

## Emotional Support Animals as Residential Accommodations

### ANIMALS IN UNIVERSITY RESIDENCES AND EMOTIONAL SUPPORT ANIMAL ELIGIBILITY

Simmons University recognizes that some students may need reasonable residential accommodations in order to access Simmons University residence halls. As noted in the Housing License Agreement, section "3.7 Prohibited Acts and Items in Housing Accommodation. The following are strictly prohibited within Housing Accommodations. This list is subject to change at any time for any reason, may not be comprehensive, and other prohibitions may be found in the Student Code of Conduct and University policies: having pets or animals of any kind with the exception of service animals and small fish in properly maintained tanks of no more than a five-gallon capacity;" however, in accordance with federal law (the Fair Housing Amendments Act), the University will consider requests for residential accommodations that modify the Housing License Agreement to provide students equal access to and use of Simmons University residence halls. For some students with documented disabilities, the presence of an Emotional Support Animal (ESA) may allow a student access to a residence hall that would not be possible without an ESA accommodation.

Eligibility to bring an ESA in to a Simmons University residence hall is assessed by the Office of Accessibility Services (OAS) on a case-by-case basis for each student who requests an ESA accommodation. Prior to bringing an ESA onto campus, the student must first complete the ESA Accommodation Request Process as outlined below.

### ESA ACCOMMODATION REQUEST PROCESS STEP BY STEP



1. The student must fully review these ESA guidelines and the required forms that they must submit in order to make their ESA accommodation request: *The Student Request for Residential Accommodations: Emotional Support Animal* form and the *Practitioner's Verification of Diagnosis for Residential Accommodations: Emotional Support Animal* form.
2. The student must fully review the *Owner Responsibility Agreement* form and confirm their understanding of all parts of the agreement. If the student has questions about any part of the agreement, the student should send their questions via email to the Office of Residence Life and the Office of Accessibility Services.

3. The student must give the *Practitioner's Verification of Diagnosis for Residential Accommodation: Emotional Support Animal* form to their health care provider who has prescribed their animal as part of their diagnosis treatment plan. The health care provider must fill out the form completely and either return the completed form to the student or submit the completed form through the OAS secure transfer portal as indicated on the last page of the form. The student should confirm with their provider how the form will be submitted.
4. If the health care provider will return the completed *Practitioner's Verification* form to the student, the student should wait until they have received the completed form from their provider and then submit the *Student Request for Residential Accommodations: Emotional Support Animal* form with the documentation from their provider attached. If the health care provider will submit the documentation form directly to the OAS on the student's behalf, the student can submit the *Student Request for Residential Accommodations: Emotional Support Animal* form at any time.

After a student completes the ESA accommodation request process, the OAS reviews the student's submitted materials to determine if a) the student is eligible for the ESA accommodation, and b) if the requested animal is allowed in Simmons University residences under the animal-type guidelines found below.

If OAS finds the student eligible to bring their requested animal into the Simmons University residence hall as an ESA, the OAS will communicate this eligibility in writing to both the student and the Office of Residence Life in the form of a Residential ESA Accommodation Eligibility Letter.

### **ADDITIONAL STEPS FOLLOWING ESA ELIGIBILITY AND ESA APPROVAL**

1. The OAS informs the Office of Residence Life of the student's ESA eligibility and of the approved ESA that the student may bring with them to campus.
2. The Office of Residence Life informs the student's roommates or suitemates (if any) that there will be an ESA living in their on-campus residence. If any roommates or suitemates object to living with the ESA, the Office of Residence Life may reassign the student or the roommates or suitemates to an alternate room placement.
3. The student must complete the ESA Owner Responsibility Agreement.

Once the student has signed the ESA Owner Responsibility Agreement, they are able to bring their approved ESA into their Simmons residence.

### **GUIDANCE FOR SIMMONS STUDENTS SEEKING ESA ELIGIBILITY**

Residence halls are generally not animal-friendly environments. The communal living nature of residence halls requires institutions to consider the comfort and needs of all students living in residence halls. Therefore, Simmons University offers important guidance to students who are considering making a request for ESA accommodation through the OAS.

1. **Documentation:** A request for an ESA accommodation must be supported by qualifying documentation of the student's disability. Documentation of the disability and the associated need for an ESA must come from a health care provider who knows and understands the specific barriers the disability causes to the student's ability to access their on-campus residence and who can explain how the presence of the ESA alleviates the student's symptoms. Letters from websites that offer to "certify" ESAs or to create "ESA letters" for a set price will not be considered. There is no formal, recognized certification of ESAs, and such letters rarely provide the information necessary to support a request for an ESA accommodation and are not viewed as a reliable source of information. Complete documentation must be submitted before an ESA accommodation request can be reviewed and eligibility determined. Documentation for an ESA should follow these criteria:
  - a. Documentation is provided by a qualified health care provider. A qualified evaluator is a health care provider licensed in the state of the student's permanent residence or in Massachusetts.
  - b. Documentation includes verification of the student's disability with evidence of an existing and ongoing therapeutic or professional relationship.
  - c. Documentation confirms that the ESA is part of an ongoing treatment plan.
  - d. Documentation includes a statement on how the animal is necessary in order for the student to use and experience the living arrangements provided by Simmons University.
  - e. Documentation is dated within the past 6 months (some exceptions may apply).
2. ESAs are not permitted on campus until the student is deemed eligible for this accommodation by the Office of Accessibility Services. Students may not bring their ESA into their Simmons residence until they have received written approval from the OAS stating their eligibility to do so and approval of their requested animal. Furthermore, students must have completed the ESA Owner Responsibility Agreement with the Office of Residence Life before bringing their ESA into their Simmons Residence.
3. Only certain types of animals are permitted in the residence halls as ESAs. It is important to note that the University may find a student eligible for an ESA accommodation but not approve the specific animal the student is hoping to bring. For example, most reptiles and rodents may be rejected because of safety and health concerns as they can carry zoonotic diseases, which pose a threat to the general welfare of residents in the communal living environment.

## Guidelines on Permitted Types of Emotional Support Animals

Animal Type:	Size Restrictions:	Breed & Species Restriction:	Age Restrictions:
Dog	None	None	Must be at least 1 year old
Cat	None	None	Must be at least 1 year old
Aquatic Animal	Tank less than 10 gallons	No reptiles	None
Small Caged Animals	None	No reptiles, hedgehogs, rodents, wild animals	None

4. Generally, a student is only found eligible for one Emotional Support Animal.
5. ESAs are restricted to the student's immediate living space. They are not allowed in common areas throughout the residence hall. Moreover, the ESA must be caged or crated any time the student is not in the room.
6. ESAs requested through this residential accommodation process are a residence-only accommodation. Students may not bring their approved residential ESA with them to typical college activities (classes, internships, extracurricular clubs or organizations), unless they are specifically eligible to do so as a *separately-requested academic accommodation*.
7. The ESA may not be left in the care of other residents. If the student leaves campus overnight, the ESA must leave campus with the student.
8. Students bringing ESAs to campus are fully responsible for their ESA's behavior and for any damages the animal may cause. If the ESA is disruptive to the living environment for others (for example, barking, other loud noises, or significant odor from litter boxes or cages), or if there is damage done to college facilities, the student must remove the ESA from the premises within 48 hours of notice being given. The student will be responsible for paying for any property damage caused by the ESA. The student is responsible for adhering to residence life standards and the Simmons University Student Code of Conduct.
9. Eligibility for an ESA does not guarantee a single room in residence. A student with an ESA may have a roommate or roommates.
10. All roommates and/or suitemates of the student who owns and is approved to possess the ESA must acknowledge and accept via email to the Office of Residence Life that the ESA will be living in the residence with them. If one or more roommates or suitemates does not agree to live with the ESA, then either the owner of the ESA or the non-approving roommate(s) or suitemate(s) may be moved to another residence, as determined by the Office of Residence Life.

## **EMOTIONAL SUPPORT ANIMAL ACCOMMODATION REQUEST DEADLINE**

Requests for Emotional Support Animals as residential accommodations follow the same schedule as requests for other residential accommodations. Students who miss the residential accommodation request deadlines are still able to submit requests for accommodation. Students should be aware, however, that late requests for ESA accommodation may result in not being able to bring the ESA into their residence until after the beginning of the semester and/or in a change of their residential placement and/or roommate assignment(s).

## **FORMS**

Practitioner's Verification of Diagnosis for Residential Accommodations: Emotional Support Animal

[Student Request for Residential Accommodations: Emotional Support Animal](#)

ESA Owner Responsibility Agreement

## **WHO TO CONTACT**

**Accessibility Services:** Questions about the ESA request process, guidelines, or student or practitioner's forms should be directed to the Office of Accessibility Services at [access@simmons.edu](mailto:access@simmons.edu).

**Residence Life:** Questions regarding living in residence, room placement, roommate assignments, residential policies, the general housing application, or the ESA Owner Responsibility Agreement should be directed to the Office of Residence Life at [reslife@simmons.edu](mailto:reslife@simmons.edu).