

California State University, Fullerton's Student Housing and Residential Engagement is committed to granting reasonable accommodations to the rules, policies, practices or services when such accommodations may be legally required in order to afford people with disabilities an equal opportunity to use and enjoy their dwellings. A reasonable accommodation may include a change or exception to a rule or policy that is required because of a person's disability, or it may be a physical change to a unit or common area. It is CSUF's general policy to provide reasonable accommodations to individuals with disabilities whenever an individual has a disability and there is a disability-related need for the requested accommodation. A disability-related need for a requested accommodation exists when there is an identifiable relationship, or nexus, between the requested accommodation and the individual's disability.

CSUF accepts reasonable accommodation requests from person with disabilities and those acting on their behalf. To request a housing accommodation for an Emotional Support Animal, please go to the DSS website at fullerton.edu/dss/ and apply for services. If you require assistance in completing the form, please contact Disability Support Services front desk at 657-278-3112 or email dsservices@fullerton.edu. DSS will keep a record of all requests.

DSS will most likely provide a decision on the ESA request within 3 weeks from the time all application materials have been received. However, if the request for accommodation is made fewer than 60 days before the individual intends to move into University housing, CSUF cannot guarantee that it will be able to meet the individual's accommodation needs during the first semester or term of occupancy. In the event we need additional information to make a determination, we will promptly advise you of the information needed. It is CSUF's policy to seek only the information necessary to verify whether you are a person with a disability and/or to evaluate if the reasonable accommodation is necessary to provide an equal opportunity to use and enjoy Student Housing. If the request is approved, you will receive an email so indicating. Please note that your animal may be approved, but may not come to campus until an appropriate space has been identified, which may not be until the next academic year depending on the time of year the request is made. If the need for the accommodation arises when an individual already resides in University housing, he/she should contact DSS and complete the Request Form as soon as practicably possible. CSUF cannot guarantee that it will be able to meet the accommodation needs during the semester or term in which the request is received.

DSS may deny the requested accommodation if it would fundamentally alter the nature of CSUF's operations. If denied, you will be provided an email stating the reasons for the denial. If we believe the requested accommodation poses a fundamental alteration to the nature of CSUF's operation, we will schedule a meeting at a mutually convenient time to discuss possible alternative accommodations that would not result in a fundamental alteration. DSS will ask you to accept an alternative accommodation only if you agree it meets your disability-related needs. If agreement on an alternative accommodation is not reached, we will email the decision with a detailed explanation for the denial or decision to grant an alternative accommodation.

If an individual with a disability believes the request has been denied unlawfully, they may follow the grievance process available on the DSS website.

Emotional Support Animals. An emotional support animal is any animal that works, provides assistance, performs tasks for the benefit of a person with a disability, or provides emotional support as prescribed as part of therapy for emotional or psychological disabilities and serve to alleviate symptoms of the disability.

California State University, Fullerton recognizes the importance of allowing emotional support animals as a reasonable accommodation in a housing unit that has a 'no pet' policy based on the Fair Housing Act (FHA) necessary to provide individuals with disabilities an equal opportunity to use and enjoy Student Housing. An emotional support animal does not necessarily need to be trained, and is not limited to any specific type of animal. Wild, exotic animals and reptiles carry diseases and pose a health and safety risk to other residents and as such are not a good fit for the Student Housing environment, and may be illegal to own in Orange County. Animals that require heat lamps, heat pads or require a live food source are also not approved due to fire safety and health concerns. ESA's are restricted to the student's room and can only leave for nature breaks. ESA's approved for housing are not allowed in classrooms, campus buildings, common rooms or campus events. ESA's must be under control of their owner at all times, cannot be left alone overnight, and cannot be cared for by another student.

Definitions

Emotional Support Animal. An Emotional Support Animal (ESA) is an animal that provides emotional support that alleviates one or more identified symptoms or effects of a person's existing disability and/or that works, provides assistance, or performs tasks for the benefit of a person with a disability. Unlike a Service Animal, an ESA does not necessarily need to be trained, and is not limited to any specific type of animal. An ESA is not a pet or a Service Animal.

Owner. The Owner is the resident student or resident employee who has an approved ESA in Student Housing under this policy.

Pet. A pet is an animal kept for ordinary use and companionship. A pet is not considered an ESA or a Service Animal.

Service Animal. A Service Animal is a dog that has been individually trained to do work or perform specific tasks for the benefit of an individual with a disability. With the exception of miniature horses, other animals do not qualify as Service Animals. An ESA is not a Service Animal. For information about Service Animals, please contact Disability Support Services (for students) or Human Resources (for employees).

Requesting an Emotional Support Animal

CSUF policy states that individuals are prohibited from having animals in Student Housing, however, DSS will consider a request by an individual with a disability for a reasonable accommodation as an exception to policy. Unauthorized animals may not be kept in Student Housing at any time prior to the individual receiving approval and will need to be removed from the premises until a determination has been made by DSS. If the animal is not removed, as a violation of the housing policy, the approval process may not move forward.

On-campus residents requesting an emotional support animal should follow DSS's procedure for requesting accommodations as outlined in the email from the Disability Specialist.

Requests are reviewed and approved **before** the beginning of the leasing period only since once the academic year begins, housing options are limited. If the request for accommodation is made fewer than 60 days before the individual intends to move in, CSUF cannot guarantee that it will be able to meet the individual's accommodation needs during that academic year.

If the need for the accommodation arises when an individual already resides in Student Housing, he/she should contact DSS and complete the request as soon as possible. CSUF cannot guarantee that it will be able to meet the accommodation need during the academic year the request is received.

DSS will require a statement 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 a licensed provider who is familiar with the individual's disability and the necessity for the requested accommodation who resides in the same state and has a therapeutic relationship with the student. A reliable third party is not related to the student in any way. A reliable third party includes, but is not limited to, someone who is licensed to provide medical care, therapy or counseling to persons with disabilities, including doctors, physician assistants, psychiatrists, psychologists, marriage and family therapists or social workers. Students must provide evidence of the continued need for the animal and immunization history for each academic year residing in housing.

ID cards or certificates for a 'registered service animal' are not sufficient verification and will not be accepted without additional verification from a reliable source. Many online services ("letter mills") advertise "ESA prescription" letters for sale. Various websites (National Service Dog Registry and CertaPet) provide certificates and letters of prescription that are not considered reliable proof of disability or disability-related need for an emotional support animal.

DSS, in consultation with the resident 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 emotional support animals:

- Whether the animal poses or has posed in the past a direct threat to the individual or others;
- Whether the animal causes or has caused excessive damage to housing beyond reasonable wear and tear;
- Whether the size of the animal or cage is too large for available assigned housing space with consideration for the animal's safety and roommates ;

- Whether the animal's presence would force another individual from individual housing (e.g. serious allergies);
- Whether the animal's presence otherwise violates individual's right to peace and quiet enjoyment; and
- Whether the animal is housebroken (defined as "trained to urinate or defecate outside the home in an appropriate location") or unable to live with others in a reasonable manner. Generally, animals serving in the role of ESAs should be mature animals. Animals that create noise/disturbance with their behavior, or those that are not fully housebroken may not reside in Student Housing.
- Students must provide evidence that the ESA meets all state requirements for vaccinations, health certifications and county licensing, including the rabies vaccine, before the animal is allowed into Student Housing. Dogs are not fully vaccinated until one year of age. Cats are not fully vaccinated until 4 months of age.
- CSUF policy is that only one animal will be allowed to reside in a single residential unit as a defined ESA.

The student must provide written consent for DSS to disclose information regarding the request for and presence of the emotional support animal to those individuals who may be impacted by the presence of the animal including, but not limited to, Student Housing personnel, health and safety officers, and potential and/or actual roommates or neighbors. Due to fire and safety regulations, the unit where the animal resides may require an emblem at the entryway noting the animal's presence. *CSUF reserves the right to assign an individual with an emotional support animal to another Student Housing unit if needed.*

Owner's Responsibility

Owners granted the accommodation of an emotional support animal in Student Housing shall be subject to the following rules, in addition to any other Student Housing rules and regulations not specifically related to emotional support animals. The owner must:

- **Keep the Animal in the Housing Unit.** An emotional support animal must be contained within the owner's privately assigned individual living accommodations except to the extent the individual is taking the animal out for natural relief. When an emotional support animal is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash no longer than 6 feet. Emotional support animals are not allowed in any CSUF facilities other than the Student Housing to which the resident is assigned.
- **Keep the Animal under Control.** The Emotional support animal must be properly housed and restrained or otherwise under the dominion and control of the owner at all times. No owner shall permit the animal to go loose or run at large. If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from Student Housing. All animals must be crated or contained within the owner's personal sleeping space when the owner is not in the housing unit. The animal may not be left to roam free due to safety reasons if facilities or housing personnel are required to enter the unit.

- **Abide by 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, which will include a vaccination certificate. Dogs are not fully vaccinated until one year, cats at 4 months. CSUF reserves the right to request documentation showing that the animal has been licensed. Additionally, the owner must abide by all equally applicable residential policies, such as assuring that the animal does not unduly interfere with the routine activities of the residence or cause difficulties for individuals who reside there. Housing may provide you with an identifiable marker to place on the leash of your animal that identifies it as an approved animal in housing and may place notification on the door of your unit alerting maintenance staff and emergency personnel of the animal in residence.
- **Ensure the Animal is Well Cared For.** The owner is required to ensure the animal is well cared for at all times and must provide housing with an off-campus emergency contact to retrieve the animal if the student is unable to care for it. Any evidence of mistreatment, abuse, neglect, or leaving the animal unattended for unreasonably long periods of time may result in immediate removal of the animal and/or discipline pursuant to the CSUF Code of Conduct and/or any housing-related sanctions within the Student Housing regulations. Student Housing 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. Emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal. Additionally, emotional support animals may not be left overnight in Student Housing to be cared for by any individual other than the owner. If the owner is to be absent from his/her residence hall overnight or longer, the animal must accompany the owner. If the animal is left unattended for an unreasonable amount of time, Student Housing has the right to remove the animal to a shelter or animal care center at the owner's expense.

The owner is responsible for ensuring that the emotional support animal is contained, as appropriate, when the owner is not present during the day while attending classes or other activities within the private sleeping space.
- **Responsible for Property Damage.** The owner is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner and, when provided, must use animal relief areas designated by Student Housing. An individual may be charged for any damage caused by his or her animal beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond normal wear and tear. The owner's living accommodations may also be inspected for fleas, ticks or other pests if necessary as part of Student Housing's standard or routine inspections. The owner is responsible for any expenses that are required due to the costs incurred for cleaning and fumigation that is above and beyond a normal cleaning or for repairs to University premises that are assessed after vacating the residence.

The owner is responsible for maintaining the cleanliness of their residence and must immediately clean up any messes left or created by the animal (this includes removal of animal hair from sinks and tubs and hair in living spaces). Owner must immediately report any damage to the property caused by the animal.

- **Notify DSS if Emotional support animal is No Longer Needed.** The animal is allowed in Student Housing only as long as it is necessary because of the owner's disability. The owner must notify DSS in writing if the emotional support animal is no longer needed or is no longer in residence. This permission applies to a specific animal and is not transferable to other animals.

Removal of the Emotional Support Animal

Student Housing may require the Owner to remove the emotional support animal from Student Housing if:

- The animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others, including and CSUF property;
- The animal's presence results in a fundamental alteration of the Student Housing program;
- The owner does not comply with the Owner's Responsibilities set forth above; or
- The animal or its presence creates an unmanageable disturbance or interference with the Student Housing community.

Housing will base such individualized determinations upon the consideration of the behavior of the particular animal and resident on a case-by-case basis, and in consultation with DSS, the resident, and other parties as appropriate. Student Housing will not base this determination on speculation or fear about the harm or damages an animal may cause. Any removal of the animal may be appealed pursuant to the grievance procedure. The owner will be afforded all rights of due process and appeal as outlined in that process. Should the Emotional support animal be removed from the premises for any reason, the owner is expected to fulfill his/her housing obligations for the remainder of the housing contract.

Acknowledgement and Release of Information Consent Form

This policy acts as an addendum to the Student Housing contract. By my signature below, I verify that I have read, understand and will abide by the requirements outlined here and agree to provide the additional information required to complete my request for a reasonable accommodation under the CSUF policy for Animals in Student Housing.

I have read and understand the policy on Animals in Student Housing and agree to abide by the requirements applicable to emotional support animals. I understand that if I do not meet the requirements set forth in the policy, CSUF has the right to request the removal of the animal and I will be nonetheless required to fulfill my housing, academic, and all other obligations for the remainder of the housing contract.

I furthermore give permission to the Disability Services Center and Student Housing to disclose to others impacted by the presence of my emotional support animal (e.g., potential and/or actual roommate(s)/neighbor(s)) that I will be living with an animal as an accommodation. I understand that this information will be shared with the intent of preparing for the presence of the emotional support animal and/or resolving any potential issues associated with the presence of the animal. I will hold CSUF harmless from any liability for disclosing such information.

I further recognize that the presence of the emotional support animal may be noticed by others visiting or residing in Student Housing and agree that staff may acknowledge the presence of the animal, and explain that under certain circumstances emotional support animals are permitted for persons with disabilities.

I understand that this agreement is for the current housing contract period and must be renewed at the signing of a new housing license agreement

I authorize the University to contact the person below to remove the animal from my residence in the event I am unable to care for the animal in case of an emergency or other unforeseen circumstances.

Name: _____ Relationship: _____

Address: _____

Phone: _____ Email: _____

Print Name: _____ CWID: _____

Signature: _____ Date: _____