

Emotional Support Animal Policy and Procedures

General Information

This policy applies solely to the specific requirements applicable to an individual's use of an Emotional Support Animal in residential buildings at the Maine College of Art (MECA). With the exception of service dogs, MECA housing policies prohibit having animals of any type; however, MECA will consider a request for a reasonable accommodation to this policy by an individual with a mental health disability. The Disability Services Coordinator is responsible for implementing this policy and for assisting students with disabilities to document their specific need for an accommodation.

No Emotional Support animal (ESA) may be kept in the residence halls at MECA prior to the individual receiving approval as a reasonable accommodation. A request must be initiated by the student registering for disability accommodations with the Disability Services Coordinator.

Definition

For the purpose of this document, the term Emotional Support Animal will be used and substituted for other commonly used names such as Assistance Animal, Therapy Animal, and Companion Animal.

An Emotional Support Animal (ESA) is defined by the United States Department of Housing and Urban Development (HUD) and covers 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, but which are not considered Service animals under the Americans with Disabilities Act and its amendments. It is typically an animal selected to play an integral part of a person's treatment process and it is not a pet. The animal must demonstrate a good temperament and reliable, predictable behavior. An ESA is prescribed or recommended to an individual with a disability by a mental health professional. An ESA may be incorporated in a treatment process to assist in alleviating the symptoms of that individual's disability. This treatment occurs within the person's residence and, therefore, may be considered for access to housing.

The question in determining if an ESA will be allowed in the residence halls at MECA is whether or not the ESA is necessary because of an individual's disability to afford the individual an equal opportunity to use and enjoy MECA housing. If it is determined that that animal is necessary for housing, an ESA, as defined above, is not permitted in other areas (e.g. dining facilities, libraries, academic buildings, classrooms, labs, individual centers, etc.).

Generally, the presence of only one ESA will be approved for a student, in order to fulfill the intent of the Fair Housing Act requirements in providing support to the student with a mental health disability.

Evaluation of Emotional Support Animal Requests

The process for requesting an accommodation of an ESA starts with an individual submitting documentation from their mental health provider. Documentation should be authored by a licensed

clinical professional or mental health care provider, who is trained and qualified to evaluate the disability and familiar with the student's history. Documentation may not be provided by a student's relative, friend or family member.

The documentation should include the following:

- the nature of the individual's mental health disability and how the individual is substantially limited;
- evidence that the animal is necessary to afford an equal opportunity to use and enjoy the residence hall;
- the relationship between the disability and the assistance or relief that the animal provides;
- recommendation that the animal is part of an on-going treatment plan; and
- statement of impact on student success if the request is not granted.

We strongly recommend that an individual's provider use our *Emotional Support Animal Request for Information* form which can be obtained by contacting the Disability Services Coordinator at 207-780-0816 or jbenica@meca.edu.

The Disability Services Coordinator may consult with the Director of Student Life and Residence Life staff in making a determination on whether an ESA is a reasonable accommodation. A request for an emotional support animal may be denied as unreasonable if the presence of the animal 1) imposes an undue financial or administrative burden; 2) fundamentally alters the College housing policy; and/or 3) poses a direct threat to the health and safety of others or would cause substantial property damage to College property. MECA may consider the following factors, among others, as evidence in determining whether the presence of an animal is reasonable or in the making of housing assignments for individuals with emotional support animals:

1. The size of the animal is too large for available assigned housing space;
2. The animal's presence would force another individual from individual housing (e.g. serious allergies);
3. The animal's presence would otherwise violate individuals' right to peace and quiet enjoyment;
4. The animal is not housebroken or unable to live with others in a reasonable manner;
5. The animal's vaccinations are not up to date;
6. The age of the animal; generally dogs must be a year of age
7. The animal 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; or potential transmission of zoonotic diseases;
8. The animal causes or has caused excessive damage to housing beyond reasonable wear and tear; or
9. The animal requires live food for survival.

MECA reserves the right to assign an individual with an emotional support animal to a single room without a roommate.

If the accommodation of an ESA is approved, the relevant housing staff will be notified and they will in turn notify the other residents of the floor where the individual resides. Such information will be limited and not include specific disability related information. Other residents with medical condition(s) that are affected by animals (respiratory diseases, asthma, severe allergies) will be asked to provide medical

documentation that identifies their condition. The College will resolve any conflict in a timely manner. Any conflicts could result in a change in room assignment.

A letter of accommodation will be provided to the student verifying the approval of the accommodation. This letter will explicitly state that the animal has been approved to accompany the student in his or her residence hall room only. Requests for an animal in areas other than the residence hall room will be considered on a case-by-case basis and require a formal accommodation and be subject to the same process for requesting accommodations under the Americans with Disabilities Act and its amendments. The letter of accommodation will be effective for the academic year and the request will need to be reviewed annually.

Emotional Support Animal Request Procedure

Step 1: Student reviews Emotional Support Animal Policy and Procedures document.

Step 2: Student submits documentation to the Disability Services Coordinator.

Step 3: The Disability Services Coordinator reviews request in consultation with the Director of Student Life and other Residential Life staff, and, if needed, the individual's medical provider. Please note that there is no deadline to submit a request for accommodation for an emotional support animal. The length of determination may vary depending on the complexity of the request. Students are encouraged to initiate the process at least four weeks in advance of the date they are requesting to bring an animal to campus.

Step 4: If the ESA is approved, student must;

- Provide proof of compliance with licensing and vaccination requirements for the animal
- Meet with the Disability Services Coordinator and confirm an understanding of the guidelines by signing the statement "Responsibility of an Individual with an Emotional Support Animal in MECA Residence Halls."

Step 5: If the ESA is approved, the Disability Services Coordinator will notify the relevant staff who will in turn notify the residents of the floor where the student resides. Such information will be limited and not include specific disability related information. The student will be provided a letter of accommodation that will specifically state that the animal is approved and where the animal is permitted on campus. The student should retain the letter to provide as proof of approval of the accommodation.

Step 6: Student renews request annually.

Appeal Process

Students who feel that they been unfairly denied a reasonable accommodation should contact the Director of Student Life.