

Student Life

Emotional Support Animal Policy 2026 – 2027 Academic Year

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Policy Overview

Florida Southern College (FSC) Policy prohibits students from having animals in any type of College-owned housing. However, FSC will consider a request from a student with a documented disability to be accompanied in their living environment with an emotional support animal (ESA) as a reasonable accommodation from this prohibition, subject to appropriate documentation and following the interactive process to determine the appropriateness of an animal as the accommodation consistent with the nature of the document disability. The College will consider such modification of Policy, in compliance with the Fair Housing Act (FHA) to ensure that the student has an equal opportunity to use and benefit from FSC's housing program. This Policy explains the specific requirements applicable to an individual's use of an ESA in College owned housing. FSC reserves the right to amend this Policy as circumstances require and will provide appropriate notice on this page when there is a modification of the Policy. This page will contain the most up to date policy information and will supersede any published documents. This Policy applies solely to an ESA (as defined below) that may be approved as an accommodation in College-owned housing. It does not apply to service animals, whose presence on campus is explained in the FSC Service Animal Policy.

No animal may be kept in College-owned housing at any time prior to the student receiving approval as a reasonable accommodation pursuant to this Policy. Animals found to be in College-owned housing before this formal approval must be removed immediately. Failure to comply with this restriction will constitute a violation of the FSC Student Handbook. Students found in violation will be subject to the following in accordance with the FSC Student Handbook:

- Initial Notice: Written warning requiring removal of the animal within 24 hours, plus any additional outcomes assigned
- First offense: \$250 cleaning fee, plus any additional outcomes assigned
- Second offense: \$400 fine, plus any additional outcomes assigned
- Third offense: \$600 fine, plus any additional outcomes assigned

Definitions

Emotional Support Animal

The College defines an emotional support animal (ESA) as an animal that provides emotional, cognitive, or similar support to ameliorates the effects of a documented disability. Unlike service animals that are individually trained to engage in work or perform specific tasks that are important to the independence or safety of their disabled handler, an ESA generally is not trained to perform disability-specific tasks. Their therapeutic support is a function of the nature of the interaction with the person with a disability that alleviates the effects and facilitates the student in their living environment. An ESA is not a pet. This definition reflects the definition of emotional support animals under Florida State Law. Any request to bring an animal into College-owned housing that is not a service animal and does not fit this definition of ESA should be brought to the attention of Student Disability Services for individual review.

Owner

The Owner is the individual who has requested the accommodation, provided appropriate documentation, engaged in the interactive process, and has received approval to bring an Emotional Support Animal into College-owned housing.

Student Disability Services

Student Disability Services (SDS) collaborates with individuals, faculty, and staff to ensure that individuals with disabilities have equal access to all FSC programs and activities.

Procedures for Requesting an ESA in College-owned Housing

Emotional Support Animals are considered a housing accommodation. All rules established for the assignment and support of housing accommodations under the College's general FSC Housing Reasonable Accommodation Policy apply to the presence of an ESA unless they are specifically contradicted in this Policy. To the extent the requirements and procedures in this Policy conflict with the FSC Housing Reasonable Accommodation Policy, this Policy shall control. FSC reserves the right to amend this Policy as circumstances require.

FSC will accept and consider requests for reasonable accommodation in College-owned housing at any time. The individual making the request for accommodation should complete the [online registration process](#) as soon as practicably possible before moving into College-owned housing. However, if the request for accommodation is made fewer than 60 days before the individual intends to move into College-owned housing, FSC cannot guarantee that it will be able to meet the individual's accommodation needs during the first semester or term of occupancy. If the need for the accommodation arises when an individual already resides in College-owned housing, the student should contact Student Disability Services (SDS) and complete the online registration process as soon as practicably possible. FSC cannot guarantee that it will be able to meet the accommodation needs during the semester or term in which the request is received.

Approval for having an ESA in College-owned housing is a two-step process. First, the student must provide the appropriate medical documentation from a health care provider that supports the student's need for an ESA. The question in determining if an Emotional Support Animal will be allowed in College-owned housing is whether or not the Emotional Support Animal is necessary because of the individual's mental health disability or other disability that would be responsive to an ESA as an accommodation, and the impact on the major life activity that is substantially limited due to the student's disability.

The supporting documentation must be submitted through our online registration process, and the student must engage in an interactive communication process with the SDS team which will assist in determining whether or not the ESA will mitigate the student's symptoms and provide equal opportunity to access College-owned housing. Under the Fair Housing Act, a housing provider may request reliable documentation when an individual is requesting the reasonable accommodation of an ESA and has a known disability-related need for the accommodation that is not obvious or otherwise known. Students must have an established medical relationship with their licensed provider, and provide documentation of a comprehensive ongoing care plan that addresses the student's specific disability and how the ESA is a part of that plan. This ongoing relationship and care plan ensures the development of a stable therapeutic relationship and provides the provider with sufficient clinical insight into the student's needs, functioning, and mental health history to make a well supported, informed recommendation.

Some websites sell letters of support, certificates, registrations, and licensing documents for an ESA to anyone who answers certain questions or participates in a short survey and pays a fee. Generally, such documentation from the Internet is not, by itself, sufficient to reliably establish that an individual has a disability or support the determination that there is a disability-related need for an ESA. Should the student knowingly provide false information regarding the need for an ESA or refuse to follow appropriate directions from the College personnel concerning their request in relation to the ESA, the College may refer the student to the Office of Student Conduct for any decision regarding appropriate discipline action.

Approval for a specific animal to serve as an ESA is the second step in the process. The student may need to consider an alternative to the requested animal. Generally, an ESA approved to reside in FSC housing is a dog or cat, but the College will consider requests for other commonly domesticated animals on a case-by-case basis based on size conduct, age, and potential risk of harm to others.

Approval for Emotional Support Animals is subject to annual review. Students must submit updated documentation each year to demonstrate an ongoing therapeutic relationship with a licensed provider, allow for reevaluation of the student's current needs and any necessary changes to accommodations, and confirm continued compliance with College policies and responsibilities. Students must complete the online re-registration form by the stated deadline, which will be communicated via student email, to remain eligible for the following academic year. Failure to meet the deadline or re-registration requirements may require students to restart the registration process. Students must submit updated documentation from a licensed professional that verifies an ongoing therapeutic relationship, and any additional information requested by Student Disability Services to determine the continued need for an ESA in College-owned housing.

Criteria for Determining if the Presence of the ESA is Reasonable

For all requests for Emotional Support Animals, Student Disability Services shall nonetheless consult with the Office of Residence Life personnel in deciding on a case-by-case basis if whether the presence of an ESA is reasonable in the environment in which the student will be

living. A request for an ESA may be denied as unreasonable if the presence of the animal: (1) Imposes an undue financial and/or administrative burden; (2) Fundamentally alters College-owned housing policies; and/or (3) Poses a direct threat to the health and safety of others or would cause substantial damage to the property of others, including College property.

The College may consider the following factors, among others, as evidence in determining that the presence of the animal is reasonable:

- Dogs and cats should be at least 12 months old and should spayed/neutered before brought into College-owned housing, unless otherwise approved on a case by case basis in alignment with campus policies, to reduce potential disruptions and ensure animal maturity.
- Animals should be kept to a size that allows for adequate space in the residential space (45 pounds or less based on the maximum crate size allowed).
- The space needed for the cage/crate in which the animal will be housed is too large for the available assigned housing space (generally not exceeding 36 x 27 X 25 to ensure the animal can be safely accommodated within College-owned housing and remains compliant with established fire safety regulations)
- The animal's presence is problematic for another individual living in College-owned housing (e.g., because of allergies, fears, or does not want to reside with the animal)
- The animal's presence is disruptive to the housing environment for other residents (e.g., because of noise or odors)
- The animal is not housebroken or is unable to live with others in a reasonable manner.
- The animal poses health risks from zoonotic diseases or safety concerns regarding containment that cannot be sufficiently mitigated for inclusion in the communal living setting.
- The animal's vaccinations are not up to date (e.g., flea & tick, rabies, license).
- 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.

- The animal causes or has caused excessive damage to housing beyond reasonable wear and tear.

FSC will not limit room assignments for individuals with Emotional Support Animals to any particular College-owned housing because the individual needs an Emotional Support Animal because of a disability. Generally, only one animal will be approved to serve as an ESA for a student. Typically, only one animal may reside in a College-owned housing unit.

Access to FSC Facilities by an ESA

Emotional Support Animals

An Emotional Support Animal and its associated items (cage/crate/litter box, etc.) are permitted only within the Owner's privately assigned bedroom. The ESA may leave the bedroom solely for purposes of natural relief and must be transported in an animal carrier or controlled by a leash or harness at all times while outside the bedroom. An ESA is not permitted in any other areas of the residential space (including suites or shared apartment spaces) or elsewhere on campus, as their purpose is to support the individual student only in their living environment. This includes but is not limited to prohibition in dining facilities, libraries, academic or athletic buildings, classrooms, labs, and individual centers. Permission for an ESA to access other campus areas may be considered only through a separate, case-by-case review conducted by Student Disability Services.

Dominion and Control

Notwithstanding the restrictions set forth herein, the ESA must be properly housed and restrained via a leash or harness where applicable, or otherwise under the dominion and control of the Owner at all times. No Owner shall permit the ESA to go loose or run at large on College grounds. The ESA must be harnessed, leashed, or tethered. If an animal is found running at large, the animal is subject to capture and confinement, and immediate removal from College-owned housing. Failure to abide by this restriction will also be considered a violation of the FSC Student Handbook.

Owner's Responsibilities for ESA

If the College grants an Owner's request to live with an Emotional Support Animal, the Owner is solely responsible for the custody and care of the Emotional Support Animal and must meet specific requirements.

General Requirements of the Owner and ESA

- The Owner must abide by the current city (Lakeland), county (Polk), and state (Florida) ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the Owner's responsibility to know and understand these ordinances, laws, and/or regulations. The College has the right to require documentation of compliance with such ordinances, laws, and/or regulations.
- The ESA must be contained (crate/cage) in the Owner's privately assigned bedroom when the Owner is not present. The College reserves the right to inspect the crate/cage. Neither the animal nor the crate/cage and accessories can be washed in the communal bathroom facilities.
- The Owner is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner. The College does not provide designated animal relief areas.
- The Owner is required to ensure the animal is always well cared for. Any evidence of mistreatment or abuse may result in immediate removal of the ESA and/or discipline for the individual responsible.
- The College will not ask for or require an individual with a disability to pay a fee or surcharge for an approved Emotional Support Animal to reside in College-owned housing.
- An individual with a disability may be charged for any damage caused by the ESA beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear.
- The Owner's living accommodations may be inspected for fleas, ticks, or other pests, if necessary, as part of the College's standard or routine inspections. If fleas, ticks, or other pests are detected through inspection, the residential space will be treated using

approved fumigation methods by a College-approved pest control service. The Owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residential space. The College shall have the right to bill the Owner's account for unmet obligations under this provision.

- The Owner must fully cooperate with College personnel regarding meeting the terms of this Policy and developing procedures for care of the animal (e.g., feeding/watering the animal, designating an outdoor relief area, disposing of feces, etc.).
- The Owner agrees to abide by all equally applicable residential policies that are unrelated to the individual's disability such as assuring that the animal does not unduly interfere with the routine activities of the College-owned housing or cause difficulties for individuals who reside there.
- The Owner must identify (name and contact information) a local emergency contact to take immediate possession of the ESA in cases in which the Owner incurs an emergency precluding them from caring for the ESA.
- An ESA may not be left overnight in College- owned housing to be cared for by any individual other than the Owner. If the Owner is to be absent from their residential space overnight or longer, the animal must be removed from campus. The Owner is responsible for ensuring that the ESA is contained with their designated Emergency Contact or placed in a nearby boarding facility at the owner's expense when the Owner is not present overnight or longer. The Owner's roommate(s), other residents on campus, or faculty/staff are not responsible for caring for the animal. Failure to abide by this responsibility will be considered a violation of the FSC Student Handbook.
- The animal is allowed in College-owned housing only as long as it is necessary because of the Owner's disability. The Owner must notify Student Disability Services in writing if the ESA is no longer needed or is no longer in College-owned housing. To replace an ESA, the new animal must be necessary because of the Owner's disability, and the Owner must follow the procedures in this Policy for consideration of a specific animal to serve as an ESA.

- College personnel shall not be required to provide care or food for any ESA including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal. If relocated due to a natural disaster, such as a hurricane, Emotional Support Animals will not be permitted in College-designated emergency relocation spaces, due to safety, capacity and emergency management considerations.
- The Owner should consider the living environment and the appropriateness for the type of animal they are requesting. If the Owner determines their current living environment is not appropriate for their preferred animal, they may request a room change through the College's typical procedures. Room changes take time and are not always immediately possible based on housing occupancy at the College. The Owner may request to change to a different animal by following the same procedures outlined in this Policy for requesting the original animal. Living conditions an Owner may want to consider in requesting an ESA include, but are not limited to, number of stairs to/from the living space and outside, air temperature of the living space, available space for animal's crate, typical noises in space (doors opening/closing, others talking, etc.) Alterations to the living environment are not permitted in order to accommodate the ESA (i.e. removal of furniture, installation of air conditioning, etc.)
- The Owner must provide written consent for Student Disability Services to disclose information regarding the request for and presence of the ESA to those individuals who may be impacted by the presence of the animal, including but not limited to, the Office of 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.

Removal of an ESA

The College may require the individual to remove the animal from College-owned housing if:

- The animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others;
- The animal is not housebroken;
- The animal's presence results in a fundamental alteration of College operations;
- The Owner does not comply with the Owner's Responsibilities set forth in this Policy; or
- The animal or its presence creates an unmanageable disturbance or interference with the College Community.

Major Violations

Major violations may result in immediate removal of the animal. These could include, but aren't limited to, animal lunging, growling, or biting; the Owner failing to maintain dominion and control over the animal; excessive barking or other repeated noises by the animal, repeated incidents of not being housebroken, or evidence of mistreatment or abuse of the animal. This includes abandoning the animal to the care of another for 24 or more hours.

School breaks and Holidays: The Owner is expected to keep the animal with them during college breaks and holidays, including Spring, Summer, and Winter breaks.

Minor Violations

The first verified occurrence of a minor violation, such as whining or flea and pest infestation, will result in a meeting with a staff member in the Office of Student Conduct. If the event is verified, this will result in a "Failure to Comply" charge against the Owner. The Owner must supply a written agreement to remain in compliance with the College's ESA Policy & Agreement, including a plan for preventing this, or any other violation. The student will be placed on probation with the condition that a second verified incident may result in the animal's removal from campus.

Student Conduct Timetable

A student notified by the Office of Student Conduct of an ESA violation will receive e-mail notification to set up a Conduct meeting, generally within 48 hours or at the College's

discretion. The College reserves the right, in its sole discretion, to modify ESA sanctions, including fines or other reasonable determinations.

Reassessment of Animal Standing as an ESA

The College will base such determinations upon the consideration of the behavior of the particular 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 Student Disability Services. Should the ESA be removed from the premises for any reason, the student is expected to fulfill his/her housing obligations for the remainder of the housing contract. If it is determined that the animal must be removed from the College-owned housing and the Owner fails to comply within 24 hours, the College may have the animal removed to the nearest appropriate boarding facility at the Owner's expense. Additionally, failure to comply with the order for removal may result in another referral to Student Conduct for a violation of College Policy.

Appeals and/or complaints arising under this Policy shall be handled under the provisions of the Student Code of Conduct. The Owner will be afforded all rights of due process and appeal as outlined in that process. If the ESA is excluded from College-owned housing, the animal must remain off campus during any appeals process.

Non-Retaliation Provision

Florida Southern College will not retaliate against a person because that individual has requested or received a reasonable accommodation in College-owned housing, including a request for an Emotional Support Animal.

ESA Checklist: Required Documentation for Animal Approval

Before an animal will be approved to reside in College-owned housing, Student Disability Services must evaluate the following up-to-date documentation:

- ☐ Proof of ownership by student or family/guardian
- ☐ Current examination records from a licensed veterinarian (including type/age/weight of animal) (applies to dogs and cats only)
- ☐ Record of rabies vaccinations (applies to dogs and cats only)
- ☐ Proof of flea or other relevant pest control
- ☐ Polk County license certification (applies to dogs and cats only)
- ☐ Full body photo of the animal
- ☐ Full photo of required crate or kennel, including dimensions (generally not exceeding 36 x 27 X 25 to ensure the animal can be safely accommodated within College-owned housing and remains compliant with established fire safety regulations)
- ☐ Completed Emergency Contact form
 - o The Owner must identify and provide contact information for an Emergency Contact who does not reside in College-owned housing and who will be responsible for taking charge of the ESA should the Owner be unable to care for the animal in College-owned housing. This Emergency Contact must be prepared to remove the animal from College-owned housing within 12 hours of notification. If the Emergency Contact cannot/will not pick up the ESA, the ESA will be removed to a local boarding facility and boarded at the Owner's expense.
- ☐ Roommate Rights & Responsibilities Policy
 - o The Office of Student Disability Services will reach out to students residing with the Owner/ESA for the signed agreement. It is the roommate's right to deny the request to live with an animal.
- ☐ Signed ESA Policy
 - o The Policy must be reviewed with the student by a member of the Office of Student Disability Services, either in person or through Zoom, with a preference for in-person review, prior to signing. A link will be provided to set up an appointment once determined eligible.
- ☐ Signed Consent Waiver
 - o The Consent Waiver must be reviewed with the student by a member of the Office of Student Disability Services, either in person or through Zoom, with a preference for in-person review, prior to signing. A link will be provided to set up an appointment once determined eligible.