



SJC EMOTIONAL SUPPORT ANIMAL (ESA) GUIDELINES AND AGREEMENT

SJC is committed to allowing Emotional Support Animals (ESAs), necessary to provide students with mental health disabilities an equal opportunity to use and enjoy on-campus student housing. The following guidelines explain the specific requirements applicable to a student's use of an ESA in Housing and Residence Life. SJC reserves the right to amend these guidelines as circumstances require. These guidelines apply solely to ESAs that may be necessary in Housing and Residence Life. It does not apply to "service animals" as defined by the ADA (Americans with Disabilities Act Amendments Act), and whose presence on campus is explained in the [SJC Service Animal Policy](#). **Emotional Support Animals may not be brought into SJC (San Juan College) Housing and Residence Life without expressed approval of the Disability Services Office and Housing and Residence Life.** Bringing an animal in before it is approved is a violation of institutional rules and makes such a disciplinary issue and can be treated as any other infraction.

Emotional Support Animals

ESAs are animals that enable a person with a disability an equal opportunity to use and enjoy student housing by alleviating the symptoms of the disability. Unlike a service animal, an ESA might not be trained, and it does not always accompany a person with a disability. ESAs are not pets, but they typically are animals commonly kept in households as pets. An ESA may be a dog (most common), cat, small bird, rabbit, hamster, gerbil, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure. Reptiles (other than turtles), barnyard animals, monkeys, and other non-domesticated animals are not considered common household animals and may not qualify as an ESA. Although ESAs may be considered for limited access to assigned room in Housing and Residence Life, they may not be permitted in other areas of the San Juan College Campus (e.g., libraries, academic buildings, classrooms, labs, student center, etc.).

Procedure for Requesting ESAs

A student may request an ESA accommodation based on medical, psychological, or other disability-related needs. Requests are initiated by completing an application with the Disability Services Office (DSO) located on the MySJC Portal. Students should indicate that they are seeking to keep an ESA as a housing accommodation(s). DSO will review requests on a case-by-case basis. The Disability Services Office will work with the student to complete the necessary paperwork related to the student's request.

The student making the request for accommodation must cooperate with DSO promptly in providing all information needed to respond to the requested accommodation.

The request for housing accommodation(s) can be made at any time. However, it is requested that the student make the request 60 days (about 2 months) before the individual intends to move into college housing.



ESA Criteria

1. For all requests for ESAs, DSO may consult with Housing and Residence Life in deciding whether the presence of an emotional support animal is a reasonable accommodation. A request for an animal may be denied as unreasonable if the presence of it:
 - a. imposes an undue financial and/or administrative burden;
 - b. fundamentally alters SJC housing procedures;
 - c. poses a direct threat to the health and safety of others; and/or
 - d. would cause substantial property damage to the property of others, including college property.
 - e. SJC may consider the following factors, among others, as evidence in determining whether the presence of the animal is reasonable or in the making of housing assignments for individuals with Emotional Support Animals:
 - i. The space needed for the cage/crate in which the animal will be housed is too large for available housing space.
 - ii. The animal's presence would force another individual from individual housing (e.g., serious allergies).
 - iii. The animal's presence otherwise violates individuals' right to peace and quiet enjoyment.
 - iv. The animal is not housebroken or is unable to live with others in a reasonable manner.
 - v. The animal's vaccinations are not current.
 - vi. The animal 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.
 - vii. The animal causes or has caused excessive damage to housing beyond reasonable wear and tear.
 - viii. The animal does not have an established relationship with the owner and the behavior of the animal is unknown.
 - ix. The animal poses health risks from zoonotic diseases or safety concerns regarding containment that cannot be sufficiently mitigated for inclusion in the communal living situation.
2. Housing and Residence Life 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. To ensure that the presence of ESAs is not an undue administrative burden or fundamental alteration of housing, SJC reserves the right to assign an individual with an ESA to a single room without a roommate.

Access to Facilities and Control

1. ESAs must be contained within the privately assigned individual living accommodations (e.g., room) except to the extent the individual is taking the animal out for natural relief. When an ESA is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. ESAs are not allowed in any SJC facility other than the room to which the individual is assigned. Emotional Support Animals are not allowed indoors on the SJC campus other than the handler's assigned room. This includes common spaces in the residence hall.



2. When owner is not in the assigned room, animals must be crated or contained in an appropriately sized enclosure.
3. Notwithstanding the restrictions set forth here, ESAs must be properly always housed and restrained or otherwise under the dominion and control of the owner. No owner shall allow 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 SJC housing.

Student Responsibility for ESAs

1. Student is responsible for the care and supervision of the ESA (e.g., cleaning the animal, feeding/watering the animal, designating an outdoor relief area, disposing of animal waste, etc.). Student is responsible for the health and hygiene of the animal, including daily grooming and occasional baths as may be needed to keep animal odor to a minimum. Owners should not use the sinks or showers in the residence hall to bathe the ESA. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and securely tied up before being disposed of in an outside trash receptacle. Litter boxes should be placed on mats so that waste is not tracked onto other surfaces.
2. Each student is limited to only one approved animal.
4. Student is responsible for assuring that the ESA does not unduly interfere with the routine activities of the residence or cause difficulties for students on campus.
5. The owner is financially responsible for the actions of the ESA including bodily injury or property damage and will protect, defend, indemnify, and hold SJC, its employees and agents harmless from any injuries, damages, costs, attorneys' fees, and expenses that are caused by the ESA.
6. The owner is responsible for any expenses incurred for cleaning beyond standard cleaning or repairs to SJC premises that are assessed after the student and animal vacate the residence. SJC will apply charges to the owner's student account.
7. The owner's residence may be inspected for fleas, ticks or other animal related pests during normal Health and Safety Inspections or as needed. If fleas, ticks or other pests are detected, the residence facility will be treated using approved fumigation methods by a college-approved pest control service provider. The owner will be billed for the expense of any pest treatment beyond standard pest management in the residence facility. Repeated issues will result in exclusion of the animal.
8. 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 individual's responsibility to know and understand these ordinances, laws, and regulations. SJC has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate. SJC reserves the right to request documentation showing that the animal has been licensed.
9. The individual must provide written consent for DSO to disclose information about the request for and presence of the ESA to those individuals who may be affected by the presence of the animal including, but not limited to, Housing and Residence Life personnel and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.
10. The owner must notify DSOs in writing if an ESA is no longer needed or is no longer in residence. To replace an ESA, the owner must file a request for a new ESA.



11. Approved Animals may not be left alone longer than 8 hours in Housing and Residence Life. Leaving the animal in the care of someone else is not permitted. Animals must be taken with the student if they leave campus for a prolonged period - dogs especially should not be left unattended through the day. The animal may not be left in the living unit if the student is not actively in residence.

Removal of ESA

1. San Juan College reserves the right to require the individual to remove the animal from housing if the ESA becomes an unreasonable burden, including but not limited to, the following:
 - a. the animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others.
 - b. the animal's presence results in a fundamental alteration of a college program.
 - c. the owner does not comply with the owner's Responsibilities set forth above; or
 - d. the animal or its presence creates an unmanageable disturbance or interference with the college community.
 - e. the animal is being abused, neglected or harmed. Cruelty to animals is a violation of policy. Beating, neglecting, or otherwise harming an animal in your care will result in the animal being removed and will be considered a violation of the Student Code of Conduct.
 - f. the animal is unruly or disruptive (e.g., barking, running around, bringing attention to itself, jumping up on people, whining, squawking, scratching, chewing, being aggressive or not being properly housebroken).
2. Should the ESA be removed from the premises for any reason, the owner is expected to fulfil the housing obligations for the rest of the housing contract.
3. Any violation of the above rules may result in immediate removal of the animal from the college. These violations may also be considered as Code of Conduct violations. SJC will base such determinations upon the consideration of the behavior of the animal at issue, and not on speculation or fear about the harm or damage an animal may cause. Any removal of the animal will be done in consultation with the Disability Services Coordinator. The owner will be afforded all rights of due process and appeal as outlined in that process.

Appeals

Appeals of reasonable accommodation decisions, including removals of ESAs, are heard by the Vice President of Student Services. The office is located at Rm. 4122 Education Services Building and the phone number is 505-566-3400

The Section 504 Title II Coordinator handles complaints of discrimination, harassment and retaliation, including, but not limited to, the accommodation process or denial of an appeal of an accommodation decision. The Assistant Director of Human Resources/Officer of Equity, Diversity and Inclusion is the designated Section 504/Title II Coordinator. The office is located at Rm. 4236 Education Services Building and the phone number is 505-566-3515.



Non-Retaliation Provision

SJC will not retaliate against any person because that individual has requested or received reasonable accommodation in SJC housing, including a request for an ESA.

By my signature below, I verify that I have read, understand and will abide by the requirements outlined here and I agree to provide the additional information required to complete my Request for Reasonable Accommodation for Housing and Residence Life.

Acknowledgement and Release of Information Consent Form

I have read and understand the Emotional Support Animal Guidelines and Agreement and I agree to abide by the requirements applicable to ESAs. I understand that if I do not meet the requirements in these guidelines, SJC has the right to remove the ESA and I will be required to fulfill my housing, academic, and all other obligations for the remainder of the housing and residence life contract.

I furthermore give permission to the Disability Services Office to disclose to others impacted by the presence of my ESA (e.g., Housing and Residence Life staff, 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 ESA and/or resolving any potential issues associated with the presence of the ESA. Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.

I further recognize that the presence of the ESA may be noticed by others visiting or living in Housing and Residence Life and agree that staff may acknowledge the presence of the animal and explain that under certain circumstances ESAs are permitted for persons with disabilities.

Individual Signature _____ Date _____

DSO Representative _____ Date _____

Housing and Residence Life Representative _____

Date _____

Name of someone not living on campus that will serve as the emergency care of the ESA

Contact number _____