

Animals on Campus Policy

Policy Number

Responsible Offices: UPD, SDRC, HR, RM (see Sec.1)

This policy applies to all students, faculty, staff, residents, and visitors on University Property.

Purpose

The purpose of this policy is to protect the University community from hazards associated with or caused by animals, both domestic and wild, and to respect the rights of those with Service or Assistive animals. The University recognizes that owners of domestic and Service animals may bring their 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, faculty, staff, visitors, and animals as it relates to animals on University property. This policy is applicable to any person, in any building, or on any property owned or controlled by the University. 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).

I. Responsible Offices

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

The *Student Disability Resources Center (SDRC)* is responsible for providing support services to students with impairments necessitating the use of a Service animal on campus or an Emotional Support animal in residential living spaces.

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 an Assistive animal and shall meet the standards of CCR § 11065(a)(2) and/or Fair Housing Act (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 public nuisance of any animal on campus grounds.

II. Definitions

Animal Nuisances: Any animal which has committed any one or more of any of the following acts is deemed to be a public 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 cause the person reason 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

Note: The following definitions provide distinctions between Assistive, Emotional Support, 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 for an employee, including student employees, in the workplace with a disability. Specific examples include;

- Guide dog trained to guide a blind or visually impaired person (civil code section 54.1)
- Signal dog or other animal trained to alert a deaf or hearing impaired person to sounds (civil code section 54.1)
- Service dog or other animal individually trained to the requirements of a person with a disability (civil code section 54.1)
- Support dog or other animal 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.

Service Animal: Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities as defined by Americans with Disabilities Act and California Code of Regulations. *Please refer to Sections III and IV of this policy for further clarification regarding the use of Service Animals for Employees and Students.*

Emotional Support Animal: A companion animal that a medical professional has determined provides benefit for an employee in the workplace or a resident on campus with a disability.

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.

Table 1: Campus Spaces and Permitted Animals

	Campus Grounds	Campus Buildings	Residential Living Spaces
Student	Domestic Animal (section VI)	Service Animal (section III)	If visiting a campus resident: Service Animal (section III)
Employee	Domestic Animal (section VI)	Service Animal (section IV) Assistive Animal (section IV)	Service Animal (section IV) Assistive Animal (section IV)
Resident on Campus	Domestic Animal (section VI)	Service Animal (section III)	Service Animal (section III) Emotional Support Animal (section V)
Public	Domestic Animal (section VI)	Service Animal (section III)	If visiting campus resident: Service Animal (section III)

III. Service and Assistive Animals in Campus Buildings

Dogs, cats and other animals may not enter any campus buildings with the exception of Assistive animals (for employees) and Service animals (for employees, students, and members of the public). Federal law does not require a *Service animal* to be formally trained or to be certified that it has been trained. For employees however, California law does require an employee to provide a health care provider’s certification for the use of an Assistive animal in the workplace (See Section IV).

If the purpose of a student's Service 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 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?

Both Service and Assistive animals must be on a leash and/or under the control of a responsible person at all times, except that a Service or Assistive animal user does not have to use a leash if a) the user is unable, b) if using a leash would harm the user, 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 animal. Service and Assistive animals must be licensed and fully inoculated, with the burden of proof on the animal user.

Use of a Service or Assistive animal in university facilities may be prohibited 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.

While on campus, Service or Assistive animals are expected to be free from offensive odors and to display reasonable behavior appropriate to the educational environment, including staying off furniture. 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.

IV. Service and Assistive Animals for Employees in the Workplace

Human Resources is responsible for the facilitation of the disability interactive process and reasonable accommodation requests by employees, which may include the use of an Assistive or Service animal. For the purposes of employee disability accommodations, the following provisions apply:

Minimum Standards for Service and Assistive Animals. The minimum standards for Service and Assistive animals being allowed in the workplace by an employee as a reasonable accommodation, includes but is not limited to: a) Being free from offensive odors and displays habits appropriate to the work environment, b) Does not engage in behavior that endangers the health or safety of the individual with a disability or others in the workplace, and, c) Is trained to provide assistance for the employee's disability.

Certification from Employee's Health Care Provider. Employees requesting a reasonable accommodation of bringing a Service or Assistive animal into the workplace must provide to *Human Resources*: a) 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 Assistive animal in the workplace and b) Confirm that the Service or Assistive animal meets the standards as set forth in the minimum standards listed above.

V. Emotional Support Animals for Residents on Campus

Emotional Support Animals (ESA) are recognized by the Fair Housing Act as a reasonable disability accommodation within campus housing only. As a disability accommodation, a resident student requesting an ESA must meet with the Student Disability Resource Center (SDRC) to determine eligibility through a review of appropriate documentation from a licensed mental health provider; a resident employee

requesting an ESA must meet with the appropriate Human Resources (HR) office to determine eligibility through a review of appropriate documentation from a licensed mental health provider. Once eligibility is established and the ESA recommendation is authorized to the license holder, the resident meets with the appropriate personnel to review and sign license holder agreement forms. ESAs for students are not recognized by the Americans with Disabilities Act and are therefore not permitted in other university buildings except for the one in which the student resides. ESAs for employees are permitted in other university buildings with appropriate approval as outlined in Section IV regarding Assistive animals in the workplace.

Resident Responsibilities. Maintaining the health and therapeutic value of an ESA is a full time responsibility. Residents must ensure the animal is up to date on required shots and licensure (if necessary), is groomed and free from offensive odors, displays habits appropriate to living in a residential living space and does not represent a danger to the health and safety of others. General relief for larger animals must be in designated spaces and the resident is responsible for the appropriate collection and disposal of all fecal matter. ESAs are required to be caged, or kenneled whenever the resident is not present in their living space.

VI. Domestic Animals on Campus Grounds

Dogs, cats and other 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 hands of the responsible person. Any dog, cat or other animal brought to campus must be licensed and fully inoculated, with the burden of proof on the owner. Fecal matter deposited by any dog, cat or other animal brought to campus *must be* removed immediately by the animal's owner. Owners may not feed their 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.

VII. Wild or Feral Animals on Campus Grounds

Wild or feral animals that are not a risk and do not represent a hazard, cause property damage, or create a public nuisance, and that do not require human intervention, will be allowed to inhabit the campus grounds. Prohibited human intervention includes, but is not limited to, feeding, building of shelters, and injection of medication. 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.

VIII. Any other Animals on Campus Grounds and Buildings

Approval must be obtained 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.

IX. References

- Residence Life and You Handbook
- IACUC policies
- 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: Issued: MM/DD/YYYY