

Truett McConnell

U N I V E R S I T Y

ESA Policy

1. TMU is committed to providing a supportive environment for students with disabilities as well as to complying with all applicable provisions of the Americans with Disabilities Act as amended (ADAAA), Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act.
2. Under the Fair Housing Act (FHA) a person with an appropriately documented disability may keep an emotional support animal in the individual's dwelling when there is an established need for the therapeutic nature of the animal that is connected to the individual's disability.
3. An Emotional Support Animal (ESA) provides emotional support to persons with a diagnosed disability who have a disability-related need for such support. The ESA is indicated as necessary for an individual with a disability by an appropriate and relevant healthcare professional.
4. An ESA may be a reasonable accommodation for a student with a diagnosed disability within the student's privately assigned living space. TMU students may qualify for this accommodation if (1) the student has a documented disability; (2) the animal is necessary to afford the student with a disability an equal opportunity to use and enjoy their dwelling; and (3) there is an identifiable and documented nexus between the disability and the assistance that the animal provides. TMU will allow only those ESAs that are allowed by local and state laws and conform to standards within this policy.
5. The care and supervision of the ESA is solely the responsibility of the student owner. The student must be in full control of the ESA at all times. ESAs may not pose a direct threat to the health and safety of persons on TMU's campus, cause physical damage to property, or fundamentally alter the nature of university operations.
6. An ESA can be a dog, cat, small bird, rabbit, hamster, gerbil, fish, turtle or other small, domesticated animal that is traditionally kept in the home. A dog must be at least 9 months of age to live on campus to assure that the dog is reliably housebroken, not disruptive to other residents, and has all of the shots required by state and local ordinance as necessary to make it safe to be around humans. Other types of ESAs must be similarly capable of, and trained for toileting without disruption or damage to property and must have necessary vaccinations as required by state and local ordinance. We typically do not allow animals known to carry the risk of zoonotic disease and cannot be adequately controlled to be in residence.
7. The ESA must be maintained (kept clean, free from fleas or ticks, etc.) and may not create safety hazards for other people. Local and state ordinances and laws regarding animals apply, including requirements for immunizations, licensing, noise, restraint, at-large animals and dangerous animals.
8. An animal's behavior, noise, odor and waste must not exceed reasonable standards for a well-behaved animal. These factors should not create unreasonable disruptions for other residents. If

the noise (whining, barking or meowing) is excessive as judged by residence life staff, it is grounds to remove the ESA from campus. ESA's may also be excluded from the university campus if the animal behaves in an unacceptable way and or the student does not control the ESA. Uncontrolled barking, jumping on other people, or running away from the handler are some examples of unacceptable behavior for an ESA. Any suspected or observed issues related to animal abuse or neglect will be reported to the proper investigatory authorities and may subject the student to university disciplinary action as well.

9. The student is responsible for immediately cleaning up and properly disposing of the ESA's waste and is responsible for having the equipment to do so. People who are physically unable to accomplish this task are responsible for arranging for it to be done and any costs that it incurs. TMU retains the right to designate a particular area for the ESA to relieve itself and/or for the disposal of its waste.
10. ESAs are limited to the privately assigned living space (room) of the student except when exiting or entering the student's residential building. It may not be allowed into bathrooms, laundry facilities, indoor recreational rooms, lounges, hallways, computer labs, study rooms, or other areas of the residence hall. It also cannot be taken into classrooms or other buildings on campus or allowed to roam freely on campus grounds.
11. ESA's must have enough space within the privately assigned living space to be appropriate to the size of that animal. ESAs are to be confined (i.e. cage, tank) when the owner is not present in the room. Owners are not to leave their ESA unattended overnight.
12. Roommates, neighbors, Campus Safety, Facilities, grounds crew, housekeepers, on-call staff, and residential life staff may all be notified of the presence of the approved ESA in a particular space.
13. The student, not TMU, is responsible for the actions of the ESA including, but not limited to, any bodily injury, property damage or additional cleaning. **The student is required to pay any costs incurred for repair or cleaning (i.e., if the cost to replace flooring/sanitize the living space is \$1,500, then the student will be required to reimburse TMU for the entire amount).** In addition, TMU retains the right to remove the ESA, at the owner's expense, should the animal become a direct threat to the health and safety of others or violates these requirements in any way. The owner must provide the name and contact information of an off-campus person who is willing and able to take the animal in the event of an emergency.
14. The student must sign an Emotional Support Animal Agreement, which must include a documented disability from an appropriate and relevant healthcare professional, **prior to bringing the ESA to campus.**

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PROFESSIONAL REQUEST FOR INFORMATION

Emotional Support Animal

The student named below has indicated that you are the appropriate professional (physician, psychiatrist, social worker, mental health worker) who has recommended that having an Emotional Support Animal (ESA) in the student's campus housing residence will be helpful in alleviating one or more of the identified symptoms or effects of the student's disability. We recognize that having an ESA in the student's campus housing residence may be a benefit for someone with a significant mental health disorder, and we want to make sure that ESAs are warranted for those individuals. PLEASE WRITE/TYPE your responses on this form.

Student's Name: _____ Student's TMU ID#: _____

So that we may better evaluate this student's request for an ESA, please provide the following information:

Information about the Student's Disability

(A person with a disability is defined as someone who has "a physical or mental impairment that substantially limits one or more major life activities."¹)

What is the nature of the student's mental health impairment(s) (that is, how is the student substantially limited)?

How long have you been working with the student regarding this mental health disability or disabilities?

How will the student acquire ongoing treatment while enrolled at TMU? With you? If not with you, with whom? If you have not discussed this with the student, please indicate that as well.

Information Regarding the Proposed ESA

The student has indicated the following for an ESA:

Type of animal: _____

Age of animal: _____

Name of animal: _____

¹ U.S. Department of Labor, *Americans with Disabilities Act*, <https://www.dol.gov/general/topic/disability/ada>

Is this an animal that you specifically prescribed as part of treatment for the student?

What symptoms will be reduced by having this ESA?

Is there evidence that an ESA has helped this student in the past or currently? If so, please describe:

How is this animal necessary for the student to have the "full enjoyment"² of the housing situation?

Importance of ESA to Student's Well-Being

In your opinion, how important is it for the student's well-being that the ESA be in residence on campus?

What consequences, in terms of disability symptomology, may result if the student does not have an ESA?

Have you discussed with the student the responsibilities associated with properly caring for this animal while engaged in typical university activities and residing in campus housing? Do you believe these responsibilities might exacerbate the student's symptoms in any way? (If you have not had this conversation with the student, please indicate that as well.)

Please provide your contact information, sign and date this form. You may also send this by email with a full signature line or attach your business card and send it by postal mail. Thank you for your time.

Name: _____ Date: _____

Address: _____

Telephone: _____

FAX and/or Email address: _____

Signature of Professional: _____

License #: _____

Return to:

Nell Hoyle, Director of Special Support Services

Truett McConnell University, 100 Alumni Dr., Cleveland, GA 30528

nhoyle@truett.edu

(706) 878-0787

² U. S. Department of Justice, *Fair Housing Act*, <https://www.justice.gov/crt/fair-housing-act-2>

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Emotional Support Animal Agreement

I, _____, Student ID# _____, agree to follow the terms of the TMU ESA Policy. I have read the TMU ESA Policy. I am aware that I may have to relocate to a private room on campus, at the discretion of TMU Administration. I am also aware that I am responsible to clean up after my animal. I will collect waste and dispose of it in an exterior garbage can or exterior dumpster.

I understand that I am financially responsible for any property damage caused by my ESA. If my ESA hurts anyone on campus I realize that I am liable and not the university.

Student Signature: _____

Date: _____

TMU Official: Jason J. Graffagnino
VP for Finance and Operations/CFO

TMU Official: Signature: _____

Date: _____

