

**Procedural Guidelines and Agreement
for Maintaining an Emotional Support Animal (ESA) for Residential Students at the
University of Maryland, Baltimore County
Effective for the 2021-2022 Academic Year**

I. Introduction

The University of Maryland, Baltimore County (“UMBC”) is committed to allowing for an Emotional Support Animal (ESA) to provide individuals with mental health disabilities an equal opportunity to use and enjoy University housing. The following guidelines explain the specific requirements applicable to all current and future residential students use of an Emotional Support Animal (ESA) in an UMBC residence hall, apartment, or Walker Avenue Apartment. UMBC reserves the right to amend these guidelines as circumstances require.

II. Definitions

An **Emotional Support Animal (ESA)**, also referred to as a Comfort or Therapy Animal, is a companion animal that provides emotional support to persons with a disability who have a documented need for such support as determined and prescribed by an appropriately qualified mental health professional. The ESA must be documented as necessary for an individual with a disability by an appropriately qualified and relevant mental health professional with whom the individual has an established relationship. An ESA is not a Service Animal (dog) under the ADA. Unlike a Service Animal (dog), an ESA does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times. ESAs are not pets. Under HUD, an ESA may be identified as a common household or other small domesticated animal that is traditionally kept in the home for pleasure.

A “**Student Partner**” as referenced in these guidelines refers to the individual who benefits from the ESA’s use.

The **Office of Student Disability Services (SDS)** as referenced in these guidelines refers to the office that collaborates with students, faculty, and staff to ensure that individuals with disabilities have equal access to all UMBC programs and activities.

The **Office of Residential Life (Residential Life)** as referenced in these guidelines refers to the office that provides facilities, services, and programs that support the academic mission of the institution and enhance the quality of life for students that live on campus.

III. Process for Requesting an ESA Accommodation

Although it is the policy of UMBC that students are generally prohibited from having animals of any type in University housing, UMBC will consider a request by a student with a disability for a reasonable accommodation to allow an ESA that is reasonable and necessary because of a documented disability. However, no ESA may be kept in University housing at any time prior to the student receiving approval as a reasonable accommodation consistent with these guidelines.

Students with documented disabilities that would like to request a housing accommodation based on a disability/disabling condition will need to [register](#) with SDS through the online student portal *Accommodate* ([via the online SDS Registration Form](#)). Students will provide documentation of their disability and discuss their disability limitations that may necessitate having an ESA in their residence with SDS staff. SDS will review and maintain the student's confidential disability documentation. SDS is responsible for evaluating whether to grant or deny requests for reasonable accommodation in University housing. In evaluating the request, SDS will consult with the Office of Residential Life ("Residential Life") and the UMBC ADA/Section 504 Coordinator, as necessary, to determine whether the requested accommodation is necessary and reasonable.

Students should also note their housing accommodation requests on the housing application submitted to Residential Life.

For all requests for an ESA, SDS will nonetheless consult with Residential Life in making a case-by-case determination of whether the presence of an ESA is reasonable.

A request for an ESA accommodation may be denied as unreasonable if the presence of the ESA:

- a. Imposes an undue financial and/or administrative burden;
- b. Fundamentally alters University Housing policies; and/or
- c. Poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including University property.

Students must receive approval for an ESA as an accommodation for a disability in University Housing via an official SDS letter of accommodation **and** must receive official written permission from Residential Life **prior** to bringing their animal on campus.

IV. Procedures for Registering an ESA with Residential Life

Students should begin the Residential Life registration process at least two (2) weeks before housing selection or the housing licensing deadline.

If the need for the ESA arises after the student is already placed in housing for the year, the student should provide the information at least thirty (30) days prior to the date the student would like to bring the ESA to the residence hall.

Students making requests after housing has already been assigned should note that even if the ESA is approved, Residential Life will make all reasonable efforts to accommodate the request on a prompt basis.

The student must complete the following Residential Life registration steps before the ESA may be permitted to be brought into the halls or apartments:

- a. Meet with a Residential Life representative for an intake meeting and to review *Procedural Guidelines and Agreement for Maintaining an Emotional Support Animal for Residential Students*;
- b. Submit all required animal documentation to Residential Life; and
- c. Receive a formal written permission letter from Residential Life.

Students who are found on-campus in possession of an animal without receiving formal written permission from Residential Life will be asked to remove the unapproved animals immediately and may be subject to conduct action.

V. General Criteria for Determining the Exclusion, Denial, and/or Removal of an ESA by Residential Life

University Housing is unique in several aspects including the mandatory assignment of roommates for many individuals and the mandate that individuals must share a room or suite in certain residence halls. To ensure that the presence of an ESA is not an undue administrative burden or fundamental alteration of Residential Life programs, a Student Partner's request for a specific animal may not be permitted by Residential Life.

The question in determining if an ESA will be allowed in University Housing is whether (1) the ESA is necessary to afford the student an equal opportunity to use and enjoy University Housing because of the student's disability and (2) its presence in University Housing is reasonable.

The following factors, among others may be considered, as evidence in determining whether the presence of the ESA is reasonable or in the making of housing assignments for students with an ESA:

- a. The ESA's vaccinations are not up-to-date;
- b. The ESA is not housebroken or is unable to live with others in a reasonable manner;
- c. The ESA's presence would force another individual from individual housing (e.g. serious allergies);
- d. The space needed for the cage/crate in which the ESA will be housed is too large for available assigned housing space;
- e. The ESA poses health risks from zoonotic diseases or safety concerns regarding containment that cannot be sufficiently mitigated for inclusion in the communal living setting;
- f. The ESA 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);
- g. The ESA causes or has caused excessive damage to housing beyond reasonable wear and tear; or
- h. The ESA's presence otherwise violates individuals' right to peace and quiet enjoyment of their residence.

Dangerous, venomous, unvaccinated, unregistered, unlicensed, illegal animals, and/or animals that pose a health risk to the community, such as those known to carry zoonotic

diseases, are not permitted. Nationally, salmonella outbreaks have been attributed to pet hedgehogs, bearded dragons, and turtles obtained through pet stores. Hospitalizations, and in rare instances death, have resulted. At this time, UMBC reserves the right to deny these species from University housing to protect the safety of our students in the residential community.

If the Student Partner is unable to remove the ESA from campus, Residential Life will reach out to the Student Partner's emergency contact. If emergency contacts cannot be reached to retrieve the ESA, then Animal Control will be contacted to remove the ESA from campus property, at the Student Partner's expense.

An ill ESA may be removed from University facilities or campus, upon notice to its Student Partner, as applicable

Student Partner's whose requested animal is denied permission by Residential Life or whose ESA is removed by UMBC officials are welcome to submit documentation to register a different animal with Residential Life (see Section IV).

If the Student Partner would like to bring a different animal to campus, they must go through the Residential Life registration process again (see Section IV). If a subsequent request is made and approved, then the original request and permission will be invalidated.

The ESA is allowed in University Housing only if it is necessary because of the Student Partner's disability. Should the Student Partner no longer need their ESA on campus, they should notify Residential Life and SDS in writing immediately.

Student Partners choosing to voluntarily remove their ESA from campus will maintain their SDS accommodation approval, as well as their Residential Life housing approval for the remainder of that academic year.

Should the ESA be removed from University facilities or campus for any reason, the Student Partner is expected to fulfill their housing obligations for the remainder of the housing contract.

VI. Notice to Residential Community

Once the ESA is permitted to reside on campus, Residential Life personnel will, when appropriate, notify residents of the shared space (room, suite, or apartment) and Residential Life Staff. The notification will establish the presence of the ESA and instructions related to the ESA.

A person who expects to come into contact with the permitted animal frequently, and who has medical condition(s) that are affected by animals, is asked to contact the Office of Student Disability Services if they have a qualifying disabling condition that prevents them from being able to live with an ESA, such as a documented allergic reactions or

mental health diagnosis related to the presence of animals. The Office of Student Disability Services will meet with the concerned student to determine the presence of a disability and whether there is a need for accommodation. Any change in housing assignment that is necessary due to disability will be coordinated in conjunction with SDS, Residential Life, and the impacted student(s) and is subject to space availability.

Residential Life will resolve any non-medical conflict in a timely manner. Staff members will consider the conflicting needs and/or accommodations of all persons involved. If reassignment of a resident is the only solution, the resident with the oldest approved accommodation may not be relocated.

VII. Required Documentation & Animal Records

- a. An ESA may not reside in a University Residence Hall/Apartment until the student has (1) received approval for an ESA as an accommodation for a disability in University Housing via an official SDS letter of accommodation, (2) submitted all required Residential Life documentation and (3) received formal written permission from Residential Life.
- b. The Student Partner 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 Student Partner's responsibility to know and understand these ordinances, laws, and regulations.
- c. The Student Partner must provide the Office of Residential Life with a signed *Procedural Guidelines and Agreement for Maintaining an Emotional Support Animal (ESA) for Residential Students at the University of Maryland, Baltimore County*, a completed *UMBC Office of Residential ESA Registration Form*, a copy of the Baltimore County Registration (as applicable), colored photo of their animal, and *Veterinarian's Verification* that the ESA has all veterinary-recommended vaccinations and that those vaccinations have been fully administered and activated to maintain the ESA's health and prevent contagious disease.
- d. The ESA must have all veterinarian-recommended vaccinations to maintain the ESA's health and prevent contagious diseases. Student Partners are expected to submit documentation of vaccinations prior to their move-in day for the Fall semester and/or Spring semester(s) as part of the housing license process and with each annual review.
- e. The ESA is required to be licensed in compliance with Maryland and Baltimore County laws. Baltimore County requires animals to be registered and tagged to be recognized in the County. Licensing is processed through their Department of Permits and Development:
<https://www.baltimorecountymd.gov/Agencies/animalservices/licensing.html>
- f. All dogs and cats that are three months of age or older and kept in Baltimore County for longer than 30 days per year must be licensed annually. The owner must provide proof of a current rabies vaccination when applying for the license.
- g. The University reserves the right to request an updated verification at any time during the ESA's residency. To ensure residential community health and safety, the ESA will not be allowed to live in on-campus housing until the appropriate vaccine cycles

- have fully been administered and activated, including rabies (for cats and dogs). Student Partners are encouraged to check with their veterinarian regarding the time span related to vaccine cycles and activation as they vary per species and age.
- h. The Student Partner must resubmit documentation for their animal annually with Residential Life, prior to the start of the Fall semester, to maintain their ESA permission.

VIII. Campus Access for an ESA

- a. ESAs are restricted from all areas of campus except the University Residence Hall/Apartment assigned to its Student Partner, and outdoor areas where the ESA relieves itself. ESA is not permitted in other areas of the University (e.g. dining facilities, libraries, academic buildings, athletic buildings and facilities, classrooms, labs, individual centers, etc.).
- b. The ESA must be contained within the Student Partner's privately assigned individual living accommodations (e.g., room, suite, apartment), when the Student Partner is not present during the day while attending classes or other activities.
- c. When the ESA is unattended, it must remain caged or crated in the Student Partner's bedroom. Current USDA floor area recommendations for individual dogs are:
 - i. Weight < 33 lbs: 8.0 ft²
 - ii. Weight 33-66 lbs: 12.0 ft²
 - iii. Weight > 66 lbs: 24.0 ft²
- d. The ESA must be properly housed and restrained or otherwise under the control of its Student Partner at all times while on University property, including within the University Residence Halls/Apartment.
- e. When an ESA is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness at all times while on or in University property.
- f. Student Partners may not request UMBC campus members (including but not limited to roommate(s), other residential students, staff and/or faculty) to care for, control, or maintain their ESA.
- g. If the ESA is taken outside the residence for purposes of natural relief, the ESA must wear identification tags with a campus address, a Baltimore County rabies tag, and, if applicable, additional vaccination information.
- h. Notwithstanding the restrictions herein, the ESA must be properly housed and restrained or otherwise under the dominion and control of the Student Partner at all times. No Student Partner shall permit the ESA to go loose or run at large. If an animal is found running at large, the ESA is subject to capture and confinement and immediate removal from University Housing.

IX. Animal Behavior, Health & Well-Being

- a. An ESA may reside in a University Residence Hall/Apartment with its Student Partner provided that its behavior and care do not create unreasonable disruptions for residents, Residential Life staff, and other University community members. Disruptions, including noise levels, will be addressed by Residential Life staff in the

same manner as with all students. Persistent disruptive behavior and/or immediate aggressive behavior may result in removal of the ESA.

- b. An ill ESA may be removed from University facilities or campus, upon notice to its Student Partner and/or Handler, as applicable.
- c. Bathing or cleaning of an ESA is expected to avoid significant odors and/or to manage the shedding of fur/hair. Student Partners may not use human showers/tubs within the University residential community to bathe or clean their ESA.

X. Student Partner Responsibilities

- a. The Student Partner is responsible for abiding by all equally applicable residential policies that are unrelated to the student's disability such as assuring that the ESA does not unduly interfere with the routine activities of the University and residence or cause difficulties for students who reside there.
- b. Sensitivity to residents, staff, and faculty with allergies, and to those who fear animals, is an important consideration for the Student Partner and Handler to ensure a community environment that supports the individual needs of all who reside or work at the University. When a Student Partner is informed of a person with a medical condition that is affected by the ESA, the Student Partner will refer the affected person to Residential Life or Student Disability Services if they have a health need or safety concern about exposure to the ESA.
- c. Student Partners are responsible for feeding and providing water for their ESA within the confines of their bedroom. Food should be kept in a sealed container within the Student Partner's bedroom.
- d. Student Partners are responsible for properly containing and disposing of the ESA's solid waste (e.g. feces).
- e. Indoor waste, and/or used litter, must be disposed of in an outside trash dumpster. Litter boxes may be placed on mats to minimize contamination of carpeted surfaces.
- f. Outdoor waste must be immediately retrieved by the Student Partner placed in a plastic bag, and securely tied before being disposed of in an outside trash dumpster.
 - a. If the ESA vomits, urinates, leaves solid waste, and/or becomes incontinent, it is the responsibility of the Student Partner or Handler to make sure the contaminated area is cleaned up immediately. If the contamination occurs indoors, clean-up must include disinfectant of the area and carpet or floor treatment to minimize damage to the facility.
- g. Student Partners are responsible for taking effective precautions to avoid flea and tick infestations. If the ESA is found to have fleas or ticks, the Student Partner will be responsible for eliminating the fur coat infestation and laundering all pet bedding, and personal effects. If fleas, ticks or other pests are detected within the residence, students will be notified, and the infestation will be treated using approved fumigation methods by a University-approved pest control service. The Student Partner will be billed, as are all students, for the expense of any required pest management due to the actions or negligence of the Student Partner.
- h. The Student Partner is financially responsible for the actions of the ESA including bodily injury or property damage, beyond ordinary wear and tear, including, but not limited to, any replacement or treatment of furniture, carpet, drapes, or wall covering.

The Student Partner is expected to reimburse these costs upon repair and/or move-out, whichever is earliest. If a repair is made prior to move-out, charges will be posted to the student's myUMBC account for payment.

- i. The Student Partner agrees, as all students do, to continue to abide by all other Residential Life policies. Having an ESA does not preclude the Student Partner from following all other guidelines found in The UMBC Residential Rights & Responsibilities guide and the UMBC Code of Student Conduct.
- j. If a Student Partner is unable to care for their ESA, due to extended travel and/or illness, they should make off-campus arrangements for the care of their ESA. UMBC roommate(s), other residential students, staff and/or faculty are not eligible to care for an ESA.
- k. If a Student Partner is relocated to quarantine and isolation housing, due to potential exposure to COVID-19, they are permitted to bring their ESA with them. However, Student Partners should take precautions to ensure that care of the ESA does not interfere with the established Quarantine & Isolation guidelines. If the Student Partner is unable to appropriately care for their ESA during their quarantine and/or isolation period, they should make off-campus arrangements for the care of their ESA.
- l. Any violation of the above rules and guidelines will be reviewed by Residential Life. The Student Partner will be afforded appropriate due process within this review.
- m. Should the ESA be disqualified or removed from the premises for any reason, the Student Partner will remain responsible for the terms and conditions of the Housing License for the remainder of the term of the License.

By my signature below, I verify that I have read, understand, and will abide by the Guidelines outlined here.

Resident Student Partner Signature

Date

I furthermore give permission to the Office of Residential Life to disclose information related to others impacted (e.g. Residence Life Staff, potential and/or actual roommate(s)/neighbor(s)) by the presence of my ESA. Such information shall be solely limited to information related to the ESA and shall not include information related to my disability.

I understand that the information about the ESA will be shared with the intent of preparing for the presence of the ESA.

Resident Student Partner Signature

Date

Director of Residential Life or Designee

Date

UMBC OFFICE OF RESIDENTIAL LIFE ESA REGISTRATION FORM

Please complete this form and submit it to Residential Life a minimum of 5 business days prior to move-in day each semester in which the ESA will arrive to campus. A new form must be completed if any changes in the information about your ESA occur. Important to note, animals cannot be brought into a student's housing without completion of the Residential Life registration.

- Provide the following documentation with this form:
- Color photograph of the ESA
- Copy of Baltimore County License:
<https://www.baltimorecountymd.gov/Agencies/animalservices/licensing.html>
- Verification of Health Records
- Copy of Training Certificate (optional)

Student's Name

Student's Campus ID

Student's Permanent Address

Student's Home Phone

Student's Campus Address

Student's Campus Email

Student's Cell Phone

Emergency Contact's Name

Emergency Contact's Phone Number

ESA's Name

Species of Animal and Breed

Description of the ESA

Photo should be attached or included.

Is the ESA current on veterinary –recommended vaccinations?

YES NO

Has the ESA ever bitten or shown aggression toward people?

YES NO

VETERINARIAN VERIFICATION FORM

Please attach the Veterinarian's Verification that the ESA has all Veterinary recommended vaccinations and that those vaccinations have been fully administered and activated to maintain the ESA's health and prevent contagious disease.

Veterinarian's Name and/or Clinic

Address

Phone Number

ESA Information

Owner's Name

Animal's Name

Animal's Species & Breed

Animal's Current Weight

Animal's Expected Max. Weight

Animal's Sex

Spayed or Neutered YES NO

Please check all that apply and attach current vaccination records:

- Rabies
- DHLPP + C (Distemper, Hepatitis, Leptospirosis, Parvovirus, Parainfluenza, Corona)
- Bordatella
- FVRCP (Panleukopenia, Rhinotracheitis, Calicivirus, Chlamydia)
- FeLV (Feline Leukemia)
- Other:

By my signature below, I verify:

- The above-mentioned animal has all current vaccinations as required and that those vaccinations have been fully administered and activated.
- That all the above vaccinations will remain current through one year.
- That the above-mentioned animal has been given a stool sample test for internal parasites.
- That the above animal is in general good health.

Veterinarian Signature _____ **Date** _____