

Tennessee Technological University
Policy No. 306



Effective Date: July 1, 2017

Policy No.: 306

Policy Name: Emotional Support/Comfort Animals

I. Purpose

Tennessee Tech recognizes the importance of Emotional Support/Comfort Animals to individuals with disabilities and has established the following policy regarding Emotional Support/Comfort Animals to assist people with disabilities.

II. Review

This policy will be reviewed every four years or whenever circumstances require review, whichever is earlier, by the Directors of the Office of Disability Services (ODS) and the Office of Residential Life, with recommendations for revision presented to the Administrative Council and University Assembly.

III. Scope

This policy applies to Emotional Support/Comfort Animals in Tennessee Tech's housing facilities and applies only to rooms or apartments within housing facilities. Permission to have an Emotional Support/Comfort Animal under this policy does not grant the individual permission to have the Emotional Support/Comfort Animal present in any other campus facility or Tennessee Tech property.

IV. Definition

Emotional Support/Comfort Animals Defined

“Emotional Support/Comfort Animal” or “Animal” is one that an individual with disabilities utilizes for emotional support, well-being, or comfort. Because the Animals are not individually trained to perform work or tasks, support Animals are not service Animals.

V. Policy

Tennessee Tech is committed to granting reasonable accommodations to individuals with disabilities in the application of housing policies, practices, and procedures.

VI. Procedures to Request Emotional Support/Comfort Animals in Tennessee Tech Housing

- A.** Emotional Support/Comfort Animals are approved on a case by case basis and may not reside in Tennessee Tech housing without the prior approval from the ODS Housing Committee.
- B.** A resident requesting permission to have an Animal in his or her on-campus housing must provide the ODS with appropriate documentation.

C. Documentation of the need for an Animal must include:

- 1.** A signed letter, on professional letterhead, from the person's healthcare provider or licensed therapist with whom the owner has an established relationship. Any such provider or therapist should be familiar with the professional literature concerning the assistive and/or therapeutic benefits of Emotional Support/Comfort Animals for people with disabilities.
- 2.** At a minimum, the letter must include the following items:
 - a.** The provider's diagnosis of the person's disability.
 - b.** A clear description of the current impact and functional limitations resulting from the disability.
 - c.** The provider's confirmation that the Animal has been prescribed for treatment purposes and is necessary to help alleviate symptoms associated with the person's condition and/or to help the person use and enjoy university housing services.
 - d.** The provider's description of the support that the Animal will provide.
 - e.** Any additional rationale or statement Tennessee Tech may reasonably need to understand the basis for the professional opinion.
 - f.** A clear description of the current impact and functional limitations resulting from the disability.

D. The ODS Housing Committee which consists of staff from ODS, health services, counseling, residential life, and any other appropriate department, will review the documentation within 10 business days of receipt of all documentation. In considering the request, ODS Housing Committee may consider the following criteria:

- 1.** Whether the size of the Animal is too large for the available housing space.
- 2.** Whether the Animal's presence would force another individual from housing (e.g. serious allergies).
- 3.** Whether the Animal's presence otherwise violates an individual's right to peace and quiet .

If the Committee approves the request, the resident will be contacted by the Office of Disability Services to meet with the Office of Residential Life. At this meeting, the Office of Residential Life will review this policy with the Animal's owner.

VII. Owner's Responsibilities in Tennessee Tech Housing

- A.** The Animal's owner is responsible for assuring that the Animal does not unduly interfere with the routine activities of the residence or cause difficulties for other residing residents. "Undue interference" and "difficulties" include, but are not limited to, failure to maintain acceptable standards of hygiene, causing undue noise or other disruption, and causing damage.
- B.** The owner is financially responsible for the actions of the Animal including bodily injury or property damage. The owner's responsibility covers, but is not limited, to replacement of furniture, carpet, floor tile, window, wall covering, and the like. The owner is expected to cover these costs at the time of repair or move-out, whichever is earlier.
- C.** The owner is responsible for any expenses incurred for cleaning above and beyond a standard cleaning and for repairs to Tennessee Tech premises that are assessed after the student and Animal vacate the residence. Tennessee Tech shall have the right to bill the owner/resident account for any unmet obligations.
- D.** The owner must notify the Office of Residential Life in writing if the Animal is no longer needed as an Emotional Support/Comfort Animal or is no longer in residence. To replace an Animal, the owner must file a new request following the procedures outlined in Section VI.
- E.** The owner's residence may be inspected for fleas, ticks, or other pests during regular health and safety checks or as needed. The Office of Residential Life staff will schedule the inspection. If fleas, ticks, or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a university-approved pest control service. The owner will be billed for the expense of any pest treatment to the room or any necessary corresponding areas above and beyond standard pest management in the residence halls.
- F.** All roommates of the owner must sign an agreement allowing the Animal to be in residence with them. (Tennessee Tech will facilitate this process at the student's request). Tennessee Tech will not reveal the existence or nature of the disability to the roommates. In the event that roommates do not agree to have an Animal with them in their room, the owner, in conjunction with the Office of Residential Life, will make other room and roommate arrangements.
- G.** Tennessee Tech may remove or require the removal of any animal that:

1. Has posed in the past a direct threat to others.
 2. Has caused excessive damage to housing beyond reasonable wear and tear.
 3. Is not housebroken.
 4. Is unable to live with others in a reasonable manner or causes undue noise.
- H.** Emotional Support/Comfort Animals found unattended, abandoned, or abused may be impounded in accordance with applicable laws and regulations.
- I.** Emotional Support/Comfort Animals may not be left overnight in Tennessee Tech housing to be cared for by another student. The owner must take the Animal if the owner leaves campus overnight or for a prolonged period during the day.
- J.** The owner is responsible for ensuring that the Animal is contained, as appropriate, when the owner is not present during the day while attending classes or other activities.
- K.** The Office of Residential Life maintains the right to relocate the owner and Animal as necessary according to its general contractual agreement with the student.
- L.** The owner agrees to and is responsible for immediate clean-up of all animal waste. Emotional Support/Comfort Animals must be toileted in areas designated by Tennessee Tech. Indoor Animal waste, such as cat litter, must be placed in a sturdy plastic bag and securely tied up before being disposed of in outside trash dumpsters. Litter boxes and cages should be placed on mats so that waste is not tracked onto floor surfaces. Litter boxes, cages, or other Animal containers must also be cleaned regularly as to not cause any undue odor in the room or surrounding areas.
- M.** Should the Animal be removed from the premises for any reason, the owner is required to fulfill his/her housing obligations for the remainder of the housing contract.
- N.** The care and supervision of the Animal are the responsibility of the owner. The owner is required to maintain control of the Animal at all times, which includes the use of a leash or other appropriate control.
- O.** If any aspect or circumstance of the condition, health, or behavior of any Animal on campus is deemed by Tennessee Tech to be a threat to the health or safety of any member of the campus community, then that Animal may be impounded in accordance with applicable laws and regulations.

- P. In accordance with local ordinances and regulations, the Animal must be immunized against diseases common to that type of Animal, and registered if required by law. Dogs and cats must have current vaccination against rabies and wear a rabies vaccination tag.
- Q. Emotional Support/Comfort Animals other than cats and dogs to be housed in Tennessee Tech housing must have an annual clean bill of health from a licensed veterinarian. Documentation that demonstrates this can be a vaccination certificate or a veterinarian's statement regarding the Animal's health. This will be monitored by the Office of Residential Life. Tennessee Tech may direct that the Animal receive veterinary attention as a condition of its continuing residency in Tennessee Tech housing.
- R. Residential Life and the ODS Housing Committee may place other reasonable conditions or restrictions on the Animals depending on the nature and characteristics of the Animal.
- S. University personnel shall not be required to provide care or food for any Animal including, but not limited to, removing the Animal during emergency evacuation for events such as a fire alarm.

VIII. Violation of Policy

Any violation of this policy may result in the immediate removal of the Animal in addition to the owner's referral to the appropriate official for the appropriate discipline under the applicable policy.

IX. Appeal Process

- A. If the student is dissatisfied with the determination of the disability housing committee, the student may appeal to the Assistant Vice President of Student Affairs for Student Development. The student must file a written notice of appeal within 3 business days of delivery of the determination, absent good cause. In the written notice of appeal, the student must explain the reasons why s/he believes the determination is in error.
- B. The Assistant Vice President will issue a written decision within 5 business days of receipt of the appeal, absent good cause. The Assistant Vice President's decision is final.

X. Interpretation

The Office of Disability Service Housing Committee has the final authority to interpret the terms of this policy.

XI. Citation of Authority for Policy

T.C.A. § 49-8-203(a)(1)(D); 42 U.S.C. § 3601 *et seq.* (Fair Housing Act)

Approved by:

Administrative Council: October 5, 2016

University Assembly: November 16, 2016