



# TRINITY UNIVERSITY

One Trinity Place  
San Antonio, TX 78212-7200  
[www.trinity.edu](http://www.trinity.edu)

**Student Accessibility Services**  
Tiger Learning Commons  
Coates Library 308  
(210) 999-8528

## Emotional Support Animal General Policies and Procedures

In accordance with the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973, and the Fair Housing Act amended in 1988, Trinity University is dedicated to ensuring that students with disabilities have equal access to Trinity's residence halls and all of the programs and services offered within them. Aligned with this endeavor, students may seek the accompaniment of an emotional support animal while residing on-campus.

### Definition of Emotional Support Animal

Emotional Support Animals (ESA) provide a measure of support and comfort to individuals with qualifying disabilities. ESAs are typically a prescribed part of therapy for emotional and psychological disabilities and serve to alleviate symptoms of the disability. ESAs provide companionship, relieve loneliness, and can help to reduce symptoms of psychiatric disabilities and mental impairments, such as depression, anxiety, and certain phobias. **ESAs are not considered service animals under the Americans with Disabilities Act.** ESAs differ from service animals in that they do not have special training to perform specific tasks that assist people with disabilities.

Unlike a service animal that has access to public places where pets are not typically allowed, an ESA has limited access to places of public accommodation. Under the federal Fair Housing Act, an ESA is viewed as a reasonable accommodation in a housing unit that has a no pet policy for its residents. Therefore, ESAs are allowed in residence halls but are restricted to a student's room and can only leave for nature breaks. ESAs are not allowed in classrooms, campus buildings, common rooms or areas in the residence halls, or campus events. ESAs must be under the control of their owner at all times, cannot be left alone overnight, and cannot be cared for by another student.

### Procedures

Students requesting an ESA accommodation can be expected register with SAS following the appropriate procedures and provide documentation that meets the following guidelines:

1. Be in the form of a letter or report from a psychologist, psychiatrist or other qualified, licensed clinician who is qualified to make the diagnosis and is currently treating you for the disability for which you are requesting the ESA.
  - a. The documentation must be on official letterhead and should be signed and dated within the last two years.
2. State the current impact of (or functional limitations) imposed by the condition on your living situation.

3. Explain how the condition relates to your request for an ESA. There must be a direct link established between the condition and your requested ESA. It should include which symptoms are alleviated by the ESA.
4. Clearly state a specific recommendation for an ESA as a result of the condition.
5. Include evidence the provider is currently treating you for the condition for which the ESA is requested.

Once a student has been determine to be eligible for an emotional support animal, the student will receive communication about the following steps that must be taken prior to the animal residing on-campus:

1. Completing the appropriate agreements with Residential Life staff
2. Providing evidence to Student Accessibility Services that the animal is in good health, and has been vaccinated against diseases common to that breed of animal as recommended by the American Veterinary Medical Association. Veterinary records attesting to the fact must be submitted and approved prior to the animal taking residence.
3. The student will meet with a Residential Life liaison prior to the animal taking occupancy in order to review the agreement and expectations.

Only after the student has provided documentation of the animal's good health and vaccinations will SAS send Residential Life staff the student's Housing Eligibility Notice indicating the student has been approved for an Emotional Support Animal.

## Regulations and Disclaimers

The student is still responsible and liable for the emotional support animal under the Student Standards of Conduct listed in the Trinity University Student Handbook, and any applicable housing contractual obligations, including but not limited to:

- Providing for the ESA's health care and daily needs.
- Maintaining control of the ESA at all times.
- Being the sole provider and caretaker for the ESA.
- Refraining from leaving the ESA alone except for classes and academic-related activities. ESAs should not be left alone overnight, or during weekends or holidays.
- Cleaning up after an ESA's nature breaks.
- Accepting financial responsibility for any damage caused by the ESA.

**ESAs that pose health, safety, or welfare threats to the campus community may be disallowed.**



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## Emotional Support Animal Agreement

### Section 1: Definitions

The following are definition in relation to your request for an Emotional Support Animal and

- a) **Emotional Support Animal-** “Emotional Support Animals” (ESAs) are a category of animals that 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 Amendments Act of 2008 (ADAAA) and Trinity University’s Service Animal Policy (see note below). In most cases ESAs provide the necessary support to individuals with disabilities without any formal training or certification. Dogs and cats are commonly used as ESAs, but any animal may serve a person with a disability as an ESA.
  - a. NOTE: Emotional Support Animals are not trained to assist an individual with a disability in the Activities of Daily Living and are therefore, NOT considered Service Animals under the criteria established by the ADA and do not qualify for the same legal protection.
- b) **Pet-** A “Pet” is an animal kept for ordinary use and companionship. A pet is not considered a Service Animal or an Emotional Support Animal. It is not covered by these Guidelines. Residents are not permitted to keep pets on university property or in university housing.
- c) **Approved Animal-** An “Approved Animal” is a specific Emotional Support Animal that has been granted as a reasonable accommodation under these guidelines.
- d) **Owner-** The “Owner” is the student who has requested the accommodation and has received approval to bring the “Approved Animal” on campus. Owners are responsible for the care and control of their approved animal at all times. The animal is considered an extension of the owner (i.e. noise violations, damages, etc. are handled using existing housing policies, as if the owner had caused the noise or damage).

### Section 2: Procedures for Approval of Emotional Support Animals in University Housing

Emotional Support Animals may be permitted on the campus of Trinity University on a case by case basis. Before bringing an emotional support animal to campus, the requesting individual must apply for Student Accessibility Services and appropriate supporting documentation. A student who is living in on-campus housing must make a formal request to Student Accessibility Services for this accommodation.

The review process may take up to or more than sixty (60) days. Students should submit their request the Student Accessibility Services at least sixty (60) days prior to the date the student would like to bring the animal into on-campus housing, preferably at the start of the semester. The timeframe will allow for Residence Life in collaboration with Student Accessibility Services, to make the appropriate accommodations for the requesting student. While applications submitted at any time will be accepted and considered, there is no guarantee that Trinity will be able to meet applicants' accommodation request once a semester has started, including any needs that develop during the semester.

### Section 3: Documentation for Emotional Support Animal

Requests for an Emotional Support Animal in Student Housing require a completed Student Accessibility Services application and complete documentation to be submitted before review and rendering of a decision and/or recommendation. Reliable documentation should come from an appropriate mental health care professional in Texas or in the student's home state. Documentation of the need for an Emotional Support Animal should follow Student Accessibility Services guidelines for documentation of disability, and should generally include the following information:

- a) Verification of the individual's disability from a physician, psychiatrist, social worker, or other mental health professional. This professional must have an established relationship with the student and must be either in San Antonio, or the city where the student lives.
- b) Statement on how the specific animal serves as an accommodation for the verified disability, and
- c) Statement on how the need for the specific animal relates to the ability of the resident/student to use and enjoy the living arrangements provided by the University.
- d) Professional licensure information of the provider, including state(s) where the provider is licensed.
- e) Current documentation of items requested in A, B, and C (dated within the last 6 months).

Trinity University reserves the right to request additional information if any of the items above are not included or are not thoroughly answered. There are two phases of the approval process. First, Student Accessibility Services will review documentation and, if it is determined that a qualifying disability exists for which an Emotional Support Animal is necessary, approval will be given for the student to have an Emotional Support Animal. The second approval involves the specific animal selected by the student. The specific logistics of care and housing of the animal will be discussed and available spaces on campus will be considered. Once both approvals are given, a meeting will be arranged with Student Accessibility Services, a Residence Life representative, and the student. These Guidelines will be carefully reviewed with the student at that meeting to ensure that the student can abide by all sections of the Trinity University Emotional Support Animal Policy and Procedures.

### Section 4: Criteria for Determining if the Presence of an ESA is Reasonable

Trinity University may consider the following factors, among others, as evidence in determining whether the presence of the animal is reasonable or in the making of housing assignments for individuals with an Emotional Support Animal:

- 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 otherwise violates individuals' right to peace and quiet enjoyment;
- 4) The animal is not housebroken or is unable to live with others in a reasonable manner;
- 5) The animal's vaccinations are not up-to-date;
- 6) 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
- 7) The animal causes or has caused excessive damage to housing beyond reasonable wear and tear.

## Section 5: Conflicting Needs/Health Concerns

If an Emotional Support Animal request is granted, Student Accessibility Services and Residence Life will make a reasonable effort to notify certain members of the campus community living or working in close proximity to the animal. This notice will be limited only to information regarding the presence in the building as an accommodation to a student with a disability. There will be no disclosure of the student's disability or the specific reason the animal is required. The number of people provided notice of the animal will depend on the type of animal and on the type of housing the student is living in each academic year.

Individuals (roommates/suitemates) who have medical issues and are adversely affected by animals (e.g. respiratory diseases, asthma, severe allergies) are asked to contact Residence Life if they are concerned about exposure to an Emotional Support Animal. The student may be required to provide verifiable medical documentation to support such a claim. Reasonable accommodation may be made to consider the needs of both persons to resolve the problem as efficiently and effectively as possible.

Student Accessibility Services and the Residential Life Office will collaborate, as needed, to help resolve any conflicts related to an Emotional Support Animal. All staff members will consider the needs and/or the appropriate accommodations of all residents involved.

All roommates and/or suitemates of the Owner must sign an agreement acknowledging that the Emotional Support Animal will be living in the residence with them. If one or more roommates or suitemates does not approve of the Emotional Support Animal, then either the owner of the Emotional Support Animal, or the non-approving roommates(s) or suitemate(s), may be moved to another location, as determined by Residence Life. The determination of which student moves will be made on a case by case basis and will depend on the reason(s) for the request and the availability of other housing.

## Section 6: Responsibilities of Animal Owners in University Housing

*(The Owner initials each item as it is reviewed with them by Student Accessibility Services and Residence Life staff.)*

\_\_\_ The animal approved to be an Emotional Support Animal is

a) Name: \_\_\_\_\_

b) Age: \_\_\_\_\_

c) Sex: \_\_\_\_\_

d) Type of Animal: \_\_\_\_\_

\_\_\_\_The Owner 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.

\_\_\_\_The Owner is financially responsible for the actions of the Approved Animal including bodily injury or property damage. The Owner's responsibility covers but is not limited to replacement of furniture, carpet, window, wall covering, and the like. The Owner is expected to cover these costs at the time or repair and/or move-out.

\_\_\_\_The Owner is responsible for any expenses incurred for cleaning above and beyond a standard cleaning or for repairs to University premises that are assessed after the student and animal vacate the residence. The University shall have the right to bill the student account of the Owner for unmet obligations.

\_\_\_\_The Owner must notify Student Accessibility Services in writing if the approved animal is no longer needed as an Approved Animal, or is no longer in the residence. To replace an animal, the Owner must make a new request for the new animal's approval.

\_\_\_\_The Owner's residence may be inspected for fleas, ticks, or other pests once a semester or as needed. The applicable housing staff for the residence hall will schedule the inspection. If fleas, ticks, or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a university-approved pest control service. The Owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls.

\_\_\_\_Emotional Support Animals may not be left overnight in Student Housing to be cared for by another student. Animals must be taken with the student if they leave campus overnight or for a prolonged period. The owner is responsible for ensuring that the ESA is contained, as appropriate, when the owner is not present during the day while attending classes or other activities.

\_\_\_\_The owner must provide written consent for Student Accessibility Services to disclose information regarding the request for and presence of the Emotional Support Animal to these individuals who may be impacted by the presence of the animal including, but not limited to, Residential Life personnel, Trinity University Police, Trinity University facilities services personnel, and potential and/or actual roommate(s)/suite(s)/hall mates. Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.

\_\_\_\_The owner names the following, non-Trinity student as an emergency contact should the ESA need to be cared for unexpectedly:

e) Name of contact person \_\_\_\_\_

f) relationship: \_\_\_\_\_

g) contact number(s) \_\_\_\_\_

\_\_\_Residence Life has the ability to re-locate Owner and Approved Animal as necessary according to current housing agreements.

\_\_\_The Owner agrees to abide by all other residential policies. Reasonable accommodation which may constitute an exception to the Student Handbook (which otherwise would prohibit having an animal) does not constitute an exception to any other parts of the Student Handbook.

\_\_\_Any violation of the rules may result in immediate removal of the animal from the University and may be reviewed through a review with Residence Life and Student Accessibility Services. The animal will need to be removed from the University within 48 hours of notice by a Residential Life staff member. The owner will be afforded all rights of due process and appeal as outlined in that process. Should the Approved Animal be removed from the premises for any reason, the owner is expected to fulfill his/her housing obligations for the remainder of the housing contract.

## Section 7: Guidelines for Maintaining an Approved Animal at Trinity

### Care and Supervision

Care and Supervision of the animal are the responsibility of the individual who benefits from the Approved Animal's use, the Owner. The Owner is required to maintain control of the animal at all times. The Owner is 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 outside trash containers. Litter boxes should be placed on mats so that waste is not tracked onto carpet surfaces.

### Animal Health and Well-being

- a) **Vaccination:** In accordance with local ordinances and regulations, the animal must be immunized against diseases common to that type of animal. A current proof of rabies vaccination must be on file with Student Accessibility Services.
- b) **Health:** The animal must be in good health. Animals to be housed in Student Housing must have an annual clean bill of health from a licensed veterinarian. The University has authority to direct that the animal receive veterinary attention. Animals (where appropriate) must be spayed or neutered prior to being brought to campus. Trinity University reserves the right to request documentation of the applicable procedure.
- c) **Licensing:** The animal must meet legal requirements for licensing. Trinity University reserves the right to request documentation showing that the animal has been licensed.
- d) **Leash:** If appropriate, the animal must be on a leash, unless the leash would inhibit the animal's ability to be of service.
- e) **Other Conditions:** Student Accessibility Services or Residence Life may place other reasonable conditions or restrictions on the animal depending on the nature and characteristics of the animal. Additional conditions are described below:

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## Requirements for Faculty, Staff, Students, and Other Members of the University

Faculty, Staff, Students, and Other Members of the University Community are required to follow the following guidelines when interacting with an Approved Animal on-campus:

- 1) They are not to touch or pet an emotional support animal unless invited to do so.
- 2) They are not to feed an emotional support animal.
- 3) They are not to deliberately startle, tease, or otherwise distract an emotional support animal.
- 4) They are not to separate or attempt to separate an owner from their emotional support animal.
- 5) They are not to inquire about details regarding a person's disability. The nature of a person's disability is a private matter.

## Removal of Approved Animal

The owner of an emotional support animal may be asked to remove the animal from University facilities. If the owner or animal fails to comply with these Guidelines. The following describes behaviors which may result in the removal of the animal:

- a) **Disruptive Behavior:** An animal may be removed if its behavior is unruly or disruptive (e.g. barking, jumping on people, growling, running around, and exhibiting aggressive behavior). If such behavior persists, the owner may be prohibited from bringing the animal on campus until the owner takes significant and effective remedial steps to mitigate the animal's behavioral problems.
- b) **Uncleanliness:** Animals are required to be housebroken. Owners must also ensure that waste is disposed of appropriately and that odor does not become problematic in their assigned housing. Owners must also ensure that their animals are kept clean and well-groomed. Animals that are excessively unclean (e.g. repeated soiling of facilities, flea-infested, foul-smelling and/or shedding excessively) may be excluded from University residence halls. Owners who repeatedly do not properly dispose of waste and ensure cleanliness of their assigned housing may have this approval revoked.

## Damage

Owners of Approved Animals are solely responsible for any damage to persons or University property caused by their animals. Again, Trinity University is not responsible for loss, damage to, or death of the animal. As noted above, the Approved Animal is an extension of the Owner and the Owner is responsible for the care and control of the animal at all times. If approval is given during the semester, Residence Life will conduct a room condition inspection just before the animal moves into the space.

## Areas Off Limits to Emotional Support Animals

Due to the fact that emotional support animals are not service animals, they are only permitted within residence housing. Unless there are other approved accommodations, the animal may not accompany the student to class, library, dining services areas, fitness center, events, athletic facilities, etc. Approved Animals are subject to University's existing policy for animals visiting campus when they are outside. This policy can be found in the Student Handbook.



## Approval Duration

Updated documentation should meet the requirements listed for Section 3 of these Guidelines. A new copy of these Guidelines will be signed each year prior to the student bringing an animal to campus.

## Section 8: Required Signatures

### Owner Statement

I have read and understand my responsibilities as an emotional support animal owner as outlined above. Should I fail in my responsibilities, I understand my approved accommodation may be suspended and/or I may be charged with a violation of the Student Code of Conduct.

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Student Signature	Date
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### Student Accessibility Services Statement

Student Accessibility Services agrees that the student above has met the requirements for approval of this accommodation. The accommodation is approved from this date to the end of the housing period for the current academic year.

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Student Accessibility Services Signature	Date
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### Residential Life Statement

Residence Life agrees that all housing responsibilities are met for the approved Emotional Support Animal to be brought to campus as of this date.

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Residential Life Signature	Date
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