**MU Residential Life Assistance Animal / Emotional Support Animal Guidelines and Responsibilities**

The University of Missouri is committed to ensuring that people with disabilities with Assistance Animals and Emotional Support Animals have equal access to Residential Life facilities. The following guidelines and responsibilities are designed to ensure a positive experience for the owner of the Assistance Animal or Emotional Support Animal and the residential community as a whole.

**There are two different types of animals that can assist a person with a disability within University Housing:**

**1. A Service Animal** - A service animal is a dog, or in some circumstances a miniature horse, that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other disability. The work or tasks performed must be directly related to the Individual's disability. Emotional support, well-being, comfort, and companionship do not constitute work or tasks under this definition.

**2. An Assistance Animal/Emotional Support Animal** - An Assistance Animal (also commonly called an “Emotional Support Animal” or ESA) may provide physical assistance, emotional support, calming, and other kinds of assistance. Assistance Animals are generally not individually trained to perform tasks or work that would qualify them as service animals under the Americans with Disabilities Act. Assistance Animals are also not restricted to certain types of animals, and can be animals other than dogs.

**NOTE: These guidelines apply solely to "Assistance Animals" (also called "Emotional Support Animals") in Residential Life facilities. They do not apply to Service Animals, which are addressed in a different set of guidelines.**

**Guidelines for Requesting an Assistance Animal or Emotional Support Animal in the Residential Life Facilities:**

The Disability Center is responsible for evaluating whether to grant or deny requests for reasonable accommodations for students living in Residential Life facilities, including the ability to bring an Assistance Animal or Emotional Support Animal.

A student wishing to request an Assistance Animal as an accommodation to live in a residence hall must follow the Disability Center’s general procedures for requesting an accommodation, which can be found on the Disability Center website. *This request should be submitted, and the approval process completed, prior to bringing the animal into the residence hall.*

The Disability Center may require documentation from a reliable third party indicating that the resident has a disability and that the animal would provide emotional support or other assistance that would ameliorate one or more symptoms or effects of the disability. A “reliable third party” is someone who is familiar with the individual’s disability and the necessity for the requested accommodation. Reliable third-parties include someone who provides medical care, therapy or counseling to persons with disabilities, including, but not limited to, doctors, physician assistants, psychiatrists, and psychologists.

The Disability Center will limit its requests for information to only the information necessary to verify whether the individual making the request has a disability and/or to evaluate if the reasonable accommodation is necessary to provide the individual an equal opportunity to use and enjoy University housing.

The Disability Center evaluates requests for housing accommodations at any time during the year. However, an individual who wishes to bring an Assistance Animal or Emotional Support Animal as an accommodation to live in a residence hall should initiate the request as soon as possible to ensure sufficient time for approval before bringing the animal to campus.

University Student Apartment residents whose child or non-enrolled spouse requires an Assistance Animal should contact the MU Disability Inclusion and ADA Compliance Manager in order to request an accommodation.

**Factors Considered in Determining Whether an Assistance Animal is a Reasonable Accommodation:**

In determining whether the request to bring an Assistance Animal is reasonable, the Disability Center will consider whether or not the Assistance Animal is needed because of the individual's disability, and whether the presence of that particular animal is reasonable.

The Disability Center, in consultation with the individual, Residential Life, and other parties, as appropriate, may consider the criteria below in determining whether the presence of the animal is reasonable in the making of housing assignments for individuals with Assistance Animals:

* Whether the size of the animal is too large for available assigned housing space;
* Whether the animal's presence would unreasonably interfere with the activities of the residence hall or university owned apartment or create an unmanageable disturbance for other residents;
* Whether the animal is housebroken;
* Whether the animal is unable to live with others in a reasonable manner;
* Whether the animal would pose an undue financial or administrative burden;
* Whether the presence of the animal fundamentally alters university housing policies; and
* Whether the animal has not been properly vaccinated, if applicable.
* Whether the animal poses or has posed in the past a direct threat to the individual or others, such as aggressive behavior towards or injuring the individual or others;
* Whether the animal causes or has caused excessive damage to housing beyond reasonable wear and tear.

If the Disability Center believes that the requested accommodation is unreasonable based on the criteria above, they will schedule a time to discuss possible alternative accommodations. Alternative accommodations will be suggested only if the individual requesting the Assistance Animal agrees that it meets his or her disability-related needs. The Disability Center recognizes that an individual with a disability is generally in the best position to know whether or not a particular accommodation will be effective in meeting his or her needs. If agreement on an alternative accommodation is not reached, the Disability Center will communicate its decision on the requested accommodation to the individual with a detailed explanation of the reasons for a denial or the decision to grant an alternative accommodation.

*NOTE: Assistance Animals are restricted to the resident’s living area only, and are not permitted to enter communal areas and other facilities on campus. Requests to take an Assistance Animal into academic and other areas should be submitted to the Disability Center, and will be considered on a case-by-case basis.*

**Housing Assignments and Disclosure of Information about the Animal:**

University housing is a unique environment in several aspects, including the mandatory assignment of roommates and the requirement that individuals must share a room or suite in certain residence halls.

If a roommate, suitemate or community member has concerns about living in the shared space with the Assistance Animal, such as an allergy, one of the residents may be given the option to move to an alternate space. This decision will be made on a case-by-case basis in consultation with residents.

Residential Life will place a sign beside the resident’s door indicating that an animal resides there. This signage is to notify Residential Life staff, maintenance employees, and emergency personnel who may need to enter the living area that an animal is present.

**Responsibilities of the Assistance Animal’s Owner:**

Owners granted the accommodation of an Assistance Animal in their Residential Life facility shall be responsible for:

**1. Keeping the animal in the owner’s living accommodations:** The animal must be kept in the Owner’s assigned living accommodations except to the extent the individual is taking the animal out for natural relief (i.e. “breaking”). The animal should not be permitted to leave the owner’s room except when accompanied by the owner or a designated care attendant.

**NOTE:** Assistance Animals are not allowed in any University facilities other than the University housing to which the resident is assigned, unless specifically granted as an accommodation through the Disability Center.

**2. Keeping the animal under control:** The Assistance Animal must be properly housed and restrained or otherwise under the direct dominion and control of the owner or a designated personal care attendant at all times. When outside of the owner’s private living accommodations, the animal must be leashed or in a carrier at all times*.* The Owner cannot permit the Assistance Animal to run at large, either indoors or outdoors. If the animal requires exercise that cannot be done on leash, the owner must plan to provide such exercise off campus or obtain prior approval to exercise the animal in designated areas near Residential Life owned/operated facilities. *If an animal is found running at large, the animal is subject to capture and confinement. Failure to keep the animal under control may result in the presence of the animal as an accommodation no longer being reasonable in the Residential Life facility, and this could result in removal of the animal.*

**3.** **Abiding by applicable laws and policies:** The owner must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the owner’s responsibility to know and understand these ordinances, laws, and regulations. The University has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate.

**4. Abiding by Residential Life policies:** The owner must abide by all equally applicable Residential Life policies, such as assuring that the animal does not unduly interfere with the routine activities of the living environment or create disturbances for other residents.

**5. Ensuring that the animal is well-cared for**: Residential Life will assume no responsibility/liability for the care or well-being of a resident’s Assistance Animal. The owner is required to ensure the animal is well-cared for at all times. The following requirements apply:

* Assistance Animals may not be left overnight or be left in the care of any individual other than the owner. If the owner is to be absent from his/her housing assignment overnight or longer, the animal must accompany the owner.
* The owner is responsible for the care of the animal at all times, including when the animal is accompanied by a designated personal care attendant. Arrangements for other people to have access to the building and/or the room to care for the animal will not be granted.
* The owner is responsible for ensuring that the Assistance Animal is contained, as appropriate considering the nature of the animal, when the owner is not present during the day and while attending classes or other activities.
* Animals are not to be left with other residents. Care for the animal is the sole responsibility of the owner.

*Any evidence of mistreatment, abuse, neglect, or instances in which the Assistance Animal is left unattended for unreasonably long periods of time, or other policy violations may result in removal of the Assistance Animal and/or discipline for the responsible individual pursuant to the University of Missouri’s Student Code of Conduct and/or any housing-related sanctions within Residence Life.*

Residential Life personnel shall not be required to provide care for or arrange for the evacuation of an Assistance Animal during an emergency situation or for events such as a fire alarm. Depending upon a number of variables, emergency responders will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal. In the event a resident is unable to care for their Assistance Animal in an emergency situation, they should develop a plan for such situations. All parties involved with an emergency situation and evacuation procedures will work diligently to assist our residents.  If you have questions regarding a possible plan, please discuss this with your Hall Coordinator or Apartment Manager. You will have the opportunity to provide an emergency contact for issues involving the animal on the acknowledgement and consent form.

In the event that an Assistance Animal is left alone in a room or apartment for a prolonged period of time, is being neglected (food, time outside, etc.), or is creating a significant disturbance, Residential Life will contact the individual(s) the student designated on the Acknowledgement and Release of Information form. If attempts to resolve the issue are not successful, Residential Life may notify local animal control or shall have the right to have the animal removed from housing. Such an action may be taken by Residential Life without liability. The costs of removal shall be the responsibility of the resident.

**6. Ensuring appropriate behavior of the animal:** The owner or designated care attendant must ensure that the Assistance Animal does not:

* + Attack, harass, or behave aggressively towards others
	+ Damage or disturb other’s personal belongings
	+ Damage university property, including furniture and fixtures
	+ Display persistent or repeated behaviors or noises that are disruptive to others
	+ Block evacuation routes or egress in case of an emergency

**7. Ensuring that waste is properly disposed of:** The owner is required to clean up after and properly dispose of the animal’s waste in a prompt, safe, and sanitary manner in both indoor and outdoor spaces. The owner should consult Residential Life staff to designate appropriate locations to “break” the animal and locations where waste should be disposed. *Failure to properly dispose of animal waste may result in discipline through the student conduct process.*

**8. Ensuring confinement during maintenance:** During times when Residential Life staff or facilities personnel must be in the residence, the Assistance Animal shall be properly kenneled or on leash when the owner is present, or the owner shall temporarily remove the animal from the residence during maintenance.

**Consequences of Failure to Meet Responsibilities:**

Residential Life recognizes the need for and is supportive of resident’s use of Assistance Animals. However, as a member of the residential life community, it is essential that residents understand and abide by the above responsibilities. If an owner fails to meet the responsibilities above, he or she may be subject to discipline pursuant to the University of Missouri’s Student Code of Conduct, where applicable, or subject to housing-related sanctions according to Residential Life policies.

In some serious circumstances, it may be determined that the animal’s presence is no longer reasonable. In such instances, the animal or resident may be subject to removal from campus housing. The resident will remain financially obligated through the term of their Housing and Dining Contract.

The following conditions may result in an animal’s presence no longer being reasonable:

* + The animal poses a direct threat to the health or safety of others
	+ The animal causes substantial property damage to the property of others, including University property;
	+ The owner does not comply with the Responsibilities of the Owner set forth above to the extent that, at the discretion of Residential Life, removal is necessary; or
	+ The animal or its presence creates an unmanageable disturbance or interference with the University community;
	+ The animal’s presence results in a fundamental alteration of a University program.

Residential Life, the Office of Student Conduct, and the Disability Center will cooperate to evaluate situations on a case-by-case basis in consultation with the owner. The University will never base this determination on speculation or fear about the harm or damages an animal may cause. Any removal of an animal may be appealed pursuant to campus grievance procedures. The owner will be afforded all rights of due process and appeal as outlined in university processes.

Should the Assistance Animal be removed from the premises for any reason, the owner is expected to fulfill his or her housing obligations for the remainder of the housing contract.

 **Financial Responsibilities:**

Owners are financially responsible for damage caused by their animal. An individual with a disability may be charged for any damage caused by his or her Assistance Animal beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear.

**If the Assistance Animal is no longer needed:**

The animal is allowed in Residential Life facilities only as long as it is necessary because of the owner’s disability. The owner must notify the Disability Center and Residential Life in writing if the Assistance Animal is no longer needed or is no longer in residence. To replace an Assistance Animal, the new animal must be necessary because of the owner’s disability and the owner must follow the procedures in this policy again when requesting a different animal.