

# Animals on Campus Policy - Employees

## Policy Number 17-xx

**Responsible Offices: Human Resources, University Policy Department,  
Risk Management & Safety Services (see Sec. I)**

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**Applies to:** This policy applies to all employees of Humboldt State University and its auxiliaries (including faculty, staff, and student employees) on University Property while acting in their capacity as employees.

### **Purpose of the Policy**

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The purpose of this policy is to provide equal access and reasonable accommodation for employees with disabilities and to protect the University community from hazards associated with or caused by animals, both domestic and wild. The University recognizes that individuals may bring their Domestic, Service, or Assistive Animals to campus and that Wild or Feral Animals may use campus grounds as their habitat. This policy is intended to optimize the safety and health of students, employees, visitors, and animals as it relates to animals on University property. This policy is applicable to employees in any building, or on any property owned or controlled by the University while the employee is acting in his or her capacity as an employee. This policy excludes animals associated with research or teaching purposes. (See Institutional Animal Care and Use Committee ([IACUC](#)) for the Policy on Use of Animals in Teaching and Research). This policy also excludes animals brought to campus by students, campus residents, visitors. (See [Student/Visitor] policy.)

#### **I. Responsible Offices**

The *Humboldt State University Police Department* is responsible for code enforcement of California and University regulations.

*Human Resources* is responsible for facilitating the disability interactive process and reasonable accommodations requests by employees, including student employees, which may include the use of a Service or Assistive Animal and shall meet the standards of CCR § 11065(a)(2) and/or the California Fair Employment and Housing Act<sup>1</sup> (State and auxiliary employees should see appropriate Human Resources office for accommodations.)

*Risk Management* is responsible for the approval and regulation of animals brought to campus in connection with special events and for providing the final determination on the risk, potential hazard, potential for property damage, liability exposure, or potential for nuisance of any animal on campus grounds.

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<sup>1</sup> Gov Code §§12940 et seq.

## II. Definitions

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**Animal Nuisances:** Any animal which has committed any one or more of any of the following acts is deemed to be a nuisance:

- An infliction of physical injury upon any person where the person is conducting themselves lawfully.
- Threatening behavior toward any person where the person is conducting themselves lawfully and which occurs in such circumstances as to reasonably cause the person to fear for their physical safety.
- The utterance of barks or cries which are loud, frequent and continued over a period of time.
- An unprovoked infliction of physical injury upon any other animal.
- The damaging of University property or the personal property of some person other than the owner or keeper of the animal.
- Any fecal matter deposited by the animal and not removed immediately by the animal's owner.
- The dumping of trashcans or the spreading of trash.
- The chasing of pedestrians, bicycles or vehicles

**Domestic Animal:** An animal that has been trained or adapted to living in a human environment. Such animals include, but are not limited to, dogs, cats, birds, rabbits, fish, and other types of household pets.

**Feral Animal:** A once-Domestic Animal that has reverted to an untamed state.

**University Property:** Any land, buildings or facilities owned, leased, or operated by the University and its affiliated auxiliary organizations.

Campus Grounds: The land around University buildings and facilities.

Campus Buildings: Buildings or facilities that are University property.

Residential Living Space: Residential building or facilities within which people reside.

**Wild Animal:** A non-domesticated animal living in its natural habitat.

**Note:** *The following definitions provide distinctions between Assistive and Service Animals as defined by federal and state law. These laws are evolving; the intention of these definitions is to be consistent with those laws.*

**Assistive Animal:** An animal that is necessary as a reasonable accommodation in the workplace for an employee, including student employees, with a disability. Specific examples include:

- Guide dog trained to guide a blind or visually impaired person
- Signal dog or other animal trained to alert a deaf or hearing impaired person to sounds
- Service dog individually trained to the requirements of a person with a disability
- Support dogs or other animals that provides emotional or other support to a person with a disability, including, but not limited to, traumatic brain injuries or mental disability such as major depression.<sup>2</sup>

**Service Animal:** A dog (or miniature horse) that is individually trained to do work or perform tasks for the benefit of a person with a disability as defined by Americans with Disabilities Act and California Code

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<sup>2</sup> CCR §11065 (a)(1) and CA Civil Code §54.1

of Regulations. A Service Animal does not need to be formally trained or to be certified that it has been trained.

## Policy Details

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### III. Service and Assistive Animals

Employees requesting a reasonable accommodation of bringing a Service or Assistive Animal into the workplace must provide the following to Human Resources before bringing the animal on university property:

1. A letter from the employee's health care provider stating that the employee has a disability and explaining why the employee requires the presence of the Service or Assistive Animal in the workplace and
2. Confirm that the Service or Assistive Animal meets the standards as set forth in the minimum standards listed below in section IV.

Once approved as a reasonable accommodation by Human Resources, Service and Assistive Animals are permitted to accompany any associated employee with a disability anywhere on University Property, except in areas and situations where it is unsafe to do so or where the presence of the animal fundamentally alters the nature of the service, program, or activity. [If personal protective equipment \(PPE\) is required of personnel in teaching and research laboratories, then service animals entering laboratories must be similarly protected depending on the PPE requirements of the area.](#) Use of a Service or Assistive Animal on University Property may not be challenged except if the use of the animal poses a direct threat to the health or safety of other persons, or if the presence of the Service or Assistive Animal will result in a fundamental alteration of the service, program, or activity involved.

If the purpose of a Service or Assistive Animal is apparent, asking the individual using the animal any questions about the use of the animal is inappropriate. However, questions about accommodations surrounding the use of the Service or Assistive Animal, such as seating of or breaks for the animal, are appropriate.

If it is not clear that a Service or Assistive Animal is needed for a disability, only two questions may be asked of an individual with a Service/Assistive Animal:

1. Is the animal required because of disability?
2. What work or task has the animal been trained to perform?

### IV. Guidelines for Care and Behavior of Service and Assistive Animals

It is the responsibility of the owner to control his/her animal. The University is not responsible for the care or supervision of any Service or Assistive Animal.

As a minimum, Service and Assistive Animals must be free from offensive odors and display habits appropriate to the work or housing environment, including staying off furniture. Service and Assistive Animals must not engage in behavior that endangers the health or safety of the individual with a disability or others. If the animal exhibits unacceptable behavior, the owner is expected to employ

proper training techniques and correct the situation. Service or Assistive Animals with hygiene or behavioral issues may be denied access to the University.

Both Service and Assistive Animals must be on a leash and/or under the control of a responsible person at all times. A Service or Assistive Animal user does not have to use a leash if a) the handler is unable, b) if using a leash would harm the handler, or c) if the animal must perform a task without use of a leash. In any of these cases, the individual must maintain control of the animal through voice, signal, or other effective controls.

Although strongly encouraged, a Service or Assistive Animal is not required to wear a collar, tag, vest, or other identifying equipment indicating that it is a trained Service or Assistive Animal. Service and Assistive Animals must be licensed and fully inoculated, with the burden of proof on the animal user.

## **V. Domestic Animals**

Domestic Animals (other than Service and Assistive Animals) are not allowed in any campus buildings. Domestic Animals *must be* under control while on any campus grounds, restrained by a leash that does not exceed six (6) feet in length and in the possession of the animal's handler.

Any Domestic Animal brought to campus must be licensed and fully inoculated, with the burden of proof on the owner.

Fecal matter deposited by any Domestic Animal brought to campus *must be* removed immediately by the animal's owner or handler.

Owners or handlers may not feed their Domestic Animals on campus grounds.

Domestic Animals found tethered, unattended or abandoned may be impounded in accordance with all applicable law and regulations. Domestic Animals may be confined in vehicles parked on campus for a reasonable period of time. However the animal must not be endangered and does not endanger others or create a nuisance.

## **VI. Wild or Feral Animals**

Wild or Feral Animals that are not a risk and do not represent a hazard, cause property damage, or create a nuisance, and that do not require human intervention, will be allowed to inhabit the campus grounds.

Wild or Feral Animals that are a potential risk, represent a hazard, cause property damage, create a nuisance, or otherwise pose a potential conflict for humans will be regulated, controlled, and relocated in accordance with all applicable laws, regulations, and best practices

Prohibited human intervention includes, but is not limited to, feeding, building of shelters, and injection of medication.

## **VII. Other Animals**

Approval must be obtained in advance from *Risk Management* for non-Service or non-Assistive animals to be brought on campus for a singular event involving the display or demonstration of specialized skills or natural behaviors, or any animal used for instructionally related activities outside of regularly scheduled classes. Some examples are (but not limited to): animals used in theater productions and visiting comfort dogs during finals week.

**VIII. References**

- HSU Landscape Design Guidelines and Standards
- California Education Code §89031
- California Civil Code §54.1 and §54.2
- California Penal Code §374.4 and §597a
- California Code of Regulations §11065 and §11069
- Title V Article 9, ADA Title 3, §36.302
- Code of Federal Regulations 28 CFR §35.104 and §136

**History (required)**

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*All changes must be listed chronologically in the format below, including all edits and reviews. Note when the policy name or number changes. Note if an edit or revision date is exclusively for the policy section or the procedure section:*

Issued: MM/DD/YYYY

Revised: MM/DD/YYYY

Edited: MM/DD/YYYY

Reviewed: MM/DD/YYYY