



## **ESA RULES & GUIDELINES**

### ***Control:***

The student is responsible for ensuring that the ESA does not unduly interfere with the routine activities of the residence halls or of the residential students. Reported behaviors that are not conducive to the MSUN community will be processed through the appropriate procedure.

The student must comply with all state laws and local animal ordinances as well as recommended Residence Life policies and guidelines including, but not limited to, the following;

- An ESA may reside in the residence hall only in the assigned space after the approval process has been completed.
- Within the residence hall, ESA's are NOT permitted in ANY public common spaces including community/shared spaces and lounges.
- The student is solely responsible for the ESA's care, restraint, control, and supervision at ALL times.
- In the event the ESA no longer resides in the residence halls the student must inform the Residential Life staff and Accessibility Coordinator.

### ***Unattended ESA:***

ESA's shall not be left alone for extended periods of time in a student's room and should never be left overnight without the owner. In the event an ESA is left for an extended period of time without proper care, Residential Life will attempt to contact the student or their emergency contact to remove the ESA from school grounds. If these parties are unable to be reached, Residential Life may notify the local Animal Control personnel to have the ESA removed. Any costs for removal of the ESA shall be the responsibility of the student.

### ***Emergency Contact:***

The student must provide Residential Life with contact information for an alternative caregiver if the student is unable, or unwilling, to provide adequate care. Residential Life will assume no responsibility or liability for the care of the student's ESA.

***ESA Containment:***

ESA must be contained within the assigned residential room at ALL times except when transported outside. The ESA must be under the control of the student, and the student is responsible for the actions of their ESA.

***ESA Identification:***

The ESA must meet legal requirements for licensing. Residential Life reserves the right to request documentation showing the ESA has been licensed. Cats and dogs must wear current vaccination and identification tags at all times. Additionally, dogs and cats shall wear a tag identifying the ESA and its owner with the name and telephone number clearly printed.

***ESA Behavior:***

Students are responsible for any odors, noises, damage or other conduct that disturbs others or damages the premises. Reported actions of the ESA that violate Residential Life policies, such as, but not limited to, a noise violation, will result in a conduct hearing with the student. Excessive violations of policies could result in removal. Removal of the ESA and/or cancelation of the contract should be listed explicitly as potential outcome.

***Cleanliness and Sanitation:***

The student agrees to weekly cleaning, or as needed of their living space to minimize the accumulation of ESA fur/dander. The student is responsible for providing equipment necessary to clean their living space (i.e.; broom, vacuum, duster, etc.).

Students are responsible for properly containing and disposing of the ESA's waste, which will necessitate different handling precautions and responsibilities based on ESA species.

- Indoor ESA waste, used litter, wood shavings, etc. must be disposed of in a sealed plastic bag. Used litter should be disposed of daily, placed in a plastic bag and securely tied before being disposed of in an OUTSIDE TRASH DUMPSTER. ESA waste may not be disposed of in the hallway trash, lounge trash or bathroom trash containers. ESA waste, litter, shavings, etc. may not be flushed down the toilets or urinals.
- All outdoor ESA solid waste must be immediately retrieved by the student, placed in a plastic bag, and securely tied before being disposed of in an OUTSIDE TRASH DUMPSTER.
- If the ESA vomits or becomes incontinent, it is the responsibility of the student to make sure the contaminated area is cleaned up immediately, and the affected surfaces cleaned by the student with appropriate disinfectant.

## **ADDITIONAL ACCOUNTABILITY/CONDISERATIONS**

### ***Residential policies:***

The owner agrees to abide by all other residential policies. Though this reasonable accommodation constitutes an exception to the prohibition of ESA's in residence halls, this does not constitute an exception to any other residential policies.

### ***Removal of ESA:***

Any violation of the policies outlined in their document may be considered grounds for immediate removal of the ESA. The owner will be afforded all rights of due process and will have the case heard by Dean of Students. Should the approved ESA be removed from the premises for any reason, the owner is expected to fulfill their housing obligations for the remainder of the housing contract period.

- ESA may be removed in the event it causes or poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation.

### ***Damages:***

The student is solely responsible for any damage to persons or property caused by the ESA. The student shall be financially responsible for the action of the approved ESA including bodily injury. The student is responsible for any expenses incurred for cleaning above and beyond a standard cleaning or for repairs to the residential space that are assessed after the student and ESA vacate the residence including, but not limited to, replacement of furniture, floor tile, dry wall or wall coverings, closet and room doors. If fleas, ticks or other pests are detected in the residence hall as a result of the ESA, Residence Life reserves the right to treat the building using approved fumigation methods and bill the student for the expense of any pest control treatments.

### ***ESA Missing, Damage, or Death:***

The student is responsible for immediately notifying Residential Life if their ESA dies or goes missing. Residential Life is NOT responsible for loss, damage to, or death of the ESA.

### ***Roommate Conflict:***

If one or more roommates or suitemates do not approve of the ESA, then Residential Life professionals should evaluate the information and make accommodations without discrimination related to the disability. Residence Life also reserves the right to provide other reasonable accommodations as necessary dependent on circumstances.

## REFERENCES

FAQs on Emotional Support Animals, (2015). Retrieved from:  
<https://www.animallaw.info/article/faqs-emotional-support-animals>

U.S. Department of House and Urban Development (2013). *Service Animal and Assistance for People with Disabilities in housing and HUD-Funded Programs*. Retrieved from  
[https://www.hud.gov/sites/documents/SERVANIMALS\\_NTCFHEO2013-01.PDF](https://www.hud.gov/sites/documents/SERVANIMALS_NTCFHEO2013-01.PDF)