



Learning Resources

University of North Carolina School of the Arts
Teaching and Learning Center, 2nd Floor Library Annex
1533 South Main Street
Winston-Salem, NC 27127-2188

Residence Life Programs and Housing

University of North Carolina School of the Arts
Hanes Student Commons Office 334
1533 South Main Street
Winston-Salem, NC 27127-2188

Emotional Support Animal Regulation for On-Campus Residential Areas

Regulation Statement

These regulations apply to all individuals with approved Emotional Support Animals in on-campus housing at the University of North Carolina School of the Arts (UNCSA).

UNCSA is committed to providing accommodations to otherwise qualified students with a disability by making reasonable modifications in the academic and living environment on campus. UNCSA acknowledges that an Emotional Support Animal may be an effective accommodation for some individuals with a disability. The circumstances under which an Emotional Support Animal may be permitted on campus are subject to federal and state laws and UNCSA policy and regulation considerations. The following responsibilities and guidelines are adopted to preserve the mission of UNCSA, to recognize the rights and obligations of all members of the campus community, and to ensure the health, safety, security and educational needs of all students and individuals involved.

Section I. Definitions

A. Emotional Support Animal:

An Emotional Support Animal is an animal that provides emotional support to alleviate one or more identified symptoms or effects of a person's disability. An accommodation for an Emotional Support Animal does not qualify under the Americans with Disabilities Act (ADA); however, it may be considered a reasonable accommodation under the Fair Housing Act (FHA).

B. Pet:

A domesticated animal requested for pleasure or companionship. A pet is not covered as an Emotional Support Animal and will not qualify as an accommodation under the ADA or the FHA.

C. Owner:

A resident qualified and approved for the accommodation of an Emotional Support Animal in the residential environment on campus.

D. Direct threat:

Direct threat means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services.

Section II. Application Process

An Emotional Support Animal covered under FHA is permitted access to on-campus residential areas unless: (1) the animal is out of control and its Owner does not take effective action to control it; (2) the animal is not housebroken; or (3) the animal poses a direct threat to the health or safety of others that cannot be eliminated or reduced to an acceptable level by a reasonable modification to other policies, regulations, practices and procedures.

- A. An individual who wishes to bring an Emotional Support Animal as a disability-related accommodation into the living environment on campus must first contact the Coordinator of Learning Resources - UNCSA. Office mailing address is: 1533 South Main Street, Winston-Salem, NC 27127. Email address is: learningresources@unca.edu, and phone number is: 336-726-6963. Physical address of the office is in the Teaching and Learning Center, 2nd floor, Library Annex. Additionally, the individual must also notify the Office of Residence Life Programs & Housing, in advance, so an appropriate housing arrangement can be made in accordance with the procedures established by that office, and so that sufficient time is available to implement the accommodation, if granted.
- B. The Office of Learning Resources will evaluate the accommodation request for an Emotional Support Animal in accordance with the FHA to determine if the requester is an individual with a disability and if the requested animal qualifies as an Emotional Support Animal under the FHA. To make this determination, the requester must submit documentation of a disability to the Office of Learning Resources.
- C. Completed requests for an Emotional Support Animal to live in campus housing, including the supporting disability documentation, should be submitted to the Office of Learning Resources at least 60 days prior to an upcoming semester's move-in date, and in all cases must be submitted prior to bringing an Emotional Support Animal to campus. Submission of a request after the semester move-in date may delay the University's decision. Individuals may not bring an Emotional Support Animal to campus while a request is pending.
- D. Documentation related to an accommodation request for an Emotional Support Animal must meet the University's General Documentation Guidelines and substantiate the existence of a disability and a disability-related need for an Emotional Support Animal as an accommodation. Please visit the University's [General Documentation Guidelines](#). An individual who requests to bring an Emotional Support Animal into the living environment

must also complete an *Emotional Support Animal Information Form* and submit it to the Office of Learning Resources.

- E. The Office of Learning Resources may deny a request to have an Emotional Support Animal in the residential environment under the FHA if the Emotional Support Animal poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation, or the animal in question would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation. Additionally, the Office of Learning Resources may deny a request to have an Emotional Support Animal in the residential environment under the FHA and Section 504 if such permission would impose an undue financial and administrative burden or would fundamentally alter the nature of UNCSA's services.

Section III. Responsibilities and Guidelines

An individual who wishes to bring an approved Emotional Support Animal, into the residential environment on campus has the following responsibilities and must certify in writing that the individual understands the following conditions:

A. Owner's Responsibilities:

1. The Owner is responsible for the safety, health, behavior and actions of the animal at all times.
2. The Owner is required to maintain full control (such as barking, whining, etc.) of the animal at all times while on property owned or controlled by the University.
3. An Emotional Support Animal may be excluded from the University campus when the animal's behavior poses a direct threat to the health or safety of others.
4. The Owner must keep the animal on a leash/lead at all times; wandering off leash is not permitted.
5. Individuals who have an approved Emotional Support Animal on campus are not exempt from local animal control or public health requirements. Owners are responsible for compliance with state and local laws concerning animals (including registration, vaccinations, and tags). Local licensing requirements must be followed as well as local ordinances and regulations for immunization against diseases common to each specific type of animal. Dogs must have current vaccination against rabies and wear a rabies vaccination tag. Cats must also have current vaccination against rabies and wear a rabies vaccination tag. Other animals should have the normal shots required for a healthy animal.

Forsyth County Animal Control licensing and registration is required. Written verification that the Emotional Support Animal has met local licensing and registration

requirements must be presented to the University during the application process. Written verification regarding the age of the animal must also be presented to the University during the application process. All health related records for the animal must be updated as required by the County.

6. An Emotional Support Animal must meet specific age requirements before they will be approved on campus. Animals that are too young to obtain rabies vaccinations are not allowed in the living environment on campus. The animal must be old enough to receive a rabies vaccination and recover from the vaccination before it may be allowed in the living environment on campus. A Dog must be 10 months of age or older before it will be approved for the living environment on campus. A Cat must be 1 year of age or older before it will be approved for the living environment on campus.
7. An Emotional Support Animal is not allowed in spaces considered unsafe for the animal itself or for persons using the areas. An Emotional Support Animal may also be restricted from a specific area of a residential living area reserved specifically for students with allergies.
8. An Emotional Support Animal must not be left unsupervised in UNCSCA housing for more than (4) hours at a time.
9. An Emotional Support Animal may not be left unattended at any time on property owned or controlled by the University (outside of the approved UNCSCA housing). The animal may not be tied or tethered to any property owned or controlled by the University, including but not limited to buildings, railings, bike racks, fire hydrants, fences, sign posts, benches and trees, and may not be allowed to run loose anywhere on campus.
10. An Emotional Support Animal may not be left in University housing to be cared for by another residential student.
11. An Emotional Support Animal must be taken with the Owner if the Owner leaves campus overnight or leaves for a prolonged period of time.
12. The Owner is responsible for ensuring that an Emotional Support Animal does not interfere unduly with the activities of the residence hall community or cause difficulties for residents who reside there.
13. An Emotional Support Animal must not obstruct or disturb any space, or activity of University programming of the living or academic environment on campus including but not limited to: residence halls or other living spaces, classrooms, campus buildings or recreational areas, eating areas, roads, walkways and passages on any part of campus, legitimate campus activities and any other University programs, spaces or activities.
14. An Emotional Support Animal must not engage in behaviors or noises that are disruptive to others including but not limited to: excessive barking, excessive meowing, excessive whining, excessive growling, excessive grooming, excessive sniffing of people, or

intrusion into the personal belongings of others. The animal must be crate trained, meaning without crying, whining or whimpering.

15. An Emotional Support Animal must be contained within the privately assigned residential area (room, suite, or apartment) at all times, except when transported outside the private residential area in an animal carrier or controlled by a leash or harness. The animal must be in a crate when student is not present. The crate must be large enough so the animal can comfortably move around freely. When outside the residence, the Owner of an approved Emotional Support Animal, shall carry verification that the animal is an approved Emotional Support Animal on campus (a completed and fully signed ESA Animal Information Form).
16. An Emotional Support Animal may not attend any school supported event or performance on or off campus, and is not permitted in common areas of the residence hall.
17. The Owner is financially responsible for the actions of their Emotional Support Animal including bodily injury or property damage. An Owner whose Emotional Support Animal causes damage to University property may be charged for replacement and repair of the University or other students' assets, including grounds, personal property and improvements. Owner's responsibilities include, but are not limited to, replacement costs of furniture, carpet, windows, wall covering, etc. Owner is expected to pay for these costs at the time of the repair, move-out date, or as designated by a University official.
18. The Owner shall ensure that an Emotional Support Animal is trained to relieve itself outside the residential facility or only in a special place such as a litterbox.
19. The Owner is responsible for ensuring that when an Emotional Support Animal needs to relieve itself that such relief takes place in designated spaces marked as areas for disposal of bodily wastes, such as species appropriate cages/crates/habitats. The animal litterbox is to be cleaned daily. The animal waste and litterbox waste is to be taken to the outside dumpster daily.
 - a. The Owner is responsible for cleanup of their Emotional Support Animal's waste (i.e. feces). Indoor animal waste, including cat litter, must be placed in a sturdy plastic bag and securely tied before being disposed of in outside trash dumpsters. Litter boxes should be placed on mats so that waste is not tracked onto carpets, surfaces, or other flooring. Pee pads are not permitted for toileting.
 - b. The Owner is responsible for cleanup of any waste created by their Emotional Support Animal, and for all costs related to damages created by the animal.
 - c. In all cases of damage to UNCSCA facilities or property by an animal failing to control its bodily elimination due to illness or otherwise, the Owner is responsible for the cost of additional cleaning or repairs to UNCSCA facilities or the cleaning

repair, or replacement or damaged property.

20. The Owner is responsible for managing all cleaning tasks associated with keeping and caring for their Emotional Support Animal including hair/fur, waste management, litter and bedding. University housekeeping equipment, facilities and/or supplies may not be utilized for any animal cleaning task.
21. To replace a previously approved Emotional Support Animal with another animal, the Owner must contact the office of Learning Resources and follow the appropriate application procedures and complete the necessary documents as noted in this Regulation to request a different animal and to ensure documentation supports the replacement animal.

B. Conditions:

1. The Owner's residence will be inspected twice a semester for fleas, ticks or other pests, or as needed. Residence Life Programs & Housing will schedule the inspection with a 24 hour notice. If fleas, ticks or other pests are detected through inspection, the residence will be treated using methods by a University approved pest control service. The Owner will be financially responsible for the expense of any pest treatment above and beyond standard pest management in the residence halls.
2. Neither UNCSA employees or agents, nor students, are required or responsible to provide food, care or any additional space for an animal. This includes but is not limited to, removing the animal during an emergency evacuation, including a fire alarm. Emergency personnel will determine whether to remove the animal, and emergency personnel or the University will not be held responsible for the care, damage to, or loss of the animal.
3. The Owner shall have a plan in place for animal care in the event of an emergency. The Owner shall be responsible for arranging alternative shelter if the animal has to be removed from campus due to disruptive or unsafe behavior or due to unsafe environmental conditions, if the Owner becomes unable to care for the animal.
4. The Owner shall provide contact information for an alternative caregiver/emergency contact who will take responsibility for the animal and remove it from campus should the Owner be unable to care for it (e.g. hospitalization, accident, etc.). This individual must be able to take the animal if the animal must be removed from campus.
 - a. The caregiver/emergency contact must reside off campus and must be available to remove the animal within the designated time period.
 - b. Dogs must be removed within 6 hours. All other animals must be removed in no more than 12 hours.
 - c. If the caregiver/emergency contact is not able to remove the animal within the designated time period, an alternative shelter plan will be enforced.

- d. The Owner will be responsible for all financial costs associated with an alternate shelter.
5. Any animal found unattended in or on any University property (outside of the approved UNCSA housing) may be reported and impounded by Forsyth County Animal Control.
6. All roommates or suitemates of the Owner must sign a *Roommate Agreement Form* agreeing to room with the approved animal. In the event that one or more roommates or suitemates do not agree, either the Owner and animal or the non-approving roommate(s) or suitemate(s), as determined by the office of Residence Life Programs & Housing, will be moved to a different location.
7. The office of Residence Life Programs & Housing has the authority to relocate an Owner and approved animal as necessary according to the general housing agreement contract.
8. A reasonable accommodation in the living environment which may constitute an exception to the Community Living Standards that otherwise would prohibit an animal in the living environment on campus does not constitute an exception to any other Community Living Standard.

Section IV. Procedure for Removal of an Emotional Support Animal

- A. UNCSA may require the Owner of an Emotional Support Animal to remove an approved animal from Residence Life Programs & Housing:
 1. If an Emotional Support Animal poses a direct threat to the health and safety of others;
 2. If an Emotional Support Animal causes substantial property damage to University property of the property of others;
 3. If the Owner fails to maintain direct control over their Emotional Support Animal;
 4. If there is a question or concern about the Owner's ability to control their Emotional Support Animal;
 5. If the Owner fails to comply with all rules and regulations of UNCSA that apply to Emotional Support Animals in housing;
 6. If the Owner fails to comply with all rules and regulations of UNCSA that apply to animals on campus;
 7. If the Owner fails to comply with any of the provisions of the Emotional Support Animal Regulation for On-Campus Residential Areas.
 8. If an Emotional Support Animal is deceased or carrying a zoonotic and/or communicable disease.
 9. If inhumane treatment of an animal is reported and confirmed.
- B. The University or a representative of the University may ask an Owner to remove their approved Emotional Support Animal on campus if the Owner cannot maintain control over the previously approved animal or if the animal is not housebroken, or if the Owner fails to comply with any provision of this Regulation; after the Owner has received written notice of such violation, until such time that the Owner can show the animal is housebroken, can

demonstrate control over the animal, or otherwise demonstrate compliance with this Regulation.

1. If a student is told a previously approved Emotional Support Animal must be removed from on-campus housing, the student must remove the animal within 24 hours of written notification.
 2. If the Owner is prohibited from bringing their Emotional Support Animal into on-campus residential areas, or until such time that the animal is permitted back on campus, the University shall offer such other reasonable accommodations to the Owner in an effort to provide the Owner equal access to campus and to minimize any interruption of the Owner's classes.
- C. If an approved Emotional Support Animal is banned from University property, the individual with a disability will have the right to engage in an interactive process to determine whether the individual can continue to participate in their work or learning environment with other appropriate accommodations.
- The Owner shall meet with the Coordinator of Learning Resources to engage in the interactive process under Section 504 of the Rehabilitation Act of 1973 for the purpose of determining what reasonable accommodations are available to the Owner until such time that an Emotional Support Animal is permitted back on campus.
- D. If an approved Emotional Support Animal is required to be removed from the University, for any reason, the Owner is still required to fulfill housing obligations for the remainder of the academic year.

Section V. Violations of this Regulation

- A. Any student with a prohibited or unapproved animal in on-campus housing is subject to a violation of the College Housing Policies. Likewise, any student with an approved Emotional Support Animal who violates any provision of the Regulation is subject to discipline under the discipline stated within the College Housing Policies. Such discipline may include the restriction of removal of an Emotional Support Animal. Any violation of the Regulation by an Emotional Support Animal will be considered a violation by the Owner.
- B. Residence Life Programs and Housing may remove an Emotional Support Animal from on-campus residential areas for violations of this Regulation without initiating a disciplinary proceeding.
- C. Residence Life Programs and Housing may remove from on-campus residential areas any animals that are prohibited, unapproved, or otherwise in violation of University regulations and/or policies.
- D. Residence Life Programs & Housing regulations as well as the rules and regulations related to on-campus housing that are set out in this Regulation and violated by a student with an

Emotional Support Animal in on-campus housing, will be referred to the same conduct process for all students, with or without a disability, who are residing in on-campus housing.

UNCSA regulations that apply to animals on campus, as well as the rules and regulations related to the general UNCSA campus that are set out in this Regulation and violated by a student with an Emotional Support Animal in on-campus residential areas, will be referred to the same conduct process, Housing Policy Infraction process or Student Conduct process for all UNCSA students, with or without a disability. Three Housing Policy Infractions within the same academic year become an automatic Minor Infraction as listed in the Student Code of Conduct.

Section VI. Grievances

Individuals who believe they have a legitimate grievance against the University or a University employee in a matter relating to the use of an Emotional Support Animal, may seek resolution of that grievance through the appropriate University procedure, listed below.

UNCSA has adopted an appeals process for disability-related matters to ensure a student's rights and privileges are protected. To learn more, go to the following link to the [UNCSA Disability Appeal Procedure](#). The ADA and Section 504 Compliance Officer for the University is committed to ensure that students with disabilities have equal access to educational opportunities at UNCSA. For questions or concerns regarding access to programs and services please contact the ADA and Section 504 Compliance Officer for the university. Every effort will be made to resolve a situation or concern and/or the student will be referred to the appropriate individual for assessment and review. The ADA and Section 504 Compliance Officer for UNCSA is:

Office of Learning Resources
Jorja Waybrant, Coordinator
Office Location: Teaching and Learning Center, 2nd floor, Library Annex
Phone: 336-726-6963
Fax: 336-726-6964
Email: waybrantj@unca.edu

This Regulation does not supersede any local/state/federal laws on animals.

cc: Learning Resources
Residence Life Programs & Housing

Rev 2-2019