

**Counseling and Disability Resources Center (CDR)
Madonna University
36600 Schoolcraft Road
Livonia, MI 48150
734-432-5641
cdrc@madonna.edu**

Emotional Support Animal Policy and Forms

Madonna University is committed to providing reasonable accommodations to its students with our focus on our Franciscan and Felician values. The purpose of this letter is to provide a brief overview of the information and documentation required as part of the process. A student's disability documentation must be on file with CDR to consider a student's request to bring an Emotional Support Animal (ESA) into Madonna University's housing. All forms must be completed and approved prior to bringing the ESA to campus. To register with CDR, a student must meet with the Director of Counseling and Disability Resources. If the student prefers to send his/her documentation prior to meeting with the Director, he/she can email it to cdrc@madonna.edu, or fax it to the following confidential number: 734-432-5556.

A student requesting an ESA must adhere to the ESA policy and fill out the required forms on the following pages. They are:

- ✓ Service and Emotional Support Animals Policy (read only)
- ESA Acknowledgement and Release of Information Consent Form
- ESA Provider Request for Information Form
- Emotional Support Animal (ESA) Registration Form
- Roommate/Suitemate Acknowledgement (to be filled out when you meet with the Director of Residence Life)
- ESA Agreement and Care Plan (to be filled out when you meet with the Director of Residence Life)

If you have any questions regarding this information, please email Counseling and Disability Resources Center at: cdrc@madonna.edu.

SERVICE AND EMOTIONAL SUPPORT ANIMALS POLICY

Effective Date: 11-16-18

Revision Date: 3-16-19

Purpose and Scope

Madonna University is committed to providing reasonable accommodations to its employees and students and facilitating access to University instruction, research, and business processes to the broadest possible audience consistent with our commitment to our Franciscan and Felician values. This policy intends to communicate the University's regulations and expectations related to service and emotional support animals.

This policy is also intended to ensure compliance with applicable laws and regulations, specifically Section 504 of the Rehabilitation Act of 1973 ("Section 504"), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, Fair Housing Act of 1998, 42 U.S.C. § 3601 et seq., and Title II of the Americans with Disabilities Act of 1990 ("Title II"), 42 U.S.C. § 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35, including all applicable laws of the State of Michigan.

Regulations Regarding Service and Emotional Support Animals

Disability under the Americans with Disabilities Act (ADA)

A physical or mental impairment that substantially limits one or more major life activities, a record of such impairment, or being regarded as having such an impairment.

Service Animals

The University recognizes "Service Animals" as defined by the Americans with Disabilities Act Amendments Act (ADAA). Pursuant to that law, a Service animal is defined as any dog that is individually trained to engage in work or perform a task for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability.

Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler's disability.

The University will make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. Other requirements which apply to service animals will also apply to

miniature horses.

Dogs that serve solely to provide a crime deterrent effect, or to provide emotional support, comfort or companionship, or serve any other function that does not meet the definition of a service animal noted above are not service animals under the law. The American's with Disabilities Act (ADA) and laws of the State of Michigan control access of service animals on campus.

Service animals are considered an extension of their handler. The individual must maintain control of the animal at all times. The individual using the animal's service is responsible for ensuring the cleanup of all animal waste and for any damage caused by the animal. University officials and staff may designate animal toileting areas. Service animals have the same rights of access on campus as their handler, with limited exceptions based on health or safety issues, such as certain laboratories, animal research facilities, certain medical facilities and food preparation areas.

By law, service animals are not required to wear a vest or harness designating them as working animals. Many handlers may wish to do so to signal to others that their animal is working; therefore, the animal is not a pet. The University encourages voluntary registration of a service animal or use of an identification card and patch available for a service animal upon request through the Michigan Department of Civil Rights.

Madonna University and its employees are not permitted to request or require documentation of the handler's disability status or of the service animal's training. If it is not readily apparent that an animal is a service animal, Madonna University personnel may ask only the following questions:

- "Is the animal required because of a disability?" and
- "What work or task is the animal trained to perform?"

Emotional Support Animals

Emotional Support Animals (ESAs), sometimes referred to as "comfort animals" "assistance animals" or "companion animals," is an animal whose sole responsibility is to provide a calming influence, affection, stability or security to their owner/handler. Unlike a service animal, an emotional support, comfort, or assistance animal does not assist a person with a disability with activities of daily living and do not perform tasks that would qualify them as a service animal, nor does it accompany a person with a disability at all times, but may provide assistance or be considered an accommodation in alleviating symptoms of an individual's disability. In compliance with the Fair Housing Act, emotional support animals are restricted to Madonna University's residential facility.

Service Animals and ESAs in Housing

In order to ensure that the presence of a requested animal will not place undue burden on residence life staff or other residents, the Office of Residence Life reserves the right to assess living situations as a part of the determination of the animal as a reasonable accommodation. All requests are given consideration on a case-by-case basis. Factors to be considered include whether the:

- Person has a disability
- Whether the animal is a service animal
- Available and/or assigned housing space is appropriate for the animal;
- Presence of the animal is in conflict with another resident of the room or immediate vicinity who may have a disability impacted by the emotional support animal.

A student seeking to be accompanied in the residence halls by their emotional support animal must request an accommodation in accordance with the Disability Services Policy and provide appropriate medical documentation of their disability. The student is subject to the interactive process in determining if the requested animal is an appropriate accommodation for the student's documented disability.

An emotional support animal is not limited to dogs, but must be an "approved animal" granted as a reasonable accommodation. If the animal is approved as an accommodation, the animal may accompany their owner in the housing unit and may only be outside of the unit for exercise or natural relief. During this time, the animal must remain on a leash, harness or tether.

The Process for Approval of an Emotional Support Animal

1. Register with Counseling and Disability Resources Center.
2. Provide verification of a disability from an appropriately licensed medical professional. The verification of the disability should also include a letter stating the purpose for the assistance animal and discuss the nexus between the animal and how it will support the individual's disability.
3. If the animal is approved as an appropriate accommodation, the student must submit the following forms:
 - a. Animal Registration Form
 - b. Limited Waiver of Information form to allow notification to roommate/suitemate and immediate neighbors.
 - c. Roommate and immediate neighbors' acknowledgement form.
 - d. Veterinary immunization records. The animal must have all required immunizations. If the animal is too young for all immunizations, the animal is not eligible to serve as an emotional support animal.

- e. Photograph of animal.
 - f. Proof of licensing in Wayne County if the animal is a dog or cat.
4. Students are not allowed to be accompanied by their emotional support animal until the approval of accommodation and supporting documentation forms are completed.

Responsibilities for the Owner/Handler of a Service Animal or Emotional Support Animal Residing in Housing

1. The handler must be in full control of the animal at all times.
2. The handler must keep the animal on a harness, leash or other tether unless this would interfere with the animal's ability to safely and effectively perform its duties. In such cases, the animal must still be under the handler's control through voice control, signals or other effective means.
3. The owner/handler must assure the animal does not display any behaviors or noises that are unduly disruptive to others in the living environment or for service animals in classrooms or on campus. The animal cannot interfere with the reasonable use and enjoyment of others living in the same dwelling.
4. The animal may not fundamentally alter the nature of Madonna University's operations or pose an undue financial or administrative burden to the University.
5. The owner/handler must immediately remove and properly dispose of any animal waste.
6. All animals must be in compliance with all state and county licensing laws; including having up-to-date vaccinations and a record from a veterinarian of a clean bill of health. The owner/handler is responsible to provide documentation of licensing and vaccination information.
7. The owner/handler, not Madonna University, is responsible for the actions of their animal, including bodily injury or property damage or cleaning costs that exceed regular campus or residence hall maintenance. Any damage caused by the animal that necessitates replacement or repair of damaged furniture (beyond the regular wear and tear), carpet, extra cleaning due to poor animal hygiene will be charged to the owner/handler.

Responsibilities Specific to Owners of Emotional Support Animals Residing in Housing

1. The owner/handler may not leave the animal for extended periods of time or overnight. If the owner/handler leaves for overnight, the animal must accompany him/her or the animal must be boarded at an appropriate facility, not in another residence hall room.
2. The animal must remain in a cage, crate or carrier when the owner/handler is not present.
3. The owner/handler may not ask others to care for their emotional support

animals in their absence.

4. Emotional support animals are limited to the owner/handler's residential room except when exiting or entering the residence hall or apartment.

Removal of a Service or Emotional Support Animal

A University official may require an owner/handler remove a service or support animal from the premises for the following reasons:

1. If the animal is unruly or disruptive or out of control and the owner/handler does not take immediate effective action to control the animal.
2. If the animal is unhygienic.
3. If the owner/handler fails to properly clean up and dispose of the animal's waste.
4. If the animal is ill or in poor health.
5. If the animal poses a substantial and direct threat to the health and safety of others, and the threat cannot be reduced or eliminated by a reasonable accommodation. There are no automatically excluded breeds of animals and an inherent fear of an animal is not sufficient reason to have it removed.

Requirements for the Community

Members of the University community are required to abide by the following practices:

1. Allow a service animal to accompany its owner at all times and in all places on campus, except where specifically prohibited.
2. Do not touch or pet a service or emotional support animal unless invited to do so.
3. Do not feed a service or emotional support animal.
4. Do not deliberately startle a service or emotional support animal.
5. Do not inquire for details about a person's disability or ask a person with a qualifying disability to demonstrate the work or task performed by their service animal.

Conflicting Disabilities

If a third-party requests that a service or emotional support animal be removed due to a medical condition, such as a respiratory disease, asthma, or severe allergy, that is affected by the service animal or emotional support animal, Madonna University will engage in an individualized assessment of the situation and consider the needs of all parties in meeting its obligation to provide reasonable accommodations. The third-party making such a request may be required to provide medical documentation that will allow determination to be made as to whether the conflicting condition is a disability or only an impairment and if there is a need to provide accommodation to the third party.

Policy Exceptions

Individuals wishing to request a modification or exception to this policy as a reasonable accommodation should contact:

Employees: Human Resources

(734) 432-5675

hr@madonna.edu

Students: Counseling and Disability Resources

(734) 432-5738

cdrc@madonna.edu

Responsibility for Implementation

Both the **Section 504/ADA Coordinator and Corporate Compliance Officer** have overall responsibility for implementing this policy in compliance with applicable laws and regulations, specifically Section 504 of the Rehabilitation Act of 1973 (“Section 504”), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, Fair Housing Act of 1998, 42 U.S.C. § 3601 et seq., and Title II of the Americans with Disabilities Act of 1990 (“Title II”), 42 U.S.C. § 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35, including all applicable laws of the State of Michigan.



A Catholic University in the Franciscan Tradition

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734-432-5300
madonna.edu

ESA Acknowledgement and Release of Information Consent Form

By my signature below, I verify that I have read, understand and will abide by the requirements outlined here, and I agree to provide the additional information required to complete my request for an ESA as an accommodation under Madonna University's **Service and Emotional Support Animals Policy**.

I have read and understand the **Madonna University Service and Emotional Support Animals Policy and accompanying documents**, and I agree to abide by the requirements applicable to Emotional Support Animals (ESAs). I understand that if I fail to meet the requirements set forth in the Policy, Madonna University 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 the housing contract.

I furthermore give permission to the Director of the Counseling and Disability Resource Center to disclose to others impacted by the presence of my ESA (e.g., Residence Life staff, potential and/or actual roommate(s)/neighbor(s), maintenance staff, etc.) that I will be living with an animal 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 the presence of the ESA.

I further recognize that the presence of the ESA may be noticed by others visiting or residing in University Housing and agree that staff may acknowledge the presence of the animal and explain that, under certain circumstances, animals are permitted for individuals with disabilities in University Housing.

Signatures:

Owner

Date

Director, Counseling and Disability Resource Center

Date

PROVIDER REQUEST FOR INFORMATION FORM

Student's Name: _____

Proposed Emotional Support Animal

Name: _____

Type of animal: _____

Age of animal: _____

The above-named student has indicated that you are the licensed health practitioner who has suggested that having an Emotional Support Animal (ESA) with them in their residence hall room will be helpful in alleviating one or more of the identified symptoms or effects of the student's disability. So that we may better evaluate the request for this accommodation, please answer the following questions:

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.")

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

Does the student require ongoing treatment?

How long have you been working with the student regarding this mental health diagnosis?

Information About the Proposed ESA

Is this an animal that you specifically prescribed as part of treatment for the student, or is it a pet that you believe will have a beneficial effect for the student while in residence on campus?

What symptoms will be reduced by having the ESA?

Is there evidence that an ESA has helped this student in the past or currently?

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 symptomatology, may result if the accommodation is not approved?

Have you discussed the responsibilities associated with properly caring for an animal while engaged in typical college activities and residing in campus housing? Do you believe those responsibilities might exacerbate the student’s symptoms in any way? (If you have not had this conversation with the student, we will discuss with the student at a later date.)

Thank you for taking the time to complete this form. If we need additional information, we may contact you at a later date. 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. Please provide your contact information, sign and date this questionnaire (below), and send it to:

Counseling and Disability Resource Center
Madonna University
36600 Schoolcraft Road
Livonia, MI, 48150
Phone: 734-432-5738
Fax: 734-432-5556
Email: cdrc@madonna.edu

Provider Name: _____ Address: _____
Telephone: _____
FAX and/or Email address: _____

Professional Signature: _____ **Date:** _____

License#: _____



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EMOTIONAL SUPPORT ANIMAL (ESA) REGISTRATION FORM

Owner's Name: _____

Owner's Housing Assignment: _____

Owner's Phone: _____

Animal's Name: _____

Type of Animal: _____

Physical Description of Animal: _____

Off-Campus Alternate Caregiver for Animal if Owner is Unavailable:

Name: _____

Address: _____

Phone Number: _____

Please attach a copy of/provide proof of City of Livonia pet license or current vaccination records that comply with Wayne County regulations (cats and dogs only).

ROOMMATE/SUITEMATE ACKNOWLEDGEMENT

By my signature below, I understand that I will share the common areas of my assigned residential space with the animal approved by this agreement. Should I have any concerns regarding the care and control of the approved animal, I will discuss my concerns with the approved animal's Owner and then with the Residence Life Office at 734-432-5383 or residencelife@madonna.edu if the approved animal Owner and I cannot come to an agreement.

Roommate's Printed Name	Signature	Date
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Suitemate's Printed Name	Signature	Date
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Suitemate's Printed Name	Signature	Date
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Suitemate's Printed Name	Signature	Date
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Suitemate's Printed Name	Signature	Date
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Suitemate's Printed Name	Signature	Date
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ESA AGREEMENT AND CARE PLAN

Guidelines for ESA Care (please initial to indicate agreement):

_____ ESAs must be housebroken or in a species-appropriate cage/crate/habitat. "Puppy pads" or similar items are not permitted for toileting.

_____ The Owner is responsible for managing all cleaning tasks associated with keeping and caring for their ESA, including hair/fur, waste management, litter and bedding. University housekeeping equipment, facilities and/or supplies may not be used for any ESA cleaning tasks.

_____ The Owner is responsible for properly containing and disposing of all animal waste. Indoor animal waste must be placed in a sturdy plastic bag and tied securely before being disposed of in an outdoor trash can. Outdoor animal waste, such as dog feces, must be immediately retrieved by the Owner, placed in a sturdy plastic bag and securely tied before being disposed of in an outdoor trash can.

_____ ESA odor and waste accumulation must not exceed reasonable standards. Litter boxes and cage bedding must be maintained so that odors are not apparent outside of the student's living space.

_____ Owners are responsible for feeding and watering their animal within the confines of their personal room. Bowls of food and water should be placed on mats so that water and food do not get on the carpet/floor.

_____ Food for the ESA should be kept in a sealed plastic container within the confines of the Owner's private residence. Open bags of food are not permissible, as they may attract bugs, rodents, and other pests.

_____ The Owner must effectively control the ESA at all times (voice command, leash, or otherwise). If the ESA cannot be effectively controlled, permission to keep that particular animal in University housing will be rescinded until such time as the problem is rectified.

_____ Routine care for the animal is expected for health and safety reasons. Reasonable care includes, but is not limited to, flea and tick prevention, de-worming, and annual examinations. ESAs must have current vaccination registration records that align with the City of Livonia and Wayne County pet regulations. The University has the right to request documentation relevant to these health and safety concerns at any time during the ESA's stay in residence.

_____ The cost of care, arrangements and responsibilities for the well-being of the ESA are the sole responsibility of the Owner at all times. The ESA cannot be left in the care of other residents while the Owner is gone. The designated off-campus individual Residence Life staff can contact to care for the animal in the case of emergency is (name & phone number): _____

_____The Owner understands that, when they are not present (e.g., in class), the ESA must be crated or otherwise contained within the unit and remain in the assigned residential space. Based on the type of animal, the Owner and Residence Life agree that the animal will be contained in the room by these means while the Owner is in class:___

_____If any animal neglect is suspected, the Owner is subject to the sanctioning guidelines detailed below. The University also reserves the right to contact Wayne County Animal Control. The Owner is solely responsible for the health and safety of the ESA. The ESA should not be left alone in the unit for unreasonably long periods of time.

Guidelines for interaction with roommates and the community (please initial to indicate agreement):

_____The Owner is responsible for any damage or injuries caused by their ESA and must take appropriate precautions to prevent property damage or injury.

_____The Owner is responsible for assuring that the ESA does not interfere with the orderly operation of the residence or cause difficulties for other residents of the community. This includes, but is not limited to, issues of a sanitary nature, noise concerns, or concerns for the safety of persons and/or physical property. Noise concerns include, but are not limited to, barking, whining, and scratching.

Sensitivity to residents with allergies and to those who fear animals is important to ensure a positive residential experience.

_____The Owner must notify roommate(s) and/or suitemate(s) about the presence of the ESA, including type and size, *before* the animal is brought into the residence. If a roommate and/or suitemate is unwilling to sign the **Roommate/Suitemate Acknowledgement Form**, Residence Life will reassign rooms as needed, as soon as adequate space is available. Madonna University reserves the right to assign an individual with an ESA to a single room without a roommate.

_____The Owner is responsible for instructing others on appropriate interactions with the animal and setting clear expectations. The Owner can do this individually or in a group setting. The preferred method is in person, but an email would also suffice.

Grievance and Sanctioning Guidelines (please initial to indicate agreement):

_____The grievance process for observed or reported breaches of this agreement is as follows:

- 1st allegation: The Owner and the Director of Residence Life will have an informal discussion about the concerns that the ESA's and/or Owner's behavior do not fit within the parameters outlined in this agreement.
- 2nd allegation: The Owner and Dean of Students will meet to create a written action plan to address the concerns that the ESA's and/or Owner's behavior do not fit within the parameters outlined in this agreement.
- 3rd allegation: If the Owner is found to have violated this agreement for a third time, the Owner will meet with the Dean of Students and the animal may need to be removed from housing within a specific timeline.

_____The Owner may appeal any sanctions that result from the aforementioned grievance process to the Section 504 Coordinator. Appeals must be submitted in writing within five (5) business days from the date of the meeting with the Dean of Students in which the sanctions were determined. An appeal must concisely set forth the grounds for appeal and include any supporting material.

_____In accordance with the **Madonna University Service and Emotional Support Animals Policy**, any animal that poses an immediate threat to the safety of others or causes substantial damage to the property of others may be removed immediately from the Madonna University campus without prior notification to the Owner. The animal's exclusion shall remain in effect until the Owner can provide evidence that the animal no longer poses a threat to the community.

Financial Agreement (please initial to indicate agreement):

_____The Owner is financially responsible for the actions of the ESA, including bodily injury, property damage, replacement of furniture, carpet, blinds, etc. The Owner will be responsible for covering all costs of returning the unit to the same condition of move-in beyond normal wear and tear. This may include the cost of cleaning or replacing all carpets and furniture to remove pet odors, dander, hair, etc.

_____If fleas, ticks, or other pests are detected, the unit will be treated using fumigation methods by University-approved pest control services. The costs associated with this service will be billed to the Owner's account.

I have read and agree to all of the terms of the ESA Agreement and Care Plan. I agree that if I have questions, concerns, or need assistance, I will contact a member of the Residence Life staff or Dean of Students office.

Student Signature

Date

Director of Residence Life Signature

Date

