

Carl Albert State College (CASC)

Emotional Support Animal (ESA) Policy

Carl Albert State College is committed to protecting the health and well-being of all students, faculty, and staff and recognizes that physical, behavioral and emotional health are fundamental components of student achievement. CASC will assess and strengthen campus and community offerings of academic, social, cultural, and mental health support services to reinforce student success.

Carl Albert State College is committed to providing support services and reasonable accommodations to students with disabilities. Students with disabilities who require the use of an Emotional Support Animal (ESA) as a reasonable accommodation may be permitted to bring such animals on campus provided that they comply with CASC policies regarding such animals.

HUD Guidance on ESAs

The U.S. Department of Housing and Urban Development (HUD) provides guidance on assessing a person's request to have an ESA (<https://www.hud.gov/sites/dfiles/PA/documents/HUDAsstAnimalNC1-28-2020.pdf>) which notes:

Persons with disabilities may request a reasonable accommodation for service animals and other types of assistance animals, including support animals, under the Fair Housing Act (FHA). This guidance provides housing providers with a set of best practices for complying with the FHA when assessing requests for reasonable accommodations to keep animals in housing, including the information that a housing provider may need to know from a health care professional about an individual's need for an assistance animal in housing. In particular, this guidance provides a set of best practices regarding the type and amount of documentation a housing provider may ask an individual with a disability to provide in support of an accommodation request for a support animal, including documentation of a disability (that is, physical or mental impairments that substantially limit at least one major life activity) or a disability-related need for a support animal when the disability or disability related need for the animal is non-obvious and not known to the housing provider.

Acceptable Documentation

Generally, we prefer documentation from providers in the State of Oklahoma or the student's home state who have personal knowledge of the student, consistent with their professional obligations. As noted in the HUD Guidance: "Some websites sell certificates, registrations, and licensing documents for assistance animals to anyone who answers certain questions or participates in a short interview and pays a fee. Under the Fair Housing Act, a housing provider may request reliable documentation when an individual requesting a reasonable accommodation has a disability and disability-related need for an accommodation that are not obvious or otherwise known. In HUD's experience, such documentation from the internet is not, by itself, sufficient to reliably establish that an individual has a non-observable disability or disability-related need for an assistance animal."

Information About the Student's Disability

Federal law defines a person with a disability as someone who has a physical or mental impairment that substantially limits one or more major life activities. That suggests that a diagnosis does not necessarily equate with a disability (substantial limitation). What is the nature of the student's mental health impairment? How is the student substantially limited?

HIPAA Release

A student requesting an ESA must sign a HIPAA release for their health care provider to share information with CASC. If CASC needs to contact the student's health care provider for any reason, the student must sign a HIPAA release before doing so.

In the case of a campus housing resident who requests a reasonable accommodation for an ESA that provides emotional or other assistance with one or more symptoms or effects of the resident's disability, CASC requires official documentation from a licensed health care professional and an interview with the Residential Housing office. This interview will include but not be limited to the following questions:

- What is your understanding of the purpose of an ESA?
- Why are you asking for an ESA at this time?
- How do you think having the ESA will help you in dealing with your mental health concerns?
- Dogs and cats are not the only ESAs that we have accepted at the institution, but they are the most frequently requested. What animal are you requesting?
- As noted in our policy, your ESA must be caged or crated when you are not in your room. Are you concerned at all about leaving your ESA alone in a crate for long periods of time?
- You know that you are not allowed to leave your ESA in someone else's care. If you leave campus for a night or a weekend, you must either take the animal with you or find someplace off campus for your ESA to stay. Have you identified someone who can take the ESA for you?

No ESAs may be moved into residential spaces until the student has received permission in writing. Should an animal be moved in prior to approval, the student risks their request being denied for failure to honor the ESA Policy.

CASC reserves the right to amend this policy at any time, as circumstances require.

What is a disability?

For the purpose of this policy, an individual with a disability is defined as a person who has a mental impairment that substantially limits one or more major life activities.

What is reasonable accommodation?

A modification or adjustment in policies, procedures, or work/housing/school environment to enable a student to participate in equal opportunities and access to CASC benefits and services based on a documented disability.

What is an Emotional Support Animal?

An Emotional Support Animal (ESA) is an animal that provides therapeutic benefit—emotional support, comfort, companionship—to a person with a serious mental health condition. Any domesticated animal may be considered as an ESA; but an ESA must be manageable in public. ESAs stay only in residence; they do not always accompany a student with a disability. ESAs do not attend class, enter the library, or visit any other buildings on campus.

Documentation of Need

Students will first contact the Office of Residential Housing and complete a Student Disability Services Intake Form. Students must provide documentation with sufficient and reliable information to support their disability or disabilities. Documentation must come from a licensed mental health professional, should be on official letterhead, and must include the diagnosed disability and how it impacts classroom

ability. If the information is not sufficient to allow CASC to make an informed decision about the ESA request, students will be notified of what additional information/documentation is needed. Once students respond with all requested additional information/documentation, CASC will notify the students. The CASC Office of Residential Housing will meet with the student for further discussion and next steps.

Health Care Providers will need to provide necessary information requested in the provider form for CASC to consider the student's request for an ESA.

ESA Requirements

1. Complete the CASC ESA/Service Animal Disability Intake Form at <https://forms.carlalbert.edu/Forms/ESA>
2. Attend your ESA Interview with the Residential Housing Office
3. Provide documentation of all appropriate vaccinations (rabies, etc.) on official letterhead from their veterinarian. Updated vaccinations are required to be submitted upon expiration.
4. Provide a physical description of the animal including height and weight and confirmation that the animal is housebroken as well as a photo of the ESA.
5. Signed Responsibilities and Agreement Form to document the student's understanding of policies and procedures around their ESA.

In addition, students must complete an appointment with the Harbor to access services and supports for their disability and their ESA.

ESA Approval

The Office of Residential Housing processes all disability accommodations and maintains disability documentation for accommodations. This process may take up to 30 days. Approval of ESAs is a two-step process with each request assessed on a case-by-case basis:

1. The Office of Residential Housing must approve the request for an ESA.
2. The Office of Residential Housing must approve the specific animal as an ESA.

In making these determinations, the needs of the student and the impact of the ESA on the campus community will be considered. Reasons that a request for an ESA may be denied include, but are not limited to:

1. The presence of the ESA poses an undue financial and administrative burden on CASC.
2. The presence of the ESA fundamentally alters the nature of housing services, or the animal is not reasonable for the CASC community.
3. The specific ESA poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation.
4. The specific ESA in question would cause substantial physical damage to the property of others or is disruptive to the housing environment.
5. Failure to provide appropriate verification that the ESA provides assistance directly related to the student's disability.
6. Failure of the ESA's handler to maintain appropriate control of the ESA.
7. Requests for ESAs must be made each academic year. Prior approval does not guarantee future approval.

Student Responsibilities

Students are required to read, review, and sign the CASC Emotional Support Animal (ESA) Student

Responsibilities and Agreement, which includes the following statements:

1. I verify that I have read, understand and will abide by the requirements outlined here and in CASC Emotional Support Animal Policy. I understand that if I fail to meet such requirements, the CASC has the right to remove the ESA, and I will be required to fulfill my housing, academic, and all other obligations for the remainder of my Housing Agreement.
2. I am aware that it is my responsibility to notify the residents of my housing room and facility that an ESA has been approved to live in their community. I give CASC permission to disclose to others impacted by the presence of my ESA that I will be living with an ESA as an accommodation. I understand that this information will be shared with the intent of preparing for the presence of the ESA and/or resolving any potential issues associated with its presence. I further recognize that the presence of the ESA may be noticed by others visiting or residing in CASC housing and agree that CASC staff may acknowledge the presence of my ESA, and explain that under certain circumstances, individuals with disabilities are permitted to have emotional support animals in residence halls. I will hold CASC harmless from any liability for disclosing such information.
3. I acknowledge that if I require service by CASC facilities in my room, I must arrange a time when I can be present for the service to occur.
4. I will maintain appropriate documentation of vaccinations for the animal as required by law and will provide documentation to CASC. Once my animal's vaccinations expire, I will provide updated vaccination records.
5. The animal must be fully housebroken. I will be responsible for cleaning up after the animal outside and inside. It is expected that the ESA will be walked outside to relieve themselves. In instances where the ESA is not walked outside, the expectation is that the cage/litter box/pad/bedding will be thoroughly cleaned on a daily basis. All waste will be disposed of immediately, if outside, or daily, if inside, in the dumpster outside the building.
6. The ESA must remain within my room unless being transported on or off campus or outside to urinate or defecate (dogs only). This animal will not be permitted to roam freely within my residence building.
7. When I take my ESA out of my room, it must be under my physical control at all times, including but not limited to use of a leash or cage. Animals are not permitted to be unleashed or out a carrier in housing hallways nor are permitted in other resident's housing.
8. My ESA is not permitted in any areas of my residence hall where food is being prepared or served.
9. The health and safety of the animal is my responsibility. I will provide appropriate food, water and waste handling.
10. I am responsible for instructing others on appropriate interactions with my ESA and setting clear expectations of behavior. If I encounter resistance of others to comply with my provided instructions, I will notify the Office of Residential Housing and seek assistance resolving this concern.
11. My ESA will not create a nuisance or disturb other community members including but not limited to noise, such as excessive barking, and odors.
12. I am responsible for any damage or injuries the animal may cause.
13. My ESA must be on a continuous flea and tick prevention. If a flea and/or tick outbreak is detected in my room or facility, I will be responsible for the cost of eradication.
14. My ESA may not remain in the room during breaks and other times when the CASC is closed. I am responsible for finding suitable housing off campus for the animal during these times.
15. I may not leave my ESA unattended in my room for more than a reasonable number of hours (8 hours). If I am going to be away from campus overnight, I am responsible for finding care for my

ESA off-campus. I understand that I cannot leave my ESA with my roommate or friend.

16. If I am unable to take care of my ESA (hospitalization, etc.), my emergency contact will be notified to come remove the animal until I am back on campus. My emergency contact has signed and submitted the ESA Emergency Contact Agreement.
17. There may be health and safety checks during the academic year. If I fail these checks due to my ESA, I understand that I am at risk for my animal to be removed due to violating the ESA Policy and Agreement. CASC has the right to check my room if there is an odor or complaint.
18. CASC is not responsible for the illness, injury or death of my ESA while the ESA is on campus.
19. I will notify the Office of Residential Housing if the ESA is no longer in residence and will follow the procedures outlined in the Emotional Support Animal Policy if I wish to replace one ESA with another.
20. I acknowledge that requests for ESAs must be made each academic year. Prior approval does not guarantee future approval.

Complaints

Any reports of noise, odor, or behavioral issues will be given to the Office of the Residential Housing, which will work with the student to resolve the situation. If the ESA Policy or ESA Student Agreement was violated, the student will receive a warning letter and will be required to meet with Office of the Residential Housing. On the second report of a violation, the Office of Residential Housing will determine if the removal of the animal is necessary. CASC reserves the right to remove the ESA after one incident if the behavior is egregious. Should the animal be removed from CASC Housing, the student has the right to appeal this decision. The student must submit a written notice of appeal to the Vice President for Student Life within 5 days of being required to remove the ESA.

Violations of the ESA Policy and ESA Housing Agreement

1. Out-of-control Behavior: A student may be directed to remove an ESA that is unruly or disruptive (e.g. barking excessively, running around, jumping onto people, exhibiting aggressive behavior, damaging property, etc.) and the student is unable to take effective action to control the ESA. Repeated instances of such behavior may result in exclusion from CASC facilities until the student is able to demonstrate effective control of the ESA.
2. Unkempt Animal: An ESA must be housebroken. The presence of the ESA may not pose a direct threat to the health and safety of others. A student must also ensure that the ESA is kept clean and well-groomed. An ESA that is excessively unclean (e.g. repeated soiling of facilities, flea infested, foul-smelling and/or shedding excessively) may be excluded from the residence hall. Although an ESA may become ill unexpectedly, CASC recommends that a sick ESA should not be brought into housing.
3. Misrepresented documentation: If it is determined that documentation provided by the student misrepresented any material facts, the ESA may be barred from CASC housing.
4. Violating Agreement: If any provision of this policy or the related ESA Agreement is violated, the student may be required to immediately remove the ESA from CASC housing.

Carl Albert State College (CASC)

Health Care Provider Information for Student to Have an Emotional Support Animal (ESA) in Campus Housing

Documentation must come from providers in the State of Oklahoma or the student's home state who have personal knowledge of the student, consistent with their professional obligations.

Some websites sell certificates, registrations, and licensing documents for ESAs to anyone who answers certain questions or participates in a short interview and pays a fee. Under the Fair Housing Act, a housing provider may request reliable documentation when an individual requesting a reasonable accommodation has a disability and disability-related need for an accommodation that are not obvious or otherwise known. In HUD's experience, such documentation from the internet is not, by itself, sufficient to reliably establish that an individual has a non-observable disability or disability related need for an assistance animal. (Excerpt from 2020 HUD Guidance)

Information About the Student's Disability

Federal law defines a person with a disability as someone who has a physical or mental impairment that substantially limits one or more major life activities. That suggests that a diagnosis does not necessarily equate with a disability (substantial limitation). What is the nature of the student's mental health impairment? How is the student substantially limited?

Documentation of the Student's Disability

Documentation of disability must come from a health care provider with sufficient direct personal knowledge of the student to clarify the need for the ESA and the connection between the disability and the presence of the ESA in housing.

1. When did you first meet with the student regarding this mental health diagnosis?
2. What is the nature of your meetings (i.e., face-to-face meetings or virtual interaction)?
3. When did you last interact with the student regarding this mental health diagnosis?
4. How often have you seen the student or plan to see the student for further counseling or treatment?
5. What specific symptoms is this student experiencing, and how will those symptoms be mitigated by the presence of the ESA? A statement that "the animal alleviates anxiety" is too general and does not explain HOW the animal may alleviate the symptoms of the student's disability.

Information About the Proposed ESA

There are restrictions on the kinds of animals approved for campus housing. A student may be approved for an ESA based on information you provide but may not be approved for the specific animal named.

Animal Name:		Age:	
Animal Type:		Breed:	
Size of Crate Needed:			

Dogs and cats are most often requested as ESAs and seem best suited to campus housing. If you suggest another type of animal for this student, please explain why you believe that animal to be a better choice.

Is there evidence that an ESA has helped this student in the past or currently? If not, why do you believe this may be an effective support for the student now?

Please address the likely impact on the student if, once approved, the ESA must be permanently removed from the campus housing because of a violation of policy (e.g. the animal injures someone or destroys property) and balance this impact against the benefit that you expect the ESA to provide to the student.

This student was provided with a copy of the rules and restrictions surrounding the presence of an ESA in residence in CASC campus housing. Has the student shared those restrictions with you?

Have you discussed the responsibilities associated with properly caring for an animal in campus housing? Do you believe those responsibilities might exacerbate the student's symptoms in any way?

Thank you for taking the time to complete this form. If we need additional information, we may contact you at a later date. The named student has signed this form (below) indicating written permission to share additional information with us in support of the request.

We recognize that having an ESA in the residence hall can be a real benefit for someone with a significant mental health disorder, but the practical limitations of our housing arrangements make it necessary to carefully consider the impact of the request for an ESA on both the student and the campus community.

Health Care Provider Contact Information

Name:		Title:	
Mailing Address:		Phone:	
Email Address:			
Type of License:		License Number:	
Signature		Date:	

Student Consent to Allow Health Care Provider to Share Information

By signing below, I consent to allowing my health care provider to share any information relevant to my need for an ESA as an accommodation, as shown on this form, with CASC staff.

Student Signature		Date:	
Student Printed Name:			