South Carolina AHEC Emotional Support Animals Guidelines

SC AHEC recognizes the importance of Service Animals (SA) as defined by the Americans with Disabilities Act (ADA) and of Emotional Support Animals (ESA), supported by the Fair Housing Act. Although it is the policy of SC AHEC that, aside from SA, animals of any type are prohibited in the student housing apartments, consideration will be given to individuals with a disability for an exemption from this prohibition as a reasonable accommodation to a mental health or other disability.

The following are the applicable requirements to an individual's use of an ESA at SC AHEC student housing but does not apply to SA.

Documentation Requirements:

1) Requests for use of an ESA must be communicated at the time of the initial student housing application. The regional AHEC center needs advance notice for planning purposes, as others may also have accommodation needs, including those that conflict with a request for use of an ESA because students share rooms and common areas within student housing. For example, another student may have an animal allergy, which could qualify as a disability under the ADA, as an impairment that substantially limits the major life activity of breathing.

2) A letter from the requesting individual's mental health care provider (for example, a psychologist, counselor, psychiatrist or other licensed mental health professional) confirming that a specific ESA is being utilized for treatment purposes as part of a treatment plan and is necessary to help alleviate symptoms associated with the condition.

3) For canine/feline requests: certification from a licensed veterinarian indicating the ESA is current for immunizations; rabies vaccine; and the animal has been spayed or neutered; and any other documentation necessary to demonstrate compliance with applicable state or local laws, regulations, rules, or ordinances. All other animals will be evaluated on a case-by-case basis. Such requests must include a licensed veterinarian verification of most recent annual clean bill of health confirming the animal is free from communicable diseases.

Draft

4) A signed and dated acknowledgement of the SC AHEC ESA Guidelines (below). Please note: Requests for reasonable accommodation will not be considered until all required documentation has been submitted. The regional AHEC center may deny the requested accommodation if it is unreasonable. An accommodation request is generally deemed unreasonable if: it imposes an undue financial or administrative burden; fundamentally alters the student housing; or would impose a direct threat to the health or safety of others or cause substantial physical damage to the property of others.

Standards of Care:

1) The ESA owner is solely responsible for the ESA's care. This includes, but is not limited to, supervision, feeding, watering, bathing, walking, grooming, clean-up, and veterinary care.

2) The ESA owner is responsible for providing a crate, cage, or kennel where the animal will remain secured while not under the immediate and direct supervision of the owner. The cage, crate, or kennel must remain inside the ESA owner's bedroom. The ESA owner must follow all requirements for the presence of animals in public places mandated by state or local laws, regulations, rules or ordinances.

3) The ESA owner must take the ESA with them or make offsite arrangements for the ESA's care if the owner is away for more than 12 hours. ESAs may not be left unattended outside of the cage, crate, or kennel or under a roommate's care at any time.

4) Collar/identification tags must be worn by the ESA at all times.

5) ESA must be housebroken, or litterbox trained (owner to provide litterbox, litter, scoops, plastic bags, pads etc.).

6) Litterbox must remain within the owner's assigned bedroom. Litter box contents must be disposed of daily.

7) Animal feces must be secured in a plastic bag and immediately removed from the apartment. Animal feces must not be disposed of in garbage cans indoors or through the inside toilet/sewer system but

Draft

must be placed in the appropriate outdoor garbage receptacle (for example, a trash bin or dumpster designated by property).

8) The ESA owner is solely responsible for the regular and routine cleaning of floors, cages, kennels, and crates. Animal odors originating from the owner's bedroom are not acceptable.

9) Bathing of the animal should occur outside of the student housing, and bathing is prohibited in the housing bathrooms and kitchen.

10) Flea, tick, or other pest infestation resulting from ESA will be remedied at the owner's expense.

Safety and Behavior:

1) ESA must possess friendly and sociable characteristics.

2) ESA must not be disruptive to the other roommates or neighboring tenants (no excessive barking, growling, howling, meowing, or noise of any kind).

3) ESA owner is solely responsible for: a. Any damage to persons or property caused by the animal, including damage to the property of other residents or apartment furnishings; b. All liability for the actions of the animal are the responsibility of the owner; c. As such, the ESA owner should consider appropriate liability insurance.

4) ESA owner is solely responsible for ESA during natural disasters, fire, fire alarm or any other situation requiring a building evacuation.

5) ESA owner is solely responsible for loss, theft or injury to ESA while utilizing AHEC student housing.

6) For the safety of the ESA, ESA owner, and roommate(s), only one ESA will be allowed per apartment on a first come first served basis.

Damages and Violations:

1) At the time of the ESA owner's departure from AHEC student housing, or when the animal is no longer in the space, the apartment will be

Draft

assessed to determine if damage was caused to property by the animal.

2) SC AHEC and its regional centers reserve the right to inspect the space more frequently if damage is reported or reasonably suspected, or if there are reasonable concerns related to the owner's compliance with any of the items identified in this document.

3) Upon departure, the ESA owner is solely responsible for any cleaning beyond what is routinely done for any room. This may include, but is not limited to, extra steam cleaning of carpets, furniture and other fabrics, abatement of fleas or other pests, and deodorization of the space. The regional AHEC center will determine in its commercially reasonable discretion what cleaning and/or repair is required, and whether the provided cleaning or repair is satisfactory. The regional AHEC center may, in its discretion, subcontract for repair/cleaning and invoice the ESA owner for any such reasonable expenses.

4) Any allegation of violations to the above standards will be addressed by the regional AHEC staff and may result in the loss of ESA reasonable accommodation approval for current and future student housing stays.

Acknowledgement:

I have read and understand the above policy and standards as they pertain to ESAs at South Carolina AHEC student housing locations. Acknowledgment of this document will give SC AHEC and all regional AHEC centers the authority to notify any parties that may be impacted by the presence of the animal. The regional AHEC center will also notify any applicable roommates and/or suite mates that share space with the person with a SA or ESA and may require written approval from roommates and/or suite mates before granting any accommodation. No information as to the purpose of the ESA will be disclosed to the roommates and/or suite mates and will be shared only in accordance with the Family Educational Rights and Privacy Act.

Draft

Signature: _____

Legal Name (first and last) _____

Signature Date: _____

Draft