



# UNIVERSITY OF MISSISSIPPI STUDENT DISABILITY SERVICES

## **Emotional Support Animal Policy**

The University of Mississippi (UM) recognizes the importance of Emotional Support Animals to individuals with disabilities and has established the following policy. This policy provides that students with disabilities, who require the use of Emotional Support Animals as a reasonable accommodation, receive the benefit of the therapeutic support they provide. UM is allowing approved students with disabilities the use of an Emotional Support Animal in student housing to facilitate their full-participation and equal access to the residential experience. Set forth below are specific requirements and guidelines concerning the appropriate use of and protocols associated with Emotional Support Animals in residence halls. UM reserves the right to amend this policy as circumstances require.

### **Section I. Distinction between Service Animal and Emotional Support Animal**

#### **A. Service Animal**

A "Service Animal" is a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. In some cases, a miniature horse may be permitted as a Service Animal. Other animals, whether wild or domestic, do not qualify as Service Animals. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, or performing other duties. Service Animals are working animals, not pets. The work or task a Service Animal has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as Service Animals. (See the University's policy regarding Services Animals)

#### **B. Emotional Support Animal**

"Emotional Support Animals" (also called comfort or therapy animals) are animals that enable a person with a disability an equal opportunity to use and enjoy student housing by alleviating the symptoms of the disability. Unlike a Service Animal, an Emotional Support Animal might not be trained and it does not accompany a person with a disability at all times. Although Emotional Support Animals may be considered for limited access to university housing, they are not permitted in other areas of the university (e.g. libraries, academic buildings, classrooms, labs, student center, etc.).

### **Section II: Additional Definitions**

#### **A. Pet**

A "Pet" is an animal kept for ordinary use and companionship. A pet is not considered an Emotional Support Animal and is not covered by this policy. Residents are not

permitted to have pets other than water breathing fish living in an aquarium with a capacity less than 5 gallons.

### **B. Approved Animal**

An “Approved Animal” is an Emotional Support Animal for use in the residential environment that has been granted as a reasonable accommodation due to the impact of the Handler’s disability.

### **C. Handler**

The “Handler” is the student who has requested the accommodation and has received approval from UM to bring the Approved Animal into the residence halls.

## **Section III. Exceptions and Exclusions**

The University may place restrictions on, and may exclude, an Emotional Support Animal. Restrictions or exclusions will be considered on a case-by-case basis. An animal may be excluded if:

- 1) it is out of control and effective action cannot control it or is not taken to control it;
- 2) its size is prohibitive in relation to the size of the residence hall;
- 3) it is not housebroken;
- 4) it poses a direct threat to the health or safety of others that cannot be reduced or eliminated by reasonable modifications. An animal with a history of biting or aggression may be considered to pose such a threat;
- 5) its presence fundamentally alters the nature of programs, services, or activities in student housing;
- 6) other reasons as may be determined.

## **Section IV. Conflicting Health Conditions**

Housing personnel will make a reasonable effort to notify tenants in the residence building where the Approved Animal will be located.

Students with medical condition(s) that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) are asked to contact the Department of Student Housing through normal assignment processes and procedures.

## **Section V. Handler’s Responsibilities in Student Housing**

1. The Handler must complete an Emotional Support Animal Registration form for the approved animal.
2. The Handler is responsible for assuring that the Approved Animal does not unduly interfere with the routine activities of the residence or cause difficulties for students who reside there.
3. The Handler is financially responsible for the actions of the Approved Animal including bodily injury or property damage and will protect, defend, indemnify, and hold UM, its employees and agents harmless from any injuries, damages, costs, attorneys’ fees, and expenses that are caused by the Approved Animal.

4. The Handler is responsible for any expenses incurred for cleaning beyond standard cleaning or repairs to University premises that are assessed after the student and animal vacate the residence. As with all accounting processes, UM will bill the Handler's bursar account.
5. The Handler must notify SDS in writing if the Approved Animal is no longer needed or is no longer in residence. To replace an Approved Animal, the Handler must file an updated Emotional Support Animal Registration form.
6. The Handler's residence may be inspected for fleas, ticks or other pests during normal Health and Safety Inspections or as needed. If fleas, ticks or other pests are detected, the residence facility will be treated using approved fumigation methods by a university-approved pest control service provider. The Handler will be billed for the expense of any pest treatment beyond standard pest management in the residence facility.
7. All roommates or suitemates of the Handler must sign an agreement allowing the Approved Animal to be in residence with them. In the event that one or more roommates or suitemates do not approve, either the Handler and Approved Animal or the non-approving roommates or suitemates may be moved to a different location. This provision is only applicable for students residing in a shared room and/or apartment.
8. Due to maintenance or other Housing staff needing to occasionally enter student rooms, it is imperative that the Approved Animal is housed in an appropriate enclosure or kennel at all times while the Handler is away. The enclosure must be of an appropriate size for the animal. Caged and kenneled animals are to be kept in appropriate cages with flooring and liner to prevent any damage to floors and to allow sanitary removal of pet waste. When outside the residence, the Handler of an Emotional Support Animal shall carry proof that the animal is an Approved Animal.
9. Approved Animals may not be left overnight in University Housing to be cared for by another student. Animals must be taken with the student if they leave campus for a prolonged period - dogs especially should not be left unattended through the day.
10. Housing has the ability to relocate Handler and Approved Animal as necessary according to current contractual agreements.
11. The Handler understands reasonable accommodations which may constitute an exception to a policy that otherwise would prohibit having an animal does not constitute an exception to any other policy.
12. The Handler agrees that Emotional Support Animals are not allowed indoors on the UM campus other than the handler's assigned residence hall.
13. The Handler understands the University reserves the right to remove an animal that is unruly or disruptive (e.g. barking, running around, bringing attention to itself, jumping up on people, whining, squawking, scratching, chewing, being aggressive or not being properly housebroken).

14. Should the Approved Animal be removed from the premises for any reason, the Handler is expected to fulfill his/her housing obligations for the remainder of the housing contract.

15. Care and supervision of the animal are the responsibility of the Handler who benefits from the Approved Animal's use. The Handler is responsible for the health and hygiene of the animal, including daily grooming and occasional baths as may be required to keep animal odor to a minimum. Handlers should not use the sinks or showers in the residence hall to bath the Approved Animal.

16. The Handler is also responsible for ensuring the cleanup of the animal's waste and, when appropriate, must toilet the animal in areas designated by the University. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and securely tied up before being disposed of in an outside trash receptacle. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces.

17. In accordance with local ordinances and regulations the Approved Animal must be immunized against diseases common to that type of animal. Dogs must have current vaccination against rabies and wear a rabies vaccination tag. Cats should have the normal shots required for a healthy animal. Local licensing requirements must be followed.

18. When outside the Handler's room, the Approved Animal must be on a leash, if appropriate for the animal, at all times.

19. Cruelty to animals is a violation of policy. Beating, neglecting, or otherwise harming an animal in your care will result in the animal being removed.

20. Other Conditions: The University may place other reasonable conditions or restrictions on the Approved Animals depending on the nature and characteristics of the animal.

21. Any violation of the above rules may result in immediate removal of the animal from the University and may be reviewed through both the University and Residential Student Conduct systems.

## **Section VI. Procedure for Requesting Housing Accommodations**

**Emotional Support Animals may not be brought into University housing without expressed approval of University officials.**

Please refer to the University's Housing Accommodation Policy for details regarding the procedure for requesting housing and other accommodations and suggested deadlines.