



# UTAH VALLEY UNIVERSITY

## Policies and Procedures

<b>POLICY TITLE</b>	Animals On Campus	<b>Policy Number</b>	160
<b>Section</b>	Governance, Organization, and General Information	<b>Approval Date</b>	January 23, 2020
<b>Subsection</b>	Individual Rights	<b>Effective Date</b>	January 23, 2020
<b>Responsible Office</b>	Office of the Vice President Student Affairs		

### 1.0 PURPOSE

1.1 To maintain campus safety, this policy sets forth health and security standards for animals on campus, permits the important services they provide to students, faculty, and staff, and distinguishes between those animals welcome on and those excluded from campus.

### 2.0 REFERENCES

2.1 *Americans with Disabilities Act of 1990*, 42 U.S.C. § 12101 (1990) (as amended by Pub. L. No. 101-336, 104 stat. 327)

2.2 *Nondiscrimination on the Basis of Disability in State and Local Government Services*, 28 C.F.R. § 35 (1991)

2.3 *Rights and Privileges of a Person with a Disability*, Utah Code Ann. § 62A-5b-102 (2011)

2.4 *Cruelty to Animals*, Utah Code Ann. § 76-9-301 (2015)

2.5 *Conditions of Animal Ownership*, Utah County Code § 5-2-9

2.6 *Cruelty to Animals*, Utah County Code § 5-2-21 (2009)

2.7 *Animal Control*, Orem City Code § 5-1-1 (2007)

2.8 UVU Policy 152 *Accommodations for Individuals with Disabilities*

2.9 UVU Policy 541 *Student Code of Conduct*

2.10 UVU Policy 652 *Care and Use of Vertebrate Animals in Research and Instruction*



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### 3.0 DEFINITIONS

**3.1 Direct threat:** A significant risk to the health or safety of others as determined by an individualized assessment of the best available objective evidence, including observation. The individualized assessment may include the nature, duration, and severity of the risk; the probability of harm or injury; and the availability of reasonable accommodations to minimize or eliminate the risk.

**3.2 Disability:** A physical or mental impairment that substantially limits one or more of an individual's major life activities. This term holds the same meaning as that found in the *Americans with Disabilities Act of 1990* as amended and its implementing regulations.

**3.3 Emotional support animals:** Any animal, other than a service animal, that alleviates one or more identified symptoms or effects of a person's documented disability. An emotional support animal is not a service animal and is not necessarily trained. Emotional support animals are commonly identified by different names, including "assistance animals," "companion animals," "comfort animals," or "therapy animals."

**3.4 Pet:** An animal kept for pleasure, amusement, companionship, or curiosity.

**3.5 Service animal:** Any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual in direct relation to the individual's physical, sensory, psychiatric, intellectual, or other disability. This may include assisting an individual who is blind or has low vision with navigation or other tasks; alerting an individual who is deaf or hard of hearing to the presence of people or sounds; providing minimal non-violent protection or rescue work; pulling a wheelchair; retrieving an item for the individual; assisting an individual during a seizure; alerting an individual to the presence of allergens; providing physical support and assistance with balance and stability; and helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

**3.6 University property:** Utah Valley University (UVU) property including but not limited to administrative offices, academic buildings, outdoor campus spaces, and all satellite locations whether owned, leased, operated, or maintained by UVU. This specifically excludes a university-owned institutional residence of the university president.



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### 4.0 POLICY

#### 4.1 Scope

**4.1.1** This policy applies to the owners, custodians, and handlers of any animal on university property. For consistency, this policy uses the term *owner* throughout.

**4.1.2** Pets are not allowed on university property.

**4.1.3** Subject to the following qualifications, exceptions, and conditions, only the following animals are allowed on university property: service animals, emotional support animals, and those used in academic courses, laboratories, law enforcement, or rescue purposes.

#### 4.2 Service Animals

**4.2.1** Before bringing their service animals to the workplace, university employees must first obtain approval through the accommodation process set forth in UVU Policy 152 *Accommodations for Individuals with Disabilities*, including adequate documentation and interactive exploration of accommodative options.

**4.2.2** Service animals may accompany the service animal's owner at all times and everywhere on university property so long as:

**4.2.2.1** The service animal has a current, valid license and current vaccinations according to all the requirements for animals of the same species under local law, which may include wearing owner identification tags, rabies tags, and dog license tags;

**4.2.2.2** The service animal is under appropriate restraint and control by its owner at all times, which may include but is not limited to leash, electronic leash, signals, or voice commands;

**4.2.2.3** The service animal does not pose a direct threat to the health, safety, or property of others;

**4.2.2.4** The nature of the university program or activity taking place in a particular setting on university property is not fundamentally changed, such as through substantial disruptions, by the presence of the service animal; and

**4.2.2.5** The service animal does not deposit bodily excretions or secretions on campus other than at designated outdoor areas. Any excretions or secretions, even in designated outdoor areas, must be promptly cleaned up in accordance with section 4.5.



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### 4.3 Emotional Support Animals

**4.3.1** Emotional support animals are typically not allowed on university property unless no other accommodation would provide individuals with disabilities equal access to university education programs and activities. Additionally, emotional support animals may only be present on university property if:

**4.3.1.1** The emotional support animal meets all the conditions of 4.2;

**4.3.1.2** The emotional support animal or its presence does not create an unmanageable disturbance or interference with the university community; and

**4.3.1.3** The emotional support animal is authorized through the process set forth in UVU Policy 152 *Accommodations for Individuals with Disabilities*, including adequate documentation and interactive exploration of accommodation options.

### 4.4 Animals Used in Teaching, Testing, Law Enforcement, or Rescue Purposes

**4.4.1** The use of any animal in teaching, testing, or research is allowed on university property, provided it follows Policy 652 *Care and Use of Vertebrate Animals in Research and Instruction*.

**4.4.2** The use of any animal for official law enforcement or rescue purposes is allowed on university property.

### 4.5 Care and Supervision

**4.5.1** Care and supervision of an animal, as well as the costs of any damage caused by an animal, are the sole responsibility of the animal's owner.

**4.5.2** Individuals' care of animals on campus must comply with state and local law regarding cruelty to animals. In particular, Utah Criminal Code § 76-9-301 and Utah County Code § 5-2-21 prohibit individuals from leaving any animal in a situation where they may be exposed to an immediate, direct, and serious threat to life, safety, or health, which includes confinement in hot vehicles.

**4.5.3** Every individual with custody of an animal that is allowed on university property must immediately clean up after the animal, including the immediate removal of any waste. Individuals with disabilities who physically cannot clean up after their own animal are not required to pick up and dispose of animal waste, but should notify custodial services. However, these individuals should use marked animal toileting areas where provided.



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### 4.6 Other Animals Allowed on Campus

**4.6.1** Recognizing that the campus is part of the surrounding neighborhood and community, animals other than service animals that are appropriately controlled on a leash and otherwise meet the requirements of 4.2 are allowed on outdoor walkways on campus. These animals may not enter buildings, covered walkways, or shelters on university property. Service animals meeting the requirements of section 4.2 are welcome on all campus areas.

**4.6.2** Aquarium fish and snails, when displayed for academic or esthetic purposes, are allowed on campus. Aquariums kept in public view must be kept clean and presentable. With the exception of laboratory environments, aquariums must not exceed 30 gallons.

**4.6.3** A one-time exception to the terms of this policy may be granted for events or gatherings involving animals. These exceptions must be requested and approved through the appropriate ADA Coordinator.

## 5.0 PROCEDURES

### 5.1 Enforcement

**5.1.1** Any individual who brings an animal on to university property may be asked (1) if the animal is required because of a disability, and (2) what work or task the animal has been trained to perform. If the animal is untrained (i.e., not a “service animal”) the individual may be asked whether the animal is authorized as a disability accommodation under section 4.3.

**5.1.2** The owner of an unauthorized animal will be asked to remove the animal from university property. If the owner does not respond to this request, University Police will be called to respond to the situation and may remove the animal from campus.

**5.1.3** Anyone may report noncompliance with this policy to the UVU Police, the Office of Accessibility Services, or the Employee Accommodations Coordinator in Human Resources.

**5.1.4** Employees who violate this policy are subject to proportionate corrective action, including but not limited to warning, probation, suspension, or termination pursuant to applicable staff or faculty disciplinary policies and procedures.

**5.1.5** Students who violate this policy are subject to proportionate corrective action pursuant to Policy 541 *Student Code of Conduct*.

**5.1.6** The individual(s) responsible for any damage to university property caused by their animal shall coordinate the repair or replacement of damaged property with Facilities and/or Purchasing.



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**5.1.7** Under Utah Code § 62A-5b-106, it is a class B misdemeanor for any person to intentionally, knowingly, and falsely represent an animal as a service animal for the purpose of claiming the benefits of this policy.

<b>POLICY HISTORY</b>		
June 8, 2006	Policy approved for entrance to Policy Manual.	UVU Board of Trustees
June 18, 2019	Policy approved as a temporary emergency.	UVU Board of Trustees
January 23, 2020	Policy approved as a regular policy.	UVU Board of Trustees