

## **Southside Virginia Community College Emotional Support Animal Policy**

### **BACKGROUND Guidance from the VCCS**

Emotional support animals (“ESA”) are not service animals under the ADA, and the colleges may deny pets on campus. To date, known requests for such animals have been minimal at VCCS colleges. However, the Office of Civil Rights (OCR) is now taking a closer look at such requests and the process used to evaluate them.

Previous guidance from legal counsel has recommended not accommodating these requests. The recent focus from OCR suggests that colleges should treat any ESA request as an accommodation request under ADA guidelines and determine whether it is reasonable. OCR will be looking for an interactive process between student and college that should be present in any accommodation request.

### **Interactive Process:**

- An "Emotional Support Animal" (ESA) is an animal that provides emotional or other support that mitigates one or more identified symptoms or effects of a person’s disability. An Emotional Support Animal is not a Service Animal and thus not entitled to the same privileges as Service Animals.
- Southside Virginia Community College (SVCC) has designated the Office of Disability Services to determine whether a request for an accommodation due to a disability is reasonable and necessary. An individual may request to keep a Support Animal on campus as an accommodation if the criterion set forth in this policy and accompanying agreement is met.
- The following tasks will comprise the process for seeking approval under this policy:
  - Registration with the Office of Disability Services
  - Meet with a Disability Services Counselor to review the request for an Emotional Support Animal:
    1. The nature of the disabling condition or impairment that substantially limits one or more major life activities; and
    2. The animal is necessary to afford the individual an equal opportunity to access the College’s educational programs, services, and facilities; and
    3. The identifiable support that the animal provides that alleviates at least one of the identified symptoms or effects of the disability.
  - If approved, review and sign the College’s Emotional Support Animal Agreement.
  - Additionally, the student must provide evidence 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 that fact must be submitted.

- The college may require removal of the ESA if:
  1. poses a direct or potential threat to the health and safety of others;
  2. causes substantial physical damage to the property of others;
  3. poses an undue financial or administrative burden for SVCC;
  4. fundamentally alters the nature of College operations and services; or
  5. the owner does not comply with the Emotional Support Animal Agreement.

**Student Responsibility:**

- Be in full control of the emotional support animal at all times.
- Cover the costs of care necessary for the emotional support animal's well-being. The arrangements and responsibilities for the care of an emotional support animal are the sole responsibility of the owner at all times, including regular bathing and grooming, as needed.
- Ensure that the emotional support animal is attended at all times.
- Removal of the of the emotional support animal waste.
- Ensure that the Support Animal is housebroken.
- Comply with local and state licensing laws for animal rights and owner responsibilities.
- Provide documentation that the animal is current with immunizations. If appropriate, ensure dog wears a rabies vaccination tag.
- Cover any damage to College property (pest treatments, etc.) caused by the animal and is required to reimburse the College for such damage.
- Notify the Office of Disability Services if the emotional support animal is no longer needed.

Students will adhere to the Emotional Support Animal Policy and Agreement. The agreement will be reviewed and signed by the student after the accommodation has been approved and prior to the Support Animal entering campus.