



Emotional Support Animal Policy and Agreement

Montserrat College of Art recognizes the importance of Emotional Support Animals to individuals with disabilities and has established the following guidelines regarding Emotional Support animals in its residential facilities and public indoor and outdoor areas of campus. These guidelines ensure that people with disabilities, who require the use of Emotional Support Animals, receive the benefit of the therapeutic support they provide. Set forth below are specified requirements and guidelines concerning the appropriate use of and protocols associated with Emotional Support Animals in residential facilities and indoor and outdoor campus areas. Montserrat College of Art reserves the right to amend these guidelines as needed, with or without prior notice.

Part 1: Definitions

Owner: The individual who has requested the accommodation and has received approval to bring an assistance animal into College Housing.

Emotional Support Animal: Emotional Support Animals are a category of animals that provide necessary emotional support to an individual with a mental or psychiatric disability and/or a physical disability that alleviates one or more identified symptoms of an individual's disability, but which are not considered Service Animals under the ADA. Some Emotional Support Animals are professionally trained, but in other cases Emotional Support Animals provide the necessary support to individuals with disabilities without any formal training or certification. Emotional Support Animals are also referred to as assistance animals, companion, comfort, or therapy animal and may be considered for access to on-campus housing because it is incorporated in a student's treatment plan.

An **Emotional Support Animal** is limited to areas within the handler's own apartment and outdoor public campus spaces.

Pet: A "pet" is an animal kept for ordinary use and companionship. A pet is not considered an assistance animal. A pet is not covered by these guidelines. Please refer to the Student Handbook for the Montserrat College of Art policy on pets.

The Academic Access Studio: The Academic Access Studio collaborates with individuals, faculty, and staff to ensure that individuals with disabilities have equal access to all Montserrat College of Art programs and activities.

Part II: Montserrat College of Art Guidelines on Emotional Support Animals in Housing

Montserrat College of Art will allow an Emotional Support Animal to live with an owner in on-campus when certain conditions are met. The animal must be necessary for the resident with a disability to have equal access to housing and the accommodation must also be reasonable. An accommodation is **unreasonable** if:

- It presents an undue financial or administrative burden on the College,
- The requested animal is over 30 pounds,

- The requested animal is poisonous, venomous, or can be reasonably viewed as high risk,
- Poses a substantial and direct threat to any person,
- The size of the animal is too large for available assigned housing space,
- The animal's presence would force another individual from the individual housing (e.g. serious allergies)
- The animal's presence otherwise violates individuals' rights to peace and quiet enjoyment,
- It would result in substantial physical damage to the property of others and/or the College,
- It constitutes a fundamental alteration of the nature of the College's program or service.

For all requests for Emotional Support Animals, Academic Access Studio shall consult with Residence Life in making a determination on a case-by-case basis of whether the presence of an Emotional Support Animal is reasonable.

A. Notifying the Academic Access Studio

Requests for Emotional Support Animals in on-campus housing should be made by the owner:

1. The owner completes and submits the Request for Emotional Support Animal Form (available in the Academic Access Studio). **Deadlines: November 1 for Spring semester and April 1 for Fall semester for current students. May 15 for incoming freshman.**
2. The owner must have an established relationship with the animal at the time of request. The owner obtains an ESA Request for Information, presents the letter to a physician, psychologist, physician's assistant, nurse practitioner, or licensed social worker, and the medical professional answers the form on office letterhead, which must be dated and signed. The documentation must include the following:
 - a. The nature of the disability and how it substantially impacts major life activity.
 - b. Evidence that the animal is necessary to afford an equal opportunity to use and enjoy the residence hall.
 - c. The relationship between the disability and the assistance or relief the animal provides.
3. Once the Academic Access Studio receives documentation, they will set up a time with the owner to discuss the request.
4. If more information is necessary, the owner may be asked to sign a Release of Information, allowing the Academic Access Studio to contact the medical professional.
5. If approved, the Academic Access Studio will set up a time for the owner to come in so that the Academic Access Studio and the Dean of Students or designee can meet the animal to determine it is not aggressive and that it can respond to voice command. At this time, the owner will need to sign the Emotional Support Animal Policy and Agreement.

6. Animals must be immunized and licensed in accordance with state and local requirements and should be spayed or neutered at the appropriate age. Proof of immunization, licensing, and neutering is required at this time. See here for the City of Beverly's requirements.

B. Responsibilities of Owners

1. The cost of care, arrangements and responsibilities for the well-being of an Emotional Support Animal in on-campus housing are the sole responsibility of the owner at all times.

- Animals must be immunized and licensed in accordance with state requirements.
- Animals must be spayed and neutered at the appropriate age.
- Proof of immunization, licensing, and neutering is required.
- Owners are responsible for any damage or injuries caused by their animals and must take appropriate precautions to prevent property damage or injury.

2. Emotional Support Animal Control and Care Requirements

- The animal must be on a leash, restrained or properly contained in a crate/cage/tank when not providing needed assistance to the owner.
- The animal must respond to voice or hand commands at all times, and be in full control of the owner.
- To the extent possible, the animal should be unobtrusive to other individuals in the living environment.
- Identification-It is required that the animal wear some type of commonly recognized identification symbol, identifying the animal as an Emotional Support Animal, but not disclosing disability.
- An Emotional Support Animal is limited to the owner's apartment and outdoor public spaces on campus. Emotional Support Animals are not allowed in other apartments, common areas, or campus buildings.
- Emotional Support Animals should be accompanied by the owner at all times.
- The animal's food cannot be left out, for pest control purposes. It must be contained in an air tight container.
- The animal must be properly cared for (i.e. exercised, let out for free time, fed an appropriate diet). Any evidence of mistreatment or abuse may result in immediate removal of the Emotional Support Animal and/or discipline for the owner.
- An individual with a disability may be charged for any damage caused by their Emotional Support Animal beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear. The owner's apartment may also be inspected for fleas, ticks, or other pests if necessary as part of the College's standard or routine inspections. If fleas, ticks, or other pests are detected through inspection, the apartment will be treated using approved fumigation methods by a college-approved pest control service. The owner will be billed for the expense of any pest treatment above and beyond standard pest management in on-campus housing. The college shall have the right to bill the individual's account for unmet obligations under this provision.
- If the owner takes an extended leave (more than 24 hours), the animal must be boarded or removed from the apartment. If the owner fails to remove the animal due to

an extended leave, the College reserves the right to remove and board the animal, at the owner's expense, until the owner is able to return to the apartment.

- The owner will provide a local emergency contact to both Housing and the Academic Access Studio. The owner identifies this individual as someone local who can care for the animal in case of emergency. Without this information, the College will board the animal at the owner's expense.

3. Waste Cleanup Rule

Cleaning up after the animal is the sole responsibility of the owner. In the event that the owner is not physically able to clean up after the animal, it is then the responsibility of the owner to hire someone capable of cleaning up after the animal. The person cleaning up after the animal should abide by the following guidelines:

- Always carry equipment sufficient to clean up the animal's feces whenever the animal is on campus.
- Properly dispose of waste and/or litter in appropriate outdoor trash receptacles.
- When the animal resides in a tank, crate or cage, the proper and adequate cleanliness of the tank, crate, or cage must be maintained at all times.
- It is the owner's responsibility to remove cat or other small animal litter to an outside trash receptacle. Indoor communal trashcans in the apartments will not be used for collecting animal waste.

C. Housing Selection and Placement

The College can offer housing options to a student with an Emotional Support Animal if the request is made prior to the housing selection process, which occurs once a year by mid-April for current students. Incoming freshman must submit all paperwork by May 15.

If a student chooses to reside in a double room, the roommate(s) must submit an Emotional Support Animal Roommate Agreement (available in the Academic Access Studio) to both Academic Access and Housing within ten (10) business days of the room assignment/selection, stating acceptance of the animal. The housing assignment/selection will not be processed without receipt of written acceptance within ten (10) business days. In addition, the roommate(s) will be contacted by the Academic Access Studio to schedule a meeting between the Dean of Students (or designee), the Director of the Academic Access Studio, and the roommate(s) to discuss ESA policy and guidelines.

If an owner makes a mid-semester request for an Emotional Support Animal, the College will take into consideration the owner's current housing placement. An owner may be reassigned to a different housing placement, depending on a variety of factors at the time of request.

D. Notification of Emotional Support Animals in Residence Housing

The College will make a reasonable effort to notify, via Montserrat College of Art email, all residents on the housing where the animal will be located to address any health and safety concerns. The owner making the request understands that the residents of their floor will be contacted to be generally informed of the existence of an animal on the floor and to be provided an opportunity to raise any health or safety concerns about exposure to the animal.

Such contact shall be limited to information related to the animal and shall not include information related to the individual's disability.

Other students may have allergic reactions to animals that are substantial enough to qualify as disabilities. Montserrat College of Art will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities and to resolve the problem as efficiently and expeditiously as possible. Students requesting allergy accommodations should contact the Academic Access Studio.

Montserrat College of Art's Security and Facilities Management, will be notified of the presence of an Emotional Support Animal. Guests of students are not permitted to bring Emotional Support Animals into college housing.

E. Damage and Liability

The owner is liable for all actions of the animal. The College requires that the owner have appropriate liability insurance, the minimum of \$750, in the event of an animal bite, scratch, etc.

Owners of Emotional Support Animals are solely responsible for any damage to College and/or personal property caused by their animals. Upon the owner vacating the apartment or removal of the animal, the condition of the apartment shall be assessed for necessary cleaning and if there is damage that exceeds normal wear and tear, the owner will be charged.

The owner takes responsibility for actions and behaviors that may result in injury to the animal (e.g., an animal with fear of thunder or separation anxiety that jumps through a window).

In the unlikely event of a catastrophic situation (e.g., fire or natural disaster), the College will not be held liable for death or injury of the animal.

F. Emergency Response

The first priority of emergency responders will be to the health and welfare of students, staff, faculty, and visitors to the campus community. While the College expects that Emergency Responders should be trained to recognize Emotional Support Animals and be aware that the animal may be trying to communicate the need for help, responders' first efforts should be toward the owner. While every effort will be made to rescue the animal as well, there may be certain emergency evacuation situations that necessitate leaving the animal behind.

Part III: Removal of Emotional Support Animals

Emotional Support Animals may be ordered to be removed from campus by Montserrat College of Art staff for the following reasons:

1. Injury or harm to others will result in immediate removal.
2. Out of Control Animal/Repeated Nuisances Behaviors: An owner may be directed to remove an animal that is out of control and the owner does not take effective action to control it. If the improper animal behavior happens repeatedly, the owner may be asked to remove the animal from campus until the owner can demonstrate that they have taken significant steps to mitigate the behavior. In on-campus housing, owners are expected to keep noise levels in accordance with Housing policy.
 - a. A first offense will result in a meeting with Residence Life (when applicable to housing) or other campus representative (when applicable to public areas).

3. A second offense will result in a meeting with Academic Access and Residence Life to review the Emotional Support Animal Policy and Agreement. It will be decided by both representatives whether or not to remove the animal.
4. Emotional Support Animal in unauthorized buildings: An Emotional Support Animal is not allowed to enter any indoor area other than the owner's apartment and will be subjected to the removal guidelines above.
5. Non-housebroken Animal: An owner may be directed to remove an animal that is not housebroken.
6. Direct Threat: An owner may be directed to remove an animal that the College determines to be a substantial and direct threat to the health and safety of individuals. This may occur as a result of a very ill animal, a substantial lack of cleanliness of the animal, or the presence of an animal in a sensitive area like a medical facility, certain studio classrooms, mechanical, or industrial areas.

Where an animal is properly removed pursuant to these guidelines, Montserrat College of Art will work with the owner to determine reasonable alternative opportunities, at the owner's expense, to participate in the service, program, or activity without having the animal on the premises.

Part IV: Campus Resources

Meagan Grant, Director of Academic Access Studio	978.921.4242 ext. 1277
Maureen Wark, Dean of Students	978.921.4242 ext. 1130
Residence Life Coordinator	978.921.4242 ext. 1135

By my signature below, I verify that I have read, understand, and will abide by the requirements and guidelines outlined here and I agree to provide the additional information to complete my Request for a Reasonable Accommodation under the College's Emotional Support Animal Policy and Agreement.

V. Acknowledgement and Release of Information Consent Form

I have read and understand the Emotional Support Animal Policy and Agreement and I agree to abide by the requirements applicable to Emotional Support Animals. I understand that if I fail to meet the requirements set forth in the policy, Montserrat College of Art reserves the right to remove the Emotional Support Animal and I will be nonetheless required to fulfill my housing, academic, and all other obligations for the remainder of the housing contract.

I furthermore give permission to the Academic Access Studio to disclose to others impacted by the presence of my Emotional Support Animal (e.g. Residence Life staff, potential and/or actual roommate(s)/neighbor(s)) 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 Emotional Support Animal and/or resolving any potential issues associated with the presence of the animal.

I further recognize that the presence of the Emotional Support Animal may be noticed by others visiting or residing in on-campus housing and agree that staff may acknowledge the presence of the animal, and explain that under certain circumstances, Emotional Support Animals are permitted for persons with disabilities.

Owner's Signature

Date

Director of Academic Access Studio

Date

Residence Life Representative

Date