



Student Access Office
Post Hall
Room 107
1 South Ave
Garden City, NY 11530

Emotional Support Animal Policies & Guidelines for Students in University Housing

Policy Statement

Adelphi University (“University”) recognizes the importance of “Service Animals” as defined by the Americans with Disabilities Act (“ADA”) and the broader category of “Emotional Support Animals” under the Fair Housing Act (“FHA”) that provide physical and/or emotional support to individuals with disabilities. AU 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 University’s programs and activities. The University is also committed to allowing Emotional Support Animals necessary to provide individuals with disabilities an equal opportunity to use and enjoy University housing.

Reason for Policy

The following policy has been established to ensure that people with disabilities who require the use of an emotional support animal as a reasonable accommodation are provided equal access to the University’s programs and facilities by receiving the benefit of the therapeutic support they provide. This policy explains the specific requirements applicable to an individual’s use of an Emotional Support Animal in University Housing.

Who is Governed by This Policy

Students registered with the Student Access Office (“SAO”) who have been approved for an accommodation of Emotional Support Animal (“ESA”) based on a diagnosed disability.

Policy

Owners Responsibility for Emotional Support Animals

If the University grants an Owner's request to live with an ESA, the Owner is solely responsible for the custody and care of the ESA and must meet the following requirements:

1. The Owner must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the Owner's responsibility to know and understand these ordinances, laws, and regulations. Animals must be spayed or neutered at the appropriate age. The University has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate. The University reserves the right to request documentation showing that the animal has been licensed.

2. The Owner is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner and, when provided, must use animal relief areas designated by Adelphi. The Owner should abide by the following guidelines:
 - a) Always carry equipment sufficient to clean up the animal's feces whenever the animal is on campus.
 - b) Properly dispose of waste and/or litter in appropriate containers.
 - c) When the animal resides in a tank, crate or cage, the proper and adequate cleanliness of the tank, crate or cage must be maintained at all times. The cleaning of the cage/crate will not allow the use of housing or University facilities. The University reserves the right to inspect the proposed crate/tank enclosure at any time.
 - d) The animal, and any associated animal bedding, will not be bathed or laundered using residence hall facilities.
 - e) It is the Owner's responsibility to remove cat or other small animal litter to an assigned outside trash receptacle. Indoor communal trashcans in the residence halls will not be used for collecting litter.

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 ESA and/or discipline for the responsible individual.
4. Adelphi will not ask for or require an individual with a disability to pay a fee or surcharge for an approved ESA.
5. An individual with a disability may be charged for any damage caused by his or her ESA beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear. The University strongly recommends that the Owner have appropriate liability insurance in the event of an animal bite, scratch, etc. Upon the Owner vacating the residence hall or removal of the animal, the condition of the room/suite shall be assessed for necessary cleaning and if there is damage that exceeds normal wear and tear, the Owner will be charged.
 - a) The Owner's living accommodations may also be inspected for fleas, ticks or other pests if necessary as part of the University's standard or routine inspections. If fleas, ticks or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a University-approved pest control service. The Owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls. The University shall have the right to bill the Owner's account for unmet obligations under this provision.
6. The Owner must fully cooperate with University personnel with regard to meeting the terms of this Policy and developing procedures for care of the animal (e.g., cleaning the animal, feeding/watering the animal, designating an outdoor relief area, disposing of feces, etc.)
7. The animal must respond to voice or hand commands at all times, and be in full control of the Owner. To the extent possible, the animal should be unobtrusive to other individuals in the living environment.

8. ESAs may not be left overnight in University housing to be cared for by any individual other than the Owner. If the Owner is to be absent from his/her residence hall overnight or longer, the animal must accompany the Owner.
9. For the safety and public health of all residents, visitors and Adelphi staff, all ESAs must be contained in their Owner's dormitory room and not in common areas. All ESAs must also be crated or caged in their Owner's dorm room whenever the Owner is not present in the room.
10. The Owner will provide an emergency contact to both the Office of Housing and Student Access Office. The Owner identifies this individual as someone local who can care for the animal in case of emergency. Without this information, the University will board the animal at the Owner's expense.
11. The Owner agrees to abide by all equally applicable residential policies that are unrelated to the individual's disability such as assuring that the animal does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside there.
12. The animal is allowed in University housing only as long as it is necessary because of the Owner's disability. The Owner must notify the Student Access Office 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 Owner's disability and the Owner must follow the procedures in this Policy when requesting a different animal.
13. Adelphi personnel shall not be required to provide care or food for any ESA 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. The Owner takes responsibility for actions and behaviors that may result in injury to the animal (e.g., an animal with fear of thunder or separation anxiety that jumps through a window). In the unlikely event of a catastrophic situation (e.g., fire



or natural disaster), the University will not be held liable for death or injury of the animal.

14. The individual must provide written consent for Student Access Office to disclose information regarding the request for and presence of the ESA to those individuals who may be impacted by the presence of the animal including, but not limited to, Residence Life personnel and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.

Removal of Emotional Support Animal

Adelphi University Department of Public Safety and Transportation may require the individual to remove the animal from University housing if:

1. The animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others;
2. The animal's presence results in a fundamental alteration of a University program
3. The Owner does not comply with the Owner's Responsibilities set forth above
4. The animal or its presence creates an unmanageable disturbance or interference with the university community.

The University 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. Any removal of the animal will be done in consultation with the Student Access Office Director.

Access to University Facilities by ESA's

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 the Owner is away from their individual living accommodations (e.g. room, suite) the animal must be confined, whether leashed or caged. When an ESA is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. Notwithstanding the restrictions set forth herein, 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 at large. If an animal is found running at

large, the animal is subject to capture and confinement and immediate removal from University Housing.

Notification of ESA's in Residential Housing

The University will notify the appropriate Resident Hall Directors, Resident Assistants, as well as Adelphi's Public Safety office, facilities management and staff where the approved animal will be located to address any health and safety concerns. The student making the request understands that the residents of their floor may be made aware or generally informed of the existence of an animal on the floor and should be provided an opportunity to raise any personal health or safety concerns about exposure to the animal. Other students may have allergic reactions to animals that are substantial enough to qualify as disabilities. Adelphi University 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 the Student Access Office.

Definitions

Owner: The "Owner" is the individual who has requested the accommodation and has received approval to bring an Emotional Support Animal into University Housing.

Emotional Support Animal (ESA): Sometimes referred to as an "assistance animal", "therapy animal", or "companion animal". ESA is a term that the United States Department of Housing and Urban Development (HUD) uses to cover a category of animals that may work, provide assistance, or perform physical tasks for an individual with a disability and/or 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. ESA's are not considered Service Animals under the ADA and the Universities Service Animal Policy. Some ESA's are professionally trained, but in other cases ESA's provide the necessary support to an individual's with disabilities without formal training or certification. Only domesticated animals are considered reasonable, and typically, the presence of only one ESA will be approved per student.

The question in determining if an ESA will be allowed in University housing is whether or not the ESA is necessary because of the individual's disability to afford the individual an equal opportunity to use and enjoy University housing and its presence in University housing is reasonable. However, even if the individual with a disability

establishes necessity for an ESA and it is allowed in University housing, an ESA is not permitted in other areas of the University (e.g. dining facilities, libraries, academic buildings, athletic building and facilities, classrooms, labs, individual centers, etc.).

Procedures

Students who plan to live in on-campus housing must inform the Office of Residential Life and Housing that they are requesting to have an emotional support animal with them in student housing. The animal must be necessary for the resident with a disability to have equal access to housing and the accommodation must also be reasonable.

Requests for an emotional support animal in Adelphi University's student housing should be made by filing a Petition for Reasonable Accommodations form with the Student Access Office (SAO), along with appropriate and timely documentation of the need for an emotional support animal from a licensed professional or other qualified individual. A Petition form can be accessed through the SAO website at www.adelphi/sa/sao.

There must be a clear connection between the animal and a disability. Emotional distress resulting from having to give up an animal because of a "no pets" policy, does not qualify a person for an accommodation under federal law. Any student approved for an emotional support animal in Adelphi housing facilities must also meet Adelphi housing requirements/policies for animal health and behavior.

Adelphi University will make an individualized determination of the reasonableness of each request on a case-by-case basis. A request for an emotional support animal may be denied as unreasonable if the presence of the animal: (1) imposes an undue financial and/or administrative burden on the University, (2) fundamentally alters the nature of the services or programs provided by the University, (3) poses a direct threat to the health and safety of others, and/or (4) will result in substantial physical damage to the property of others, (including University property), that cannot be reduced or eliminated by reasonable accommodations.

The University may consider the following seven factors, among others, in deciding whether the presence of an animal in housing is reasonable:

- (1) Whether the size of the animal is too large for available assigned housing space.
- (2) Whether the animal's presence would force another individual from individual housing (e.g., serious allergies).
- (3) Whether the animal's presence otherwise violates another individual's right to peace and quiet enjoyment.

- (4) Whether the animal is not housebroken or is unable to live with others in a reasonable manner.
- (5) Whether the animal's vaccinations are not up-to-date.
- (6) Whether the animal poses or has posed in the past a direct threat to the individual or others, such as aggressive behavior toward or injuring the individual or others.
- (7) Whether the animal causes, or has caused excessive damage to housing beyond reasonable wear and tear.

Other Individuals with Disabilities

There may be circumstances where some people may be allergic to an emotional support animal in housing that may create a barrier to access and qualify that individual for accommodations. Adelphi University will consider the needs of both persons in meeting its obligations to reasonably accommodate all persons with disabilities and to resolve the problem as efficiently and expeditiously as possible.

Forms

Include links to any forms or templates related to this policy. Forms related to procedures should be linked directly from the procedures.

If this section is not required for this policy, please use the following text: This policy does not have forms associated with it at this time. Upon periodic policy review, this area will be evaluated to determine if additional information is needed to supplement the policy.

Related Information

Housing Policy

List and link to layperson summaries, if possible, of applicable law or regulations. Links to other University policies that affect this policy should be included.

If this section is not required for this policy, please use the following text: This policy does not have related information at this time. Upon periodic policy review, this area will be evaluated to determine if additional information is needed to supplement the policy.

Policy Owner

Required - Provide the following information for the primary owner of this policy.



Name: Rosemary Garabedian
Title: Director
Office: Student Access Office, Adelphi University
Phone Number: 516-877-3806
Email: garabedian@adelphi.edu

Secondary Contacts

Required - Provide the following information for any individuals, in addition to the policy owner, who can answer questions about this policy.

Contact	Telephone	Email
Brian Flatley Associate Director, Student Access Office	516-877-3545	bflatley@adelphi.edu
Carol Lucas Interim Associate Dean, Director of Counseling and Support Services	516-877-3661	clucas@adelphi.edu

Document History

- Required - This section must contain the following dates or placeholders for future dates.
 - Last Reviewed Date:
 - Last Revised Date: July 16, 2020
 - Policy Origination Date: June 6, 2016
-

Who Approved This Policy

Tags



Provide relevant keywords to this policy pertaining to the audience, topic, and/or owner.

Additional Information for Policy Library

Required - Who Should Have Access to This Policy?

Should this policy be publicly accessible, or should access be locked down to one or more of the following internal audiences?

- The entire internal community (anyone with an Adelphi account can view)
- Students
- Faculty
- Staff and Administration
- Other (please specify)