



UCCS CAMPUS POLICY

Policy Title: Animals on Campus

Policy Number: 400-012

Policy Functional Area: FACILITIES

Effective:

November 16, 2015

Approved by:

Pam Shockley-Zalabak, Chancellor

Responsible Vice Chancellor:

Vice Chancellor of Administration and Finance (VCAF)

Office of Primary Responsibility:

AVCAF

Policy Primary Contact:

Disability Services, 255-3354

Supersedes:

N/A

Last Reviewed/Updated:

November 16, 2015

Applies to:

University Faculty, Staff, and Students

Reason for Policy: To provide guidance regarding animals on campus.

I. INTRODUCTION

The University of Colorado Colorado Springs (UCCS) recognizes that individuals with certain types of disabilities may require animal assistance while on campus. UCCS is committed to making reasonable accommodations to its rules, policies, and practices when necessary to afford individuals with disabilities an equal opportunity to access its programs, services, and activities. For more information related to disabilities and reasonable accommodations, please see UCCS Policy 300-021 "Disability Access and Accommodation."

II. POLICY STATEMENT

- A. Authority for the creation of campus administrative policies is found in The Laws of the Regents, 2007, Article 3 Section B.5(A) which states:

The chancellor of the each campus shall be the chief academic and administrative officer responsible to the president for the conduct of affairs of their respective campus in accordance with the policies of the Board of Regents. The chancellor shall have such other responsibilities as may be required by these Laws, or regent policy, or as may be delegated by the president.

B. Procedures:

1. Pets and Other Animals:

Pets, or other animals, are prohibited in campus buildings, with the exceptions of animals used for academic purposes and Assistance Animals as addressed below.

Leashed animals are permitted in outdoor spaces, provided that (1) the animal's behavior is within the owner's control and not disruptive (including but not limited to barking), (2) the animal does not pose a direct threat to the health or safety of others, and (3) its presence does not fundamentally alter the nature of a UCCS program, service or activity. Owners must attend leashed animals at all times and, per UCCS's storm water permit with the Colorado Department of Public Health and Environment, properly dispose of animal waste.

2. Service Animals:

A "Service Animal" means any dog (and possibly miniature horse) that is individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental health disability. The work or tasks performed by a Service Animal must be directly related to the person's disability, including but not limited to:

- A. Assisting individuals with low vision or blindness
- B. Alerting individuals who are deaf or hard of hearing
- C. Pulling a wheelchair or stabilizing a person's gait
- D. Retrieving items such as medicine, food, or a telephone
- E. Recognizing and assisting a person having a seizure or who may be experiencing flashbacks or emotional trauma, such as from PTSD

The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition. Species other than dogs or, in some limited cases, miniature horses, are not considered Service Animals for the purpose of this definition of a Service Animalⁱ.

Service Animals are permitted to accompany people with disabilities in all areas of UCCS's facilities where students, members of the public, and other participants in services, programs or activities are allowed to go, subject to the restrictions outlined in Section E below. Persons accompanied by a Service Animal on campus who do not need any other disability-related accommodations are not required to register with the Office of Disability Services.

When a person's disability is obvious, UCCS does not require documentation, such as proof that the animal has been certified, trained, or licensed as a Service Animal.

However, when it is not readily apparent that a dog is a Service Animal, UCCS staff may make two inquiries to determine whether the dog qualifies as a Service Animal. The inquiries are:

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

Dogs that do not qualify as Service Animals are prohibited in campus buildings and will be required to leave.

Service Animals in Training: Colorado law allows dogs on campus who are being trained specifically as service animals for individuals with disabilities. Service Animals in Training are subject to the same requirements, guidelines and restrictions of this policy as Service Animals. UCCS employees who are trainers of a Service Animal in Training must register the Service Animal in Training with the Human Resources Office and provide proof of liability insurance which covers both the Service Animal in Training and the employee in his/her role as trainer. The Service Animal in Training must not interfere with the employee's job responsibilities to the university during the employee's employment at the university.

C. Emotional Support Animals:

An "Emotional Support Animal," is an animal that provides emotional support that eases one or more identified symptoms of a person's disability(s). This group includes therapy, emotional support or comfort animals. Unlike Service Animals, Emotional Support Animals are not trained to perform work or tasks, and they may include species other than dogs and miniature horses.

Emotional Support Animals may reside in University Housing as a reasonable accommodation for students with disabilities. Before an Emotional Support Animal can move into University Housing with a person with a disability, however, the student must receive approval by the Office of Disability Services. Failure to obtain approval shall result in the animal immediately being removed from University Housing.

The Office of Disability Services shall require the student to provide documentation from his/her ongoing qualified licensed healthcare or mental health provider that opines:

1. The student is under his or her treatment and the student qualifies as a person with a disability (i.e., has a physical or mental impairment that substantially limits one or more major life activities); and
2. The Emotional Support Animal will provide identifiable disability-related assistance.

With this information, the Office of Disability Services shall determine on a case-by-case basis whether the animal's presence in University Housing is reasonable and not an undue administrative burden or fundamental alteration of University Housing and/or poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including university property.

Absent a specific, written accommodation issued by the Office of Disability Services, Emotional Support Animals are not allowed to accompany students with disabilities outside of University Housing to other university buildings, including academic or public areas of campus (e.g. dining facilities, libraries, recreation centers, athletic centers, classrooms, laboratories, etc.). If such an accommodation is provided, students must abide by all University policies, Housing procedures and any Assistance Animal Agreements as well as this policy, both in University Housing and when the animals are taken outside the student's living space.

D. Responsibilities of People with Disabilities Using Service or Emotional Support Animals (Assistance Animals):

UCCS is not responsible for the care or supervision of Assistance Animals. People with disabilities are responsible for the cost, care, and supervision of their own Assistance Animals, including:

1. Compliance with any laws pertaining to animal licensing, vaccination, and owner identification.
2. Keeping the animal under control and taking effective action when it is out of control.
3. Feeding, walking the animal, and disposing of its waste in an outdoor receptacle, per UCCS's storm water permit with the Colorado Department of Public Health and Environment.
4. Liability and costs for any damage, including personal injuries, caused by the animal.
5. For students with Assistance Animals in University Housing, the student must inform Disability Services of the need for an Assistance Animal in University Housing prior to move-in. Disability Services will determine if the animal is a Service Animal or an Emotional Support Animal and follow applicable procedures. Additionally, students must comply with any Residence Life and Housing procedures related to Assistance Animals.

All Assistance Animals must be housebroken (i.e., trained so that it controls its waste elimination, absent illness or accident) and must be kept under control by a harness, leash, or other tether, unless the person is unable to hold those, or such use would interfere with the Service Animal's performance, work, or tasks. In such instances, the Assistance Animal must be kept under control by voice, signals, or other effective means.

Disposing of animal waste via university plumbing is prohibited, including in University Housing. UCCS will not require any deposits or surcharges for Assistance Animals. People with disabilities who are accompanied by an Assistance Animal must comply with the same university rules regarding noise, safety, disruption, and cleanliness as people without disabilities.

E. Exceptions and Exclusions:

UCCS shall pose some restrictions on, and may even exclude, an Assistance Animal in certain instances. Restrictions or exclusions will be considered on a case-by-case basis by the Office of Disability Services and/or the ADA Coordinator in accordance with applicable laws. An Assistance Animal shall be excluded if:

1. Its behavior is out of control or disruptive and effective action is not taken to control it (including but not limited to barking);
2. It is not housebroken;
3. It poses a direct threat to the health or safety of others or causes substantial property damage to the property of others, including university property that cannot be reduced or eliminated by reasonable modifications; or
4. Its presence compromises the integrity of certain research or otherwise fundamentally alters the nature of a program, service or activity or puts the animal at risk.

Service Animals are restricted from the following areas:

1. Food preparation areas;
2. Research laboratories;

3. Mechanical rooms or custodial closets such as boiler rooms, facility equipment rooms, electrical closets, elevator control rooms, and similar spaces;
4. Areas where personal protective clothing or equipment are necessary;
5. Areas where there is a danger to the Service Animal such as classrooms or wood/metal/machine shops, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface, where there is hot material on the floor (e.g. molten metal or glass), where there is a high level of dust, where there are harmful chemicals or materials, or where there is moving machinery.

In the event that restriction or removal of an Assistance Animal is determined to be necessary, the person with a disability will still be given the opportunity to participate in the service, program, and activity without having the Assistance Animal present.

Alternatively, consistent with applicable laws, UCCS may elect to make modifications in its policies to permit the use of Service Animals if they meet certain criteria and have been individually trained to do work or perform tasks for the benefit of people with disabilities.

F. Guidelines for Members of the UCCS Community:

To ensure equal access and nondiscrimination to people with disabilities, members of the UCCS community must abide by the following practices:

1. Allow Service Animals and Emotional Support Animals to accompany people with disabilities as provided in this policy;
2. Do not ask for details about a person's disabilities;
3. Do not pet an Assistance Animal, as it distracts the animal from its work;
4. Do not feed an Assistance Animal;
5. Do not deliberately startle, tease, or taunt an Assistance Animal; and
6. Do not separate or attempt to separate a person from his/her Assistance Animal.

If you have a disability that may be affected by the presence of animals, please contact the Office of Disability Services. UCCS is committed to ensuring that the needs of all people with disabilities are met and will determine how to resolve any conflicts or problems as expeditiously as possible.

In considering whether an animal poses a direct threat to the health or safety of others, UCCS will make an individualized assessment, based on reasonable judgment, current medical knowledge, and/or the best available objective evidence, to determine:

1. The nature, duration, and severity of the risk;
2. The probability that the potential injury will actually occur; and
3. Whether reasonable modifications of policies, practices, procedures or auxiliary aids will mitigate the risk.

G. Request/Registration/Complaints Procedures:

Contact information for Students:

To request the use of an Assistance Animal on campus, in campus buildings and/ or in campus housing:

Disability Services & University Testing
Room 105
Main Hall
719-255-3354
dservice@uccs.edu

Contact information for Faculty and Staff:

To request the use of an Assistance Animal on campus:

Human Resources
Cragmor Hall 110
HRInfo@uccs.edu
719-255-3372

Complaints:

To report an animal in campus housing that is **disruptive, out of control, or poses a threat to safety**:

Residence Life and Housing, Office of
Monarch
719-255-4042
housing@uccs.edu

To report an animal on **university grounds** or in **university buildings** (other than in the Residence Halls or other student housing) that is **disruptive, out of control, or poses a threat to safety**:

Public Safety Office
719-255-3111

Concerns related to disability accommodations can be addressed by the Office of Disability Services and/or the ADA Coordinator.

Complaints of disability discrimination or harassment, other than those concerning a request for accommodation, should be made to:

Office of Institutional Equity
(719) 255-4324
equity@uccs.edu

Please review the Discrimination and Harassment Policy for filing a complaint of disability discrimination or harassment

<http://www.uccs.edu/Documents/vcaf/policies/2015/300-017.pdf> and the

Disability Access and Accommodation Policy

<http://www.uccs.edu/Documents/vcaf/policies/2014/300-021.pdf>

III. KEY WORDS

- A. Pet
- B. Assistance Animal
- C. Service Animal
- D. Emotional Support Animals

IV. RELATED POLICIES, PROCEDURES, FORMS, GUIDELINES, AND OTHER RESOURCES

- A. Administrative Policy Statements (APS) and Other Policies
- B. Procedures
- C. Forms
- D. Guidelines
- E. Other Resources (i.e. training, secondary contact information)
- F. Frequently Asked Questions (FAQs)

V. HISTORY

Initial policy approval November 16, 2015

¹UCCS will assess requests for the use of miniature horses by people with disabilities on a case-by-case-basis for students through the Office of Disability Services. Faculty and staff requests shall be made to Human Resources.