



Emotional Support Animals and Residence Life

The University of St. Thomas (UST) 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 (ADA), as amended, Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act.

Under the Fair Housing Act (FHA), a person with a disability may keep an Emotional Support Animal (ESA) 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. An ESA provides emotional support to persons who have a disability-related need for such support. An ESA is indicated as necessary for an individual with a disability by an appropriate and relevant healthcare professional.

Unlike a Service Animal, an ESA does not need to be trained to provide a service or a task and does not accompany a person with a disability at all times. An ESA may be a reasonable dwelling accommodation for a student with disabilities. 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 link between the disability and the assistance that the animal provides.

UST will permit ESAs that are allowed by local and state laws and conform to standards within this document. The type of animal must reasonably be able to reside in a college housing setting.

Students must receive Emotional Support Animal designation from the office of Counseling and Disability Services (CDS) prior to bringing their animal to campus. Therefore, UST requests that the student provide as much advanced notice as possible prior to the desired move-in date to best accommodate the student and the animal. CDS staff will review documentation, make determinations, and communicate with the appropriate members of the University community. Like all disability accommodations, the determination of whether or not an ESA will be permitted in on-campus housing is made on a case-by-case basis through an interactive process between the student and CDS staff. Once approved, CDS will notify the office of Residence Life and the student. A Residence Life staff member will work with the student to determine an appropriate housing option for the student and the ESA. Students should note that housing options are based on the number of spaces available once a housing contract has been received.

Requirements for Emotional Support Animals

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 the college campus, cause physical damage to property, or fundamentally alter the nature of University operations. 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.

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 noise is excessive as judged by Residence Life staff (whining, barking, meowing, etc.), it is grounds to remove the ESA from campus. ESAs may be excluded from the college campus if the animal behaves in an unacceptable way and 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 college disciplinary action. The animal may be removed without warning if removal is warranted due to safety concerns.

The student is responsible for having the necessary equipment to clean and properly dispose of the ESA's waste. Individuals who are physically unable to accomplish such tasks are responsible for pre-arranging additional assistance. UST retains the right to designate a particular area for ESAs to relieve themselves and/or for the disposal of their waste.

An ESA must be under the control of its owner at all times in the residential building. When transported outside the residential area, the ESA must be in an animal carrier or tethered by leash or harness. The ESA may not be taken into other buildings on campus or allowed to roam freely on campus grounds. The student must provide the name and contact information of a person who is willing and able to take the animal in the event of an emergency. This person cannot be another student.

The student, not the University, is responsible for the actions of the ESA including bodily injury or property damage. Students with ESAs are likely to be charged if damage occurs or cleaning is required as a direct result of having the ESA on campus. The student is expected to pay necessary repair or cleaning costs. In addition, the University retains the right to remove the ESA, at the owner's expense, should the ESA become a direct threat to the health and safety of others or violate the stated requirements in any way.

The student must read and sign the UST Emotional Support Animals Information and Agreement prior to the arrival of the ESA to campus.