

Minneapolis College of Art and Design
Emotional Support Animal Policy and Contract

Overview

Persons with disabilities have a right to equal opportunity as prescribed by law. MCAD is responsible for and dedicated to creating a barrier-free environment while empowering students to grow toward independence and self-assertion. MCAD offers reasonable accommodations to ensure equal access for students who self-disclose a documented disability. MCAD complies with federal disability laws, including Title III of the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act, all of which prohibit discrimination on the basis of disability. Although MCAD prohibits animals on campus, exceptions are made for Service Animals, and MCAD will consider requests for Emotional Support Animals in the residential setting for individuals with disabling conditions.

Purpose

The purpose of this policy is to ensure the wellbeing of students and community members in regard to having emotional support animals on campus. Students interested in making a request must read this policy carefully.

Scope

This policy pertains to all students living in on-campus housing who have a documented disability and who wish to request bringing an ESA (Emotional Support Animal) to campus.

Definitions

Service Animal

Per Title III of the ADA, a service animal is any dog that is specifically trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability. Individuals with service dogs are permitted to navigate all public areas of the MCAD campus with their service animal, including the individual's residential space.

Emotional Support Animal

Per the Fair Housing Act (FHA), an emotional support animal is described as an animal that provides therapeutic support and companionship to its owner. **An Emotional Support Animal is NOT a Service Animal.** Emotional support animals are not permitted the extensive range of campus afforded to service animals. With very limited exceptions (e.g. pet relief area, transport to a vehicle, etc.) emotional support animals must be kept in the approved resident's room or apartment and must be fully under the resident's control—on leash or in a cage/carrier—any time

the animal is outside the approved room. **Emotional support animals are not permitted in academic buildings.**

Requesting an Emotional Support Animal Policy

The FHA allows for emotional support animals as a reasonable accommodation for residents with disabilities. Students who wish to seek a reasonable accommodation for an emotional support animal should initiate a request via Disability Services within the Learning Center. It is best to do this as soon as possible so that Housing and Disability Services can begin to process your request. Requests can take up to 30 days to process when you already live on campus. If you know that you will be requesting an ESA prior to being on campus then make sure to note that on your Housing application.

Individuals who are seeking reasonable accommodations for an ESA must complete the Disability Disclosure and Accommodation Request Form at ds.mcad.edu. A Learning Center staff member will also meet with any requesting resident to further discuss the request. All students who disclose a disability must provide documentation (may include educational or medical records, reports and assessments created by health care providers, school psychologists, psychiatrists, and others as deemed appropriate). In addition, **all students who also wish to request an Emotional Support Animal are required to provide documentation of the need for the animal from a licensed health care provider (medical doctor, psychologist, psychiatrist).** This documentation should explain how the animal alleviates at least one of the identified significant symptoms or effects of the existing disability and/or provides equal access to campus housing.

A Learning Center professional staff member will make a recommendation to Student Affairs and Housing on the reasonableness of each request based on the following criteria provided by the FHA:

1. The individual has a documented disability
2. The animal is necessary in affording that individual the opportunity to use and enjoy their living space.
3. There is an identifiable relationship, or nexus, between the requested accommodation and the individual's disability.

Student Affairs and Housing will consider the needs of the individual and the impact on the campus community and will then make a determination on whether an accommodation will be

granted. Student Affairs and Housing may request a meeting with the resident to discuss accommodation options and the potential impact of each option on the campus community.

Documentation relevant to this application will be kept in the Disability Services Office, but shared with Student Affairs and Housing and other campus constituents only on an as needed basis. Approval is given on an annual basis, so a resident must complete a new application form each academic year.

Appeal Process

If a student's accommodation request is denied, the student may file a written appeal to the Dean of Student Affairs within five (5) business days of the denial. In this appeal, the student should describe what new information is being provided. Only one appeal is permitted.

Reasonable Accommodations of Emotional Support Animals

Accommodations must be reasonable. A service or support animal may be prohibited from an MCAD facility or program if the animal's behavior or presence poses a direct threat to the health or safety of others. A resident whose approved animal causes a disruption to the residential environment will lose their approval status.

Prohibited animals may include venomous animals, exotic or non-domesticated animals, dangerous animals, and/or those that do not have appropriate training and handling.

Prohibited animals include animals that have not been vaccinated for rabies and that are not licensed by the city of Minneapolis.

Student Resident's Responsibilities

Residents may not apply to have more than one animal under this policy unless the animal requires other animals to be healthy such as a mouse, then two may be allowed so long as they are of the same sex or have been neutered or spayed. The resident may only bring the animal to areas on campus that are in direct support of housing. This means that ESAs are allowed in a student's residence and that ESAs are NOT allowed in any non-residence campus building, including the Main Building, Morrison, MFA studios, offices and administrative departments. Animals may not accompany a student to class or to other activities on campus. The resident with an approved ESA is responsible for ensuring that the animal does not unduly interfere with the routine activities of the residential facility or the students who live there.

The resident is financially responsible for the actions of the approved animal, including damage to property or harm to others. Any extra cleaning charges that result from the approved animal's presence will be the resident's responsibility.

If an ESA toilets outside then students are to carry items to remove animal waste such as pet waste bags. If campus finds a problem with animal waste on campus then we reserve the right to designate specific areas of campus for animals to toilet in.

When outside the residential space, the ESA must be controlled by leash or in an animal carrier.

The student must have easy access to their ESA Policy and Contract in their apartment or to the approval posting via ds.mcad.edu in the event that a staff or faculty members asks to see their approval for an ESA.

If the resident leaves campus for a period of time, they must bring the approved animal with them and may not leave the animal on campus overnight or longer, even if under the care of another person. In the event that an ESA is left alone in a room or apartment for an extended period of time and is not being properly cared for, Housing will contact the resident to remove the animal. If this is not successful, Housing may notify animal control or the Humane Society and shall have the right to have the animal removed.

Any costs for removing the animal if the resident is not present, and arrangements have not been made by the resident for the animal to be removed or cared for, shall be the responsibility of the resident.

Reasonable accommodation under MCAD's Emotional Support Animal policy does not constitute an exception to any other policy.

Additional Policy Information

MCAD may take reasonable steps to notify neighboring residents, appropriate staff (such as Public Safety, Custodial Services, or Facilities), or visitors of the presence of an animal in the residence hall, to mitigate issues related to allergic reactions, religious conflicts, or other health and safety related concerns.

Residents must take proper care of their animals, including proper feeding, shelter, cleanliness, exercise, and removal of waste both inside and outside of their residence.

Approved animals are legally required to be vaccinated and licensed in accordance with local ordinances.

Documentation of all veterinarian recommended vaccinations and city licensure will be requested before moving the animal into the residence.

Minnesota Animal Cruelty Laws

Resident will provide food, water, shelter, exercise, and not neglect nor abuse the animal, nor cause pain, suffering or death.

Local animal ordinances

Local ordinances may include species limitations, require municipal license, collar with ID (with student’s current phone number) and rabies tags. Ordinances also state that no dog may be left unattended in a public space and no animal may be allowed to roam free. **MCAD requires that dogs and cats must wear current vaccination and identification tags at all times.**

Animal Cleanliness

The resident student is responsible for properly containing and disposing of all animal waste. In the case of cats, litter must be placed in a sturdy plastic bag and tied securely before being disposed of in outside trash dumpsters. Litter boxes should be placed on mats on tiled or vinyl bathroom floor so that feces and urine are not tracked onto carpeted surfaces.

The student’s residence may be inspected for fleas, ticks or other pests once per semester or as needed. The Housing 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 college-approved pest control service. **Student will be billed for the expense of any pest treatment above and beyond normal required pest management.**

Residents who do not follow the policies outlined above or whose animal is not under their direct control will lose the accommodation they have been granted to have a support animal on campus.

Under these circumstances, the resident will still be required to fulfill the housing obligations for the remainder of the contract period.

By signing below, I verify that I have read, understand and will abide by the policies outlined here, and I agree to provide the additional information required to complete my request for an emotional support animal.

Student Resident Signature

Date

Director of Housing

Date

Director of the Learning Center

Date

Minneapolis College of Art and Design
Emotional Support Animal Roommate/Suitemate Acknowledgement Form

Name of roommate/suitemate who is the animal's owner:

Type of animal:

By my signature below, I acknowledge that I will share my assigned MCAD housing with a roommate/suitemate who has an approved emotional support animal. Should I have any concerns regarding the behavior, location, or care of the animal, I will first discuss my concerns with the animal's owner. If I continue to have concerns, then I will contact the the director of Housing, Nate Lutz, or the Dean of Students, Jen Zuccola.

Roommate/Suitemate's name and signature

Date

Roommate/Suitemate's name and signature

Date

Roommate/Suitemate's name and signature

Date

Accommodation Request Form Supplement - Emotional Support Animal

Students submitting this supplement must have also completed a Disability Disclosure and Accommodation Request form at ds.mcad.edu. Please be aware that an accommodation review process will be undertaken for all requests for accommodation and may involve additional conversations between Housing, the Learning Center, and the requesting student.

Those requesting to have an emotional support animal in their residence need to submit this request form and supporting documentation from a licensed health care provider (medical doctor, psychologist, psychiatrist) documenting that the person has a disability, the animal is necessary to afford the person with a disability an equal opportunity to use and enjoy a dwelling, and there is an identifiable relationship or nexus between the disability and the assistance the animal provides.

Last Name, First Name

Student ID

Description of Animal Requested (Please be as specific as possible, including breed, age, etc.):

MCAD will not permit ESA's if they would pose a direct threat to the health and safety of others; would cause physical damage to the property of others; would pose an undue financial and administrative burden; or would fundamentally alter the nature of the provider's operations. Please be aware that ESAs are not permitted in other areas or buildings on campus unless the animal also qualifies as a "service animal" under the ADA and Section 504.

To protect the health and well-being of all residents please be aware that reptiles, animals that are not domesticated, and animals that pose public health concerns will not be permitted in campus housing.

Please initial next to each statement below indicating your agreement to and understanding of each statement:

_____ I will be responsible for the proper care and cleanliness of my ESA.

_____ I am financially responsible for any damage caused by my ESA to campus property or to others.

- _____ My ESA is to remain inside the room/apartment at all times unless for walking or toileting.
- _____ During holiday breaks and official closed periods or anytime that I am away from campus for more than a few hours, I will take my ESA with me. Housing is not responsible for my ESA when it is left unattended.
- _____ My ESA must be healthy and/or up to date on their vaccinations and veterinary care.
- _____ If I do not keep my animal under control and follow the policies outlined in MCAD's Emotional Support Animal Policy and Contract, I may lose this accommodation.
- _____ I completed the Disability Disclosure and Accommodation Request Form at ds.mcad.edu
- _____ I obtained a City of Minneapolis Pet License from <http://minneapolismn.gov/animals/licenses/pet-licenses>
- _____ I understand that it is my responsibility to talk with a veterinarian and/or look up the vaccines required by law for the type of animal that I have.
- _____ My ESA has its rabies and other vaccines as required by law and/or veterinarian.
- _____ I read over the Minneapolis Laws and Policies regarding pets at: <http://minneapolismn.gov/animals/pets/index.htm>.
- _____ I read over the Minnesota Statutes for Animal Care at: <https://www.revisor.mn.gov/statutes/?id=346.39>.
- _____ I can afford food and veterinary care for my ESA.
- _____ I have a rodent and insect proof container to store my ESA's food in.
- _____ I have a carrier, crate or cage that conforms with Minnesota Statutes for animal care. I have read the statutes at: <https://www.revisor.mn.gov/statutes/?id=346.39> and used the guidelines for cage and crate sizing at: <https://www.petrelocation.com/learn/pet-travel-crates>.
- _____ I have a cage that my ESA toilets in, or a large mat, tile floor or other item to go under a litter box or indoor toileting area.

_____ If my ESA goes to the bathroom outside, then I have bags to collect their fecal matter in that I can throw out in the campus garbage.

_____ I am able to bring the ESA with me or board it when I am on breaks or away from campus overnight.

_____ If I am bringing the ESA home with me over breaks then I have checked with the people who live there to make sure that I can have the animal with me at home and that they are not allergic to it.

_____ I understand that boarding can be done through the Animal Human Society at <https://www.animalhumanesociety.org/boarding/boarding> and other areas around the city

_____ I understand that there are travel guidelines and will research them should I need to transport my ESA via bus, train, plane, taxi, Uber, Lyft or rental car.

_____ I met with the Director of the Learning Center to discuss having an ESA on campus.

_____ I have documentation of my disability from a licensed health care provider (medical doctor, psychologist, psychiatrist) to give to the Learning Center director.

_____ I have documentation from a licensed health care provider (medical doctor, psychologist, psychiatrist) that an animal is necessary to afford me an equal opportunity to use and enjoy a dwelling, and that there is an identifiable relationship or nexus between the disability and the assistance the animal provides to give to The Learning Center director. This documentation may be combined with the documentation of disability Letter.

_____ I have documentation of my ESA's vaccinations, including the rabies vaccine to give to the Learning Center director.

_____ I have documentation of my ESA's City of Minneapolis Pet License to give to the Learning Center director.

_____ I have a picture of my ESA to give to the Learning Center director. I understand that this picture will be shared with Housing, Public Safety, Facilities, Student Affairs and other staff as needed to help identify my animal as an approved ESA on campus, and in the event that my ESA is lost and needs to be found. If I have a concern about sharing a photo of my ESA then I know that I can talk with the Learning Center director about it.

_____ I have completed and sent the director of disability services a copy of the ESA Roommate Contract that is included in this Contract.

_____ I have completed the ESA Policy and Contract Paperwork and I am ready to sign it.

Student Resident Signature

Date

EMOTIONAL SUPPORT ANIMAL ROOMMATE CONTRACT

This is to be used in conjunction with the Housing Roommate Contract when a resident requests an ESA

RESPONSIBILITIES

- The animal is the responsibility of the student with the ESA accommodation
- Feeding/water/medicine for the ESA is done by the student with the ESA
- Walking the animal for toileting if it is needed is done by the student with the ESA
- The student with the ESA is not to be gone overnight without their ESA
- The student with the ESA will take their animal with them if they leave for college breaks
- If the fire alarm goes off then it is the residents responsibility to immediately leave the apartment.
- The animal can stay in the apartment during a fire alarm.

QUESTIONS

1. Are treats allowed to be given by roommates?

2. Where will the insect and rodent proof food container be stored?

3. Where will the food and water dish(es) be placed?

4. Where will the animal sleep at night?

5. What rooms is the animal allowed in (bedrooms, living room, kitchen, roommates rooms, etc..)?

6. Where will the litter box/cage/toileting area be within the apartment if there is one?

7. How often will the litter box/cage/toileting area be cleaned by the student with the ESA accommodation?

8. Where will the leash be stored if it is an animal goes outside?

9. Additional questions?

Signature of Student With ESA

Roommate Signature

Roommate Signature

RA Signature

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