

### **Emotional Support Animals**

An Emotional Support Animal (ESA) is an animal that is prescribed by a healthcare or mental health professional to an individual with a mental health disability as part of the individual's treatment plan.

#### **Emotional Support Animals (ESA) in CWC Housing.**

CWC maintains a "no pets" policy in the residence halls. However, in accordance with Federal law (Fair Housing Amendments Act), CWC will consider requests for accommodations to the housing policy to allow students with documented mental health needs to keep an Emotional Support Animal (ESA) with them in-residence. Having an animal in student housing prior to fulfilling the requirements below is a student conduct violation and will result in disciplinary consequences.

#### **DEADLINES FOR ESA REQUESTS:**

1. FALL DEADLINE: ALL PAPERWORK DUE JULY 31
2. SPRING DEADLINE: ALL PAPERWORK DUE: DECEMBER 1
3. SUMMER DEADLINE: ALL PAPERWORK DUE: APRIL 30

Any requests made after these deadlines will be held until the following term.

#### **Process for Requesting Emotional Support Animals in CWC Housing**

1. Students will meet with the Accommodation Coordinator and provide the following information as part of the interactive process:
2. Students will provide a current prescription from a licensed provider for the emotional support animal. The prescriber information must verify an ongoing treatment relationship with the student over a duration of time. It cannot be a prescription or "verification" that was purchased via a one-time session. Additionally, the prescription must include:
  - a. Diagnosis
  - b. Rationale/mitigation of the symptoms of the disability for the individual (how the ESA supports the disability)
  - c. That the animal is necessary for the student to access the residential living and learning environment
  - d. Duration of the therapeutic or treatment relationship between the prescribing individual and the student, including the date of the last visit with the provider, next appointment, treatment goals
  - e. If the student has cared for animals previously
  - f. Prescriber licensing information
3. Students will provide a current (within one calendar year) record of vaccinations and license required by the city of Riverton for the animal, to be shared with Residence Life.
4. Students will provide a current (within one calendar year) record of a veterinary examination, indicating the health of the animal, a statement that the animal does not pose a threat to those around them, and confirmation that living in communal, confined space will not be detrimental to the animal, to be shared with Residence Life.
5. Students will provide an emergency contact who does not live on campus and who can take care of the animal if needed, to be shared with Residence Life.
6. Students will provide a picture of the animal, to be kept on file with Residence Life.
7. Students will sign an agreement as to the policies of ESA care on campus (waste disposal, location of the ESA, care)
8. Students will then meet with the Director of Residential and Student Life.

#### **Criteria for Determining Reasonability of Emotional Support Animal**

In most cases, one ESA per student will be allowed to fulfill the intent of the FHA (Fair Housing Act) requirements in providing support to the student with a mental health disability. **Central Wyoming College has determined that the residence hall setting, in most cases, is not an appropriate environment in which to raise a puppy. Emotional support animals must be at least 12 months of age, be spayed or neutered, and have received their first rabies vaccination before they can live in CWC housing.**

*For all requests for Emotional Support Animals, this Office will consult with the Department of Residential Life in making determinations on a case-by-case basis of whether the presence of an Emotional Support Animal is reasonable. A request for an Emotional Support Animal can be denied as unreasonable if the presence of the animal: 1) imposes an undue financial and/or administrative burden; 2) poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including college property. This includes violation of the right to others' rights to peace and quiet and enjoyment.*

Central Wyoming College will not limit room assignments for individuals with disabilities who have been approved for an Emotional Support Animal to any particular residence hall.

### **Access to Housing Facilities/Animal Living Quarters**

An Emotional Support Animal must be contained within the owner's privately assigned individual living accommodations (e.g., room, suite) except to the extent the individual is taking the animal out for natural relief.

### **Control**

If CWC grants an Owner's request to live with an ESA, the Owner is solely responsible for the custody and care of the animal. The Emotional Support Animal must be properly housed and restrained or otherwise under the dominion and control of the owner at all times. When an animal is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. 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 CWC housing. Outside kennels, tethering, chaining, or attaching to a tree or any fixed object is not allowed.

### **Standards for Approved Emotional Support Animals and Service Animals in Residential Halls**

1. The owner/controller 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 individual's responsibility to know and understand these ordinances, laws, and regulations. CWC has the right to require documentation of compliance with such ordinances, laws, and/or regulations.
2. To reside on campus, animals must be in good health and be licensed in compliance with city, county, and state laws. All animals housed in the residence halls should be spayed or neutered prior to entering the residence hall. If an animal is discovered to be pregnant, it must be removed from campus prior to birth. All animals must have veterinarian-recommended vaccinations, spay, neuter, and proof of absence of communicable diseases, fleas, and parasites before entering the residence halls. Residential Life reserves the right to ask that an in-residence animal receive veterinary attention or request updated verification, clean bill of

health, and spay/neuter procedure at any time during the animal's residency. Bathing/grooming must be done off campus.

3. The owner is required to clean up after the emotional support animal or service animal and properly dispose of the animal's waste in a safe and sanitary manner. Waste must be placed in an impermeable container and disposed of in an outside garbage dumpster on a regular basis. No waste may be disposed of indoors, in bathrooms, or in common areas. If an animal vomits or becomes incontinent, it is the responsibility of the Owner to clean the contaminated area immediately with appropriate disinfectant.

4. The owner is required to ensure the animal is well cared for at all times. Any evidence of mistreatment or abuse may result in an immediate removal of the Emotional Support Animal/Service Animal or discipline for the individual.

5. An individual with a disability may be charged for any damage caused by his or her Emotional Support animal or service animal beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear. The owner's living accommodation may also be inspected for fleas, ticks or other pests, as necessary. If fleas, ticks, or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a college approved pest control service. The owner will be billed for the expense of any pest treatment beyond standard pest management in the residence halls. The College shall have the right to bill the owner's account for unmet obligations under this provision.

6. The owner must fully cooperate with college personnel regarding meeting the terms of this Policy and developing procedures for care of the animal (e.g., cleaning the animal, feeding/watering the animal, disposing of feces, etc.). All animal food will be kept in a closed container in the owner's room.

7. Emotional Support animals may not be left overnight in college 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 be housed off campus. When the owner is not present during the day while attending classes or other activities, the owner should contain the Emotional Support Animal (caged or crated) as appropriate. The college reserves the right to inspect the enclosure to be used to contain the animal.

8. The owner agrees to abide by all equally applicable residential policies that are unrelated to the individual's needs 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.

9. An Emotional Support animal is allowed in college housing only if it is necessary because of the owner's disability. The owner must notify both Residence Life and Disability Services if the Emotional Support Animal is no longer needed or is no longer in residence. To replace an Emotional Support animal, the new animal must be necessary because of the

owner's disability and the owner must follow the procedures in this policy and when requesting a different animal.

10. Central Wyoming College personnel shall not be required to provide care or food for any Emotional Support Animal or Service 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. Emotional Support Animals and Service Animals may be exposed to continuous fire alarms during drills without any forewarning. Owners are encouraged to consider how this might impact an animal left alone in the Owner's living space.

11. The student must provide written consent to disclose information regarding the request for and presence of the Emotional Support Animal 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.

12. Any student with an animal in housing must designate an adult who lives off campus who can pick up and care for the animal in the event of an emergency until the time that the emergency has fully resolved. They must be picked up within twelve hours (for animal welfare) of the event or Central Wyoming College Staff will call local Animal Control to collect the animal. The animal will be kept in his or her kennel/cage until the designated responsible individual or Animal Control has collected the animal. Once the situation has resolved, the animal can return to campus with the student. Both Disability Services and Residence Life will keep the name of this designated emergency contact individual on file. This information will be updated by the Student at least annually.

### **Removal of Emotional Support Animals and Service Animals from Housing**

Central Wyoming College may require the individual to remove the animal from CWC 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 college program.
3. The owner does not comply with the owner's responsibilities set forth above; or
4. The animal or its presence creates an unmanageable disturbance or interference with the College community.

Decisions to remove an approved Emotional Support Animal will be based on the actual behaviors of the animal and owner – not speculation of fear about any harm and/or damage an animal may cause. Any removal of an Emotional Support Animal will be done in collaboration between Residence Life and Disability Services. Decisions to remove an animal may be appealed to the Vice President of Student Affairs. Appeals should be provided in written format within five (5) days of the initial date of the decision communication. The appeal must state a specific reason for reconsideration of the decision. Appeals may only be based on:

1. Current information that was not available at the time of the removal.
2. A procedural error that occurred that unfairly affected the removal.

3. A specific condition that provides just cause to reconsider the decision, such as a demonstrated bias against the student or the animal identified in the appeal.

If served notice of animal eviction, individuals will have five (5) days to remove and relocate the animal. In the case that an animal has caused significant harm to another individual within the residential community, the animal is subject to immediate removal from campus. If the animal must be removed from the residence hall and the owner does not comply with the stated period, the College may have the animal removed to the nearest proper animal shelter. In the event the animal is not removed, the owner must meet with the Dean of Students and face potential conduct sanctions. Should the Emotional Support Animal be removed from the premises for any reason, the owner is expected to fulfill their housing obligations for the entirety of the housing contract.

CWC reserves the right to update this agreement at any time. Failure to comply with provisions noted above may result in fines and/or other disciplinary action.

My signature below indicates I will abide by this agreement.

Name: \_\_\_\_\_

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

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