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MISSISSIPPI COMMUNITY COLLEGE

Emotional Support Animals Policy and Procedure

Policy:

Emotional Support Animals (ESA) may be allowed in campus housing if certain conditions are met. The animals must be a necessity for the student with a disability to afford the student an equal opportunity. There must be an identifiable relationship between the student's disability and the assistance the animal provides. An accommodation is unreasonable if it presents an undue financial or administrative burden on the College, poses a threat to the life, health, safety or welfare of the college community. Unlike a Service Animal, an Emotional Support Animal might not be trained and it **does not** accompany a person with a disability at all times.

Although Emotional Support Animals may be considered for limited access to college housing, they are not permitted in other areas of the college (e.g. libraries, academic buildings, classrooms, labs, etc.).

Procedure:

- An ESA is one that is necessary to afford the person with a disability an equal opportunity. It may provide physical assistance, emotional support, calming, stability and other kinds of assistance. Animals do not perform work or tasks that would qualify them as "service animals" under the ADA. Assistance animals that are not service animals under the ADA may still be permitted, in certain circumstances, in campus housing pursuant to the Fair Housing Act.
- Only **ONE** ESA per student is permitted.
- Requests for support animals should be made by submitting medical/reasonable documentation from a licensed mental health provider, the Animal Verification Form, ESA Contract and Consent to Share Residence Form provided on the College website under Disability Services. All requests will be determined on a case-by-case basis.
- It is the handler's responsibility to submit a clean health certificate and vaccination record, to attend to the well-being and cleanliness of the animal, keep the animal under control at all times, be responsible for removing animal waste and maintain clean conditions. In the event that the handler is not physically able to clean up after the animal, it is then the responsibility of the handler to hire someone capable of cleaning up after the animal.
- The handler is responsible for treating the animal for fleas, ticks and other pests. If they are detected in the residence hall where the animal lived, the handler will be financially responsible for the fumigation treatment.
- The handler is responsible for any preventable damage to persons or College property caused by the animal.

- The handler will be responsible for any expenses incurred for cleaning above and beyond a standard cleaning in the residence hall where the animal lived.
- Emotional Support Animals may be ordered to be removed from the College for the following reasons: an animal that is out of control and the handler does not take effective action to control the animal, an animal that is not housebroken, if the College determines the animal to be a direct threat to the life, health, safety or welfare of the College community.
- The owner must notify Disability Services in writing if the approved animal is no longer needed. To replace an approved animal, a new request must be filed with Disability Services.
- Should an emergency arise, the handler is responsible for the well-being and/or alternate shelter of the animal.
- If a situation arises where an individual has an allergic reaction to animals that is substantial enough to qualify as a disability, the College 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, faculty or staff requesting allergy accommodations should contact Disabilities Services.
- The handler is responsible for meeting all room check requirements in regard to keeping the assigned room clean at all times. If the room does not meet expectations in regard to cleanliness of the animal or has any damages resulting from the animal living in the room, the handler can be ordered to remove that animal. If the animal creates a disruptive or unsafe environment in the residence hall (barking, attempting to bite another student, found in any other part of the dorm other than room, etc.) the animal can be removed.
- Emotional Support Animals must be contained within the assigned residential area (room, suite, or apartment) at all times, except when transported outside in an animal carrier **OR** controlled by a leash or harness.
- Emotional Support Animals may not be left overnight without the handler present.
- **NO** emotional support animals are allowed in the residence halls unless all required documentation has been completed and approved by the Dean of Student Services, the Director of Housing and the Disability Coordinator.

Individuals may submit a grievance regarding emotional support animals to Dr. Tonyalle Rush, Vice President for Student Services by submitting a written appeal letter that specifically addresses the reason for the appeal. The appeal will be reviewed and the individual will be notified in writing on the status of the case.

Affirmative Action

Northwest Mississippi Community College does not discriminate on the basis of race, color, national origin, sex, disability, religion, sexual orientation, gender identity, age or status as a veteran or disabled veteran in all its programs and activities. Northwest Mississippi Community College prohibits sexual harassment and all forms of sexual violence, regardless of sex, gender identity, or sexual orientation. The following have been designated to handle inquiries regarding non-discrimination policies: Americans with Disabilities Act of 1990/Section 504 of the Rehabilitation Act of 1973: Disability Support Services Coordinator, Tate Hall, PO Box 7046, 4975 Highway 51 North, Senatobia, MS 38668, telephone number 662-562-3309, email mkelsay@northwestms.edu; Title II of the Age Discrimination Act: Vice President of Finance, James P. McCormick Administration Building, PO Box 7017, 4975 Highway 51 North, Senatobia, MS 38668, telephone number 662-562-3216, email jhorton@northwestms.edu; Title IX of the Educational Amendments of 1972/Title VII of the Civil Rights Act of 1964: Associate Vice President of Student Services and Enrollment Management, Tate Hall, PO Box 7010, 4975 Highway 51 North, Senatobia, MS 38668, telephone number 662-562-3997, email trush@northwestms.edu.



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Service Animal or Emotional Support Animal Verification Form

Employee/Student's Name: _____ Id#: _____

Dorm Room/Office Assignment: _____

Date Form Completed: _____

The above-named student has indicated that you are the **Mental Health/Medical Care Provider** who has suggested that having a Service/Emotional Support Animal (ESA) on campus and/or in the residence hall will have therapeutic benefit in alleviating one or more of the identified symptoms or effects of the employee/student's mental health disability. Generally, we accept documentation from providers in the state of Mississippi or the employee/student's home state who have personal knowledge of them, consistent with the provider's professional obligations. ***It is important to note that Mississippi state law (Miss. Code Ann. § 83-9-351, 2017) prohibits out-of-state healthcare providers, not licensed in Mississippi, from providing telehealth/telemedicine services to someone geographically located within the state of Mississippi. In addition, letters purchased from the internet for a set price rarely provide the information necessary to support a Service/ESA request.***

The Federal Trade Commission (FTC) has been asked to investigate websites that purport to provide documentation from a health care provider in support of requests for Service/ESA. The websites in question offer for sale documentation that is not reliable for purposes of determining whether an individual has a disability or disability-related need for a Service/ESA because the website operators and health care professional who consult with them lack the personal knowledge that is necessary to make such determinations.

So that we may better evaluate the employee/student's request for this accommodation, please answer the following questions:

Section 1: Information About the Employee/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 a diagnosis does not necessarily equate with a disability (substantial limitation).

1. What is the nature of the employee/student's mental health impairment (how is the student **substantially limited**)?

2. Does the employee/student require ongoing treatment? ☐ Yes ☐ No
3. When did you **first** interact with them regarding this mental health diagnosis? _____
4. When did you **last** interact with them regarding this mental health diagnosis? _____

Section 2: Information About the Proposed Service/ESA

1. Name of Service Animal or ESA: _____
2. Type of animal: _____ Age of animal: _____
3. Is the animal named above one that you have specifically prescribed as part of the treatment for the student or is it a pet you believe will have a beneficial effect for the student while in residence on campus?
☐ Prescribed or ☐ Pet
4. Has the Service Animal/Emotional Support Animal ever harmed or shown aggressive behavior towards people?
☐ Yes ☐ No
(If yes, please explain):

5. Is the Service Animal/ ESA up to date on shots, including vaccinations for rabies? ☐ Yes ☐ No
(Record must be attached) This is a requirement for all approved animals.
6. Is the mentioned animal fully housebroken? ☐ Yes ☐ No
7. If the animal is a dog or cat, has it been spayed/neutered? ☐ Yes ☐ No
8. I have read and understand the **Service/Emotional Support Animal Policy**, and by my signature below I agree to follow the policy throughout my time at Northwest Mississippi Community College.
9. What specific symptoms will be reduced by having this animal, and how will those symptoms be mitigated by the presence of it?

10. Is there evidence that this Service/Emotional Support Animal has helped this employee/student in the past or currently? ☐ Yes ☐ No
11. If there is evidence, what is the nature of that evidence?

Section 3: Importance of Service Animal/ESA To Employee/Student's Well-Being

1. In your opinion, how important is it for this animal to be on campus? What consequences, in terms of disability symptomology, may result if the accommodation is not approved?

2. Have you discussed with the employee/student the responsibilities associated with properly caring for an animal while engaged in typical college activities and/or residing in campus housing if applicable? ☐ Yes
☐ No

3. Do you believe those responsibilities might exacerbate the employee/student's symptoms in any way? Is so, in what way might those symptoms be exacerbated and have you discussed this with the them? ____ Yes
____ No

If yes, please explain:

Section 4: Contact Information and Signature

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 a Service/ESA in the residence hall or on our campus as an employee can be a real benefit for someone with a significant physical or mental health disorder. The practical limitations of our housing arrangements make it necessary to carefully consider the impact of the request for an animal on both the student and the campus community.

Please provide contact information, sign and date this questionnaire and return it to:

Missy Kelsay
Disability Coordinator
Student Counseling and Disability Services
4975 Highway 51 North
Box 7046
Senatobia, MS 38668
mkelsay@northwestms.edu
662-562-3309 (office)
662-562-3315 (fax)

Provider's Signature: _____

Provider's Name (Please Print): _____

Type of License: _____ License #: _____

Name of Practice: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone #: _____

For ADA Office Use Only:

Dean of Student Services: _____ Date: _____

Director of Housing: _____ Date: _____

Disability Coordinator: _____ Date: _____

HR Representative (if this is an employee): _____ Date: _____

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Animal Consent to Share Residence Form

When a student with a disability has an accommodation for a Service or Emotional Support Animal in Campus Housing, the College must inform roommates/suitemates that an animal will be living in the residence. **All** roommates or suitemates of the owner must sign this agreement acknowledging that the animal will be in residence with them **prior** to the arrival of the animal on campus property. In the event, that one or more roommates/suitemates does not approve, the Office of Student Housing will make necessary room changes, if feasible. Students may contact Missy Kelsay, Disability Coordinator if they have a health or safety related concern about the exposure to a specific animal. The College will reasonably accommodate individuals with medical conditions that require accommodations when living in proximity to Service Animals or Emotional Support Animals.

Residence Hall and Room #: _____

By my signature, I verify that I have been informed that my roommate/suitemate, _____ (ESA owner's name), intends to have an Emotional Support Animal in our residence. I agree to this living arrangement and have no objection to sharing a residence with the animal. I am aware that I am not obligated to care for the animal and I am not responsible for the animal's well-being. I understand that I should contact Missy Kelsay, Disability Coordinator if I have any future objections or concerns.

Signature: _____ ID#: _____

Printed Name: _____ Date: _____

Signature: _____ ID#: _____

Printed Name: _____ Date: _____

Signature: _____ ID#: _____

Printed Name: _____ Date: _____

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Animal Contract

Name of Owner: _____ Student Id#: _____

Please specify: Service Animal _____ Emotional Support Animal _____

Type and Description of animal: _____

Agreement:

I have read the Northwest Mississippi Community College Service/Emotional Support Animal Policies and Procedures regarding on-campus animal ownership and agree to abide by the guidelines and procedures listed, as well as any reasonable requests made of me by the College at a later date.

Initials: _____

I agree to assume all responsibility for care, control and supervision of the animal that I have registered with the College and that, where applicable my animal has been licensed and up to date on all required vaccinations.

Initials: _____

I assume all liability for injury or damage caused by any preventable actions of my service/support animal.

Initials: _____

I understand that I am responsible to arrange alternative care of my animal in case of an emergency or required to be removed due to disruption or damage, etc.

Initials: _____

I accept responsibility for carrying out all reasonable requests made by my room or apartment mates, other house residents and/or College staff regarding community and personal health, safety and comfort directly related to the presence of my animal.

Initials: _____

I understand that animal related complaints will be investigated by the Dean of Students or designees and Campus Police with the possibility that sanctions may be imposed.

Initials: _____

Printed Name: _____

Signature: _____ Date: _____

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