5. I agree the ESA Policy Agreement specifically applies to the ESA listed on this ESA Policy Agreement form. Any new ESA will need to have a specific ESA Policy Agreement that applies directly to the animal.

Disability Services

Student Signature

date

Emergency Contact Information:

Name of local person residing no more than two hours away who shall take custody of the Animal in the event of an emergency or neglect by the Student. This person must live within two hours from campus and this person may not be an Occidental student residing on campus or in any campus housing:

Primary Contact: _____ Contact number: _____

Relationship to student: _____

Secondary Contact: _____ Contact number: _____

Relationship to student: _____

Section 1: Definitions

A. **Emotional support animal (ESA):** An emotional support animal is an animal whose sole function is to provide emotional support, comfort, therapy, therapeutic benefits, or to promote emotional well-being. A person qualifies for a reasonable accommodation if:

1. The person has a documented disability and has provided the required documents to the College; and
2. The animal is necessary to afford the person with a disability an equal opportunity to use and enjoy the College's housing; and
3. There is an identifiable relationship between the disability and the assistance the animal provides.

NOTE: Emotional support animals are not trained to assist an individual with a disability in the activities of daily living and are therefore NOT considered service animals under the criteria established by

B. **Pet:** A pet is defined as an animal kept for ordinary use and companionship. Pets are not allowed on campus. Any unapproved/unauthorized animals brought to campus may be subject to a fee.

C. **Owner:** The Owner is the student who has requested the accommodation and has received approval for an ESA accommodation.

Section 2: Procedure for Requesting an Emotional Support Animal in College Housing

Approval of an ESA and approval of the particular animal requested by the student is determined on a case by-case basis. Occidental College will accept and consider requests for reasonable accommodation in College housing at any time; however, if the request for accommodation is made fewer than 60 days before the individual intends to move into College housing, the College cannot guarantee that it will be able to meet the individual's accommodation needs during the first semester or term of occupancy. **WARNING: ESAs are not permitted on campus until the accommodation request has been approved. Students found with unauthorized animals in the residence hall will be subject to sanctions under the Student Code of Conduct.**

Disability Services

A. The Owner will request an ESA by completing our online Accommodations Request Form and documentation from the Owner's current treating provider.

1. The documentation provided for an ESA must come from a mental health practitioner in the State of California, or in the student's home state. Documentation of your significant mental health impairment and the associated need for an ESA should come from a mental health provider who knows and understands your difficulties and can explain how the presence of the animal may help to alleviate your symptoms.

NOTE: As of November 2019, the Federal Trade Commission (FTC) has been asked to investigate websites that purport to prove documentation from a health care provider in support of requests for an ESA. The websites in question offer 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. Also, please be aware that DS neither requires nor recognizes an ESA "license", "certificate" or "vest" as the basis for establishing the legitimacy of an ESA.

B. Upon receipt of the Accommodations Request Form, a Disability Services Staff member will meet with the Owner to:

1. Determine the eligibility of the Owner to have an ESA
2. Review and sign the Emotional Support Animal Policy Agreement Form

C. Veterinary and Vaccination Records: Prior to the ESA's arrival on campus, the Owner must submit copies of the ESA's appropriate vaccination documentation, current veterinary health records.

1. All current state and local animal registrations, where applicable, are required for the ESA.
 - a. The ESA must be immunized against disease common to that type of animal.
 - b. Dogs and cats must have proof of current rabies vaccination. A copy of the current vaccination documentation for the ESA will be kept on file and must be kept current.
 - c. Dogs must also be licensed with Los Angeles County. A copy of the current license for the ESA will be kept on file and must be kept current. [Los Angeles County registration for dogs.](#)

D. Provide a picture of the animal.

E. Review: Once all required documents are received, the Disability Services Staff will review the Owner's request for the ESA.

1. **Approved Request:** The Owner will receive an email notification and an approved move-in date for the ESA. Housing Services will be copied on this email approval.
 - a. The following will receive notifications of the presence of the ESA: the Resident Director (RD) and Resident Advisors (RA) in the building where the Owner and ESA reside, Custodial and Maintenance, and Campus Safety.
 - b. Occidental College reserves the right to notify neighbors, where applicable in residence halls, that the Owner will be living with an ESA as an accommodation.
 - c. Occidental College reserves the right to contact the Emergency Contact for the ESA provided by the Owner if/when an emergency arises or the student is unable to care for the ESA.

Disability Services

F. Renewing ESAs: Each academic year a student would like to have an ESA in campus housing, students must:

1. Review and sign the Emotional Support Animal Policy Agreement and Consent Form.
2. Provide updated veterinary and vaccination records: Prior to the ESA's arrival on campus, the Owner must submit copies of the ESA's appropriate vaccination documentation, and current veterinary health records.

Section 3: Criteria for Determining if Presence of the ESA is Reasonable

A. Occidental College may consider the following factors, among others, as evidence in determining whether the presence of the ESA is reasonable or in the making of housing assignments for individuals with an ESA:

1. The size of the ESA is too large for available assigned housing space;
2. The ESA's presence would force another individual from individual housing (e.g. serious allergies);
3. The ESA's presence otherwise violates individuals' right to peace and quiet enjoyment;
4. The ESA is not housebroken or is unable to live with others in a reasonable manner;
5. The ESA's vaccinations are not up-to-date;
6. The ESA poses or has posed in the past a direct threat to the individual or others, such as aggressive behavior towards or injuring the individual or others;
7. The ESA causes, or has previously caused, excessive damage to housing beyond reasonable wear and tear; or
8. Generally, ESAs are domesticated animals. Certain unusual animals pose unavoidable safety and/or public health concerns (e.g. animals that are poisonous, aggressive, etc.). Certain snakes, spiders, reptiles and rodents fall into this category of animals. The release of such an animal could result in a direct threat to the health or safety of other individuals living in the residence. These animals will not generally be approved as an ESA.
9. Generally, dogs and cats must be at least twelve (12) months of age, must be spayed or neutered, must be housebroken, and must have received their first rabies vaccination before they can live in college housing.
10. Generally, the presence of only one ESA will be approved for a student, in order to fulfill the intent of the FHA requirements in providing support to the student with a mental health disability.

B. Occidental College will not limit room assignments for individuals with an ESA to any particular building or buildings because the individual needs an ESA or because of a disability.

Section 4: Housing Policy and Access to College Facilities

A. Approved ESAs are only permitted in the Owner's room.

1. Since HUD/Fair Housing regulations **only** apply to housing facilities, the animals are not allowed in other areas of campus such as but not limited to: classrooms, community/shared bathrooms, lounges, dining rooms, indoor recreational rooms, computer labs, study rooms.

B. When applicable, ESAs are only permitted in appropriate outdoor spaces for natural relief and exercise.

C. The ESA must be properly housed and restrained, or otherwise under the dominion and control of the Owner at all times. No Owner shall permit the animal to go loose or run at large. If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from College housing.

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Section 5: Responsibility and Expectations of Owners with Emotional Support Animals

A. Care and Supervision: Care and supervision (custody) of the animal is the sole responsibility of the Owner and must meet the following requirements:

1. The Owner is responsible for ensuring that the ESA is contained/crated, as appropriate, when the Owner is not present during the day while attending classes or other activities. Crating of dogs and cats is not required within the Owner's residence hall room.
2. When applicable for the particular type of ESA, the ESA is required to wear a collar/tag which includes their Owner's contact information.
3. When the ESA is transported outside of the residence hall room, the ESA must be on a leash or transported in a carrier.
4. The Owner is required to indicate the presence of an ESA on any work or repair orders submitted to Information Systems and/or maintenance. The ESA must be caged or crated, or removed from the room, during the time the College personnel are in the room. The College is not liable if the ESA escapes during one of these visits.
5. An ESA may not be left overnight in College housing without being cared for by the owner or owner's emergency contact.
6. ESA's are not allowed to be in the residence halls when the halls are closed.
7. The Owner must provide contact information for an alternative caregiver/emergency contact who will take responsibility of the ESA should the Owner be unable to care for it (e.g. hospitalization, accident). The caregiver/emergency contact must be live within 2 hours
 - a. The College may have an ESA removed from College housing by local Animal Control if the emergency contact is not able to care for the animal, or is not being provided care to ensure its immediate health and well-being.
8. If an emergency situation occurs where the Owner is unable to care for their ESA, the Owner must notify their emergency contact who will be charged with taking care of the animal until the Owner is able to. If the Owner is unable to notify their emergency contact, Campus Safety and/or RA/RD may notify the emergency contact.
9. The Owner shall notify their Resident Advisor (RA) or the RD on Duty immediately if their ESA is missing and cannot be located. If they are unavailable, the Owner shall call Campus Safety.
10. Occidental College, Occidental College personnel, and students shall not be required to provide food, care or any additional space for any ESA. This includes, but is not limited to, removing the animal during an 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.
11. Owners are responsible for feeding and watering their animal within the confines of their room. Bowls of food and water should be placed on mats so that water and food do not get on the carpet/floor. If food or water is spilled, the Owner is responsible for cleaning the floor of their residence immediately.
12. Food for the ESA should be kept in a sealed plastic container within the confines of the Owner's room. Open bags of food are not permissible, as they attract bugs.

B. Waste Management and Cleaning:

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1. The ESA must be housebroken or housed in species appropriate cages/crates/habitats. Pee pads are not permitted for toileting. Animals that are not housebroken are not eligible to serve as an emotional support animal.
2. The Owner is responsible for managing all cleaning tasks associated with keeping and caring for their ESA, including hair/fur, waste management, litter and bedding. College housekeeping equipment, and/or supplies may NOT be used for any ESA cleaning tasks. Failure to properly dispose of animal waste will result in a charge of violating Residential Ed policies and appropriate sanctions may apply.
3. The ESA should be kept clean and free from odor; however, Owners may not use hall or apartment showers, sinks or baths to clean their ESAs. ESAs should only be cleaned in the utility sinks located in the residence hall laundry rooms.
4. Should Owners need to clean litter boxes or cages in College housing facilities (laundry room utility sinks) the Owner is responsible for cleaning and returning the facility to the condition it was found in before the cleaning of the litter box or cage occurred.
5. Owners are responsible for properly cleaning up after, containing and disposing of all animal waste. Solid waste (such as cat litter, soiled bedding, etc.) must be placed in a sturdy plastic bag and tied securely before being disposed of in a trash can. Litter boxes should be placed on mats so that feces and urine are not tracked onto carpeted surfaces.
6. ESA odor and waste accumulation must not exceed reasonable standards. Litter boxes and cage bedding must be maintained such that odors are not apparent outside of the student's living space.
7. Students with ESAs which must be taken outside for natural relief must take their animal at least 20 feet from a residence hall exit door. Outdoor animal waste/ feces, must be immediately cleaned up, contained (placed in a plastic bag and securely tied) and disposed of by the Owner outside trash cans on the perimeter of the residence hall. Improper waste disposal is grounds for the removal of the animal.
8. If the ESA becomes sick and vomits and/or becomes incontinent, it is the responsibility of the Owner to make sure it is cleaned up immediately.
9. It is expected that Owners of cats and dogs will follow veterinary recommendations for preventative treatment of fleas and ticks.

C. Health and Well-Being:

1. The Owner must abide by current city, county and state ordinances, laws and/or regulations pertaining to licensing, vaccination, noise, restraint, at-large animals, dangerous animals and other requirements for animals. It is the Owner's responsibility to know and understand these ordinances, laws and regulations. The College has the right to require documentation of compliance with such ordinances, laws and/or regulations, which may include a vaccination certificate. The College reserves the right to request documentation showing that the animal has been licensed.
2. The ESA must be immunized against disease common to that type of animal. See section 2.C for more information.
3. The College reserves the right to mandate that the ESA receive veterinary attention, or be removed from College property.
4. The Owner is required to ensure the ESA is well cared for at all times. Any suspected or observed issues related to mistreatment or abuse of the ESA will be reported to the proper investigatory authorities, may result in immediate removal of the ESA, and may subject the responsible individual to College disciplinary action.

D. ESA Behavior:

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1. An ESA may not disrupt others by unreasonable noises, odors, or other behaviors.
 - a. . The ESA must not be unduly disruptive or pose an immediate threat to others. The Associate Director of Academic Support and Accessibility Services and/or Director of Counseling and Accessibility Services, Vice President of Student Affairs and/or Vice President of Student Success, Director of Residential Life shall be responsible for making such determinations about an ESA's conduct within the residence halls.
 - i. If a decision is made that an ESA has been unduly disruptive or poses an immediate threat to others, the animal must be removed immediately; see Section 7 for additional information.
2. The Owner, not the College, is responsible for the actions of the ESA including bodily injury or property damage. Owners with an ESA are likely to be charged if additional cleaning or damage occurs as a result of having the ESA in College housing. The Owner is expected to pay these costs upon repair or cleaning. In addition, the College retains the right to remove the ESA, at the owner's expense, should the ESA become a direct threat to the health and safety of others or violates these requirements in any way.

E. General Responsibilities:

1. To ensure a positive residential community, the Owner is responsible for instructing others on appropriate interactions with the ESA.
2. The ESA is allowed in College housing only as long as it is necessary because of the Owner's disability. The Owner must notify Disability Services in writing if the ESA is no longer needed or is no longer in residence.
3. If an ESA passes away while on campus, the ESA must be removed from campus within 24 hours.
4. To replace an ESA, the new animal must be necessary because of the Owner's disability and the Owner must follow the procedures in this Policy when requesting a different animal (see Section 2).

G. Right to Inspect:

1. Residential Educational & Housing Services, Resident Advisors, and Resident Directors maintain the right to inspect the ESA Owner's living space to investigate complaints or concerns and/or to confirm the ESA Owner's compliance with this Policy.

H. Notification of Policy Violations:

1. Violations of the Policy terms and conditions will be entered into the College conduct database.
2. Owners will be notified if violations of Policy terms and conditions occur.
3. Owners may also be required to meet with the Residential Education and Housing Services Staff, and/or the Disability Services Office to review and discuss violations.