

Proposed Policy Number and Title: 160 Animals on Campus					
Existing Policy Nu	umber and Ti	itle: 160	Animals on Campus (Temporary Emergency)		
		App	oroval Process*		
⊠ Regular				☐ Expedited	
□ New		□ New	,	□ New	
⊠ Revision		⊠ Revi	sion	☐ Revision	
☐ Deletion		☐ Susp	ension		
l		Anticipat	ed Expiration Date:		
*See UVU Policy	101 <i>Policy G</i>	overning l	Policies for process d	etails.	
Draft Number and President's Council Policy Steward:	cil Sponsor:	Linda M		Ext Ext	
	POLIC	CY APPR	OVAL PROCESS I	PATES	
Policy Drafting an	d Revision		POST APPROVAL PROCESS Verify:		
Entrance Date:	8/31/2017				
University Entities	s Review		☐ Policy Number	er	
Entrance Date:	4/11/2019		☐ Section		
Close Feedback:			☐ Title		
			☐ BOT approval ☐ Approval date		
University Commu	· ·		☐ Approval date		
Entrance Date: <u>11/21/2019</u>			☐ Proper format of Policy Manual posting		
Open Feedback: <u>11/21/2019</u>				e and Archives update	
Close Feedback:	1/6/2020		1	•	
Board of Trustees Review			Policy Office personnel who verified and posted this policy to the University Policy Manual		
Entrance Date:			Name:		
					
Approval Date:			Date posted and verified:		



Policies and Procedures

POLICY	Animals On Campus (TEMPORARY	Policy	160
TITLE	EMERGENCY)	Number	100
Castian	Governance, Organization, and General	Approval	June 18, 2019
Section	Information	Date	June 10, 2019
Cubaatian	Individual Rights	Effective	June 18, 2019
Subsection	marviduai Kights	Date	June 10, 2019
Responsible	Office of the Vice President of Finance and		
Office	Administration		

1.0 PURPOSE

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

2.0 REFERENCES

- 4 **2.1** Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 (1990) (as amended by Pub. L.
- 5 No. 101-336, 104 stat. 327)
- 6 **2.2** *Nondiscrimination on the Basis of Disability in State and Local Government Services*,
- 7 28 C.F.R. § 35 (1991)
- 8 **2.3** Rights and Privileges of a Person with a Disability, Utah Code Ann. § 62A-5b-102 (2011)
- 9 **2.4** *Cruelty to Animals*, Utah Code Ann. § 76-9-301 (2015)
- 10 **2.42.5** *Conditions of Animal Ownership*, Utah County Code § 5-2-9
- 11 **2.52.6** *Cruelty to Animals*, Utah County Code § 5-2-21 (2009)
- 12 **2.62.7** *Animal Control*, Orem City Code § 5-1-1 (2007)
- 13 2.72.8 UVU Policy 152 Accommodations for Individuals with Disabilities
- 14 2.82.9 UVU Policy 541 Student Code of Conduct
- 15 2.92.10 UVU Policy 652 Care and Use of Vertebrate Animals in Research and Instruction

3.0 DEFINITIONS

- 16 **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



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- individualized assessment may include the nature, duration, and severity of the risk; the
- 19 probability of harm or injury; and the availability of reasonable accommodations to minimize or
- 20 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
- 23 Americans with Disabilities Act of 1990 as amended and its implementing regulations.
- 24 3.3 Emotional support animals: Any animal, other than a service animal, that alleviates one or
- 25 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,"
- 28 "comfort animals," or "therapy animals."
- 29 **3.4 Pet:** An animal kept for pleasure, amusement, companionship, or curiosity.
- 30 3.5 Service animal: Any dog or miniature horse that is individually trained to do work or
- 31 perform tasks for the benefit of an individual in direct relation to the individual's physical,
- 32 sensory, psychiatric, intellectual, or other disability. This may include assisting an individual
- 33 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
- 38 neurological disability by preventing or interrupting impulsive or destructive behaviors. The
- 39 crime deterrent effects of an animal's presence and the provision of emotional support, well-
- 40 being, comfort, or companionship do not constitute work or tasks for the purposes of this
- 41 definition.
- 42 **3.6 University property:** Utah Valley University (UVU) property including but not limited to
- 43 administrative offices, academic buildings, outdoor campus spaces, and all satellite locations
- 44 whether owned, leased, operated, or maintained by UVU. This specifically excludes a university-
- owned institutional residence of the university president.

4.0 POLICY

- 46 **4.1 Scope**
- 47 4.1.1 This policy applies to the owners, custodians, and partners handlers of any animal on
- 48 university property. For consistency, this policy uses the term *owner* throughout.
- 49 **4.1.2** Pets are not allowed on university property.



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- 50 **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
- 52 those used in academic courses, laboratories, law enforcement, or rescue purposes.

4.2 Service Animals

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- 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
- 56 Accommodations for Individuals with Disabilities, including adequate documentation and
- 57 <u>interactive exploration of accommodative options.</u>
- 58 4.2.14.2.2 Service animals may accompany the service animal's partner owner at all times and
- 59 everywhere on university property so long as:
- 60 4.2.1.14.2.2.1 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
- 62 wearing owner identification tags, rabies tags, and dog license tags;
- 63 4.2.1.24.2.2.2 The service animal is under appropriate restraint and control by its ownerpartner at
- all times, which may include but is not limited to leash, electronic leash, signals, or voice
- 65 commands;
- 66 4.2.1.34.2.2.3 The service animal does not pose a direct threat to the health or safety of others or
- 67 would cause substantial damage to the property of others the health, safety, or property of others;
- 68 4.2.1.44.2.2.4 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
- 70 the presence of the service animal; and
- 71 4.2.1.54.2.2.5 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.

74 4.3 Emotional Support Animals

- 75 **4.3.1** Emotional support animals are typically not allowed on university property unless no other
- 76 accommodation would provide individuals with disabilities equal access to university education
- programs and activities. Additionally, emotional support animals may only be present on
- 78 university property if:
- 79 **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
- 81 disturbance or interference with the university community; and



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- 4.3.1.3 The emotional support animal is authorized through the process set forth in UVU Policy
- 83 152 Accommodations for Individuals with Disabilities, including adequate documentation and
- 84 interactive exploration of accommodation options.
- 85 4.4 Animals Used in Academic Courses, Laboratories, Teaching, Testing, Law
- 86 Enforcement, or Rescue Purposes
- 4.4.1 The use of any animal in teaching, testing, or research is allowed on university property,
- 88 provided it follows Policy 652 Care and Use of Vertebrate Animals in Research and Instruction.
- 89 4.4.1 Any animal used in an academic course, laboratory, The use of any animal for official law
- 90 enforcement, or for rescue purposes is allowed on university property, so long as:
- 91 4.4.2 The animal meets all the conditions of 4.2; and
- 92 4.4.34.4.2 The animal's partner has obtained all applicable reviews and approvals required by
- 93 the Institutional Animal Care and Use Committee, as provided by UVU Policy 652 Care and
- 94 Use of Vertebrate Animals in Research and Instruction.
- 95 **4.5 Care and Supervision**
- 96 **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 partner or owner.
- 98 **4.5.2** Individuals' care of animals on campus must comply with state and local law regarding
- 99 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 may not be
- 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.
 - 4.6 Other Animals Allowed on Campus
- 109 **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 designated 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.



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- 114 **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
- 119 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 ownerpartner of an unauthorized animal will be asked to remove the animal from
- university property. If the ownerpartner 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
- 129 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
- 134 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.
- 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
- 139 claiming the benefits of this policy.

	POLICY HISTORY	
June 8, 2006	Policy approved for entrance to Policy	UVU Board of Trustees
	Manual.	
June 18, 2019	Policy approved as a temporary emergency.	UVU Board of Trustees



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POLICY TITLE	Animals On Campus	Policy Number	160
Section	Governance, Organization, and General Information	Approval Date	June 8, 2006
Subsection	Individual Rights	Effective Date	June 8, 2006
Responsible Office	Office of the Vice President of Finance and Administration		

1.0 PURPOSE

 1.1 To maintain campus safety, health, and security standards for animals allowed on campus, and to permit the very important services that they provide to faculty, staff, students, the University, and the community, and to draw the very important distinction between those animals permitted on and those excluded from campus.

2.0 REFERENCES

3.0 DEFINITIONS

3.1 Institutional 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, but specifically excluding the institutional residence of the University president.

3.2 Pet: An animal kept for pleasure, companionship, or curiosity.

3.3 Service animal: Any guide dog or signal dog or other service dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items. Note: It is the presumption of UVU that all service animals are dogs. This presumption can be rebutted by any individual upon presentation of clear and convincing evidence to UVU's ADA Coordinator that a particular animal other than a dog is also individually trained to work or perform tasks for the benefit of an individual with a disability.

3.4 Therapy animal: An animal with good temperament and disposition, and who has reliable, predictable behavior, selected as a therapy tool to visit people with disabilities, to visit people



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who are experience the frailties of aging, or to visit people with reading or behavioral problems. The therapy animal is incorporated as an integral part of a treatment process under the direction of a health professional.

4.0 POLICY

4.1 Pets, with the exception of aquarium organisms, are not allowed on university property.

4.2 Subject to the following qualifications, exceptions, and conditions, only the following animals are allowed on university property:

4.2.1 *Service animals.* Service animals are allowed to accompany the service animal's partner at all times, and everywhere, on institutional property, so long as:

1) The service animal has a current, valid license and current vaccinations, according to all the requirements for all animals of the same species in the municipality or local area government where the service animal resides, which may include the wearing of owner identification tags, rabies tags, and dog license tags;

2) The service animal is under appropriate restraint and under appropriate control by its partner at all times;

3) The service animal does not cause immediate danger to the health or safety of other people on university property;

4) The nature of the activity taking place in a particular setting on university property is not fundamentally changed by the presence of a service animal; and

5) Care and supervision of the service animal, as well as the costs of any damage caused by the service animal, is the sole responsibility of the service animal's partner or owner.

4.2.2 Therapy animals. Therapy animals are allowed to visit individuals on university property, subject to the definition included herein, and so long as:

1) The therapy animal is used exclusively as part of a therapy treatment process;

2) The therapy animal has a current, valid license and current vaccinations, according to the requirements for all animals of the same species in the municipality or local area government where the therapy animal resides, which may include the wearing of owner identification tags, rabies tags, and license tags;

3) The therapy animal is under appropriate restraint and under appropriate control at all times;



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78 4) The therapy animal does not cause immediate danger to the health or safety of other people on university property;

5) The nature of the activity taking place in a particular setting on university property is not fundamentally changed by the presence of a therapy animal;

6) The care and supervision of the therapy animal, as well as the costs of any damage caused by the therapy animal, is the sole responsibility of the individual using the therapy animal for his or her therapy; and

7) Certification must be provided to the institution that confirms that the therapy animal is in fact providing therapy under the direction of a health professional 1) for the individual in whose custody the animal is, or 2) for some other organizations such that the therapy animal's presence on campus assists in that therapy activity.

 4.2.3 Animals used in an academic course, in a laboratory, or as demonstration animal, or for law enforcement or rescue purposes. Any animal used in an academic course, in a laboratory, or as a demonstration animal, or for law enforcement or rescue purposes, is allowed on university property, so long as:

1) Such animal has a current, valid license and current vaccinations, according to the requirements for all animals of the same species in the municipality or local area government where such animal resides or is located, or in the event such animals are used for academic, laboratory, or research purposes, the standards and practices associated with such academic, laboratory, and research purposes must be complied with;

2) Such animal is under appropriate restraint and under appropriate control at all times;

3) Such animal does not cause immediate danger to the health or safety of other people on university property.

4.3 Recognizing that the campus is part of the surrounding neighborhood and community, animals with valid licenses and current vaccinations, under proper restraint and with their owners who are walking across campus and who do not enter buildings are allowed on university property.

4.4 Aquarium fish and snails, when displayed for academic or esthetic purposes are allowed on campus. Aquaria kept in public view must be kept clean and presentable.

4.5 A one-time exception to the terms of this policy may be granted for events involving animals. These exceptions must be requested and approved through campus police.



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4.6 Every individual who is in control of an animal that is allowed to be on university property is responsible to immediately clean up after such animal, including the immediate removal of any waste. Individuals with disabilities who physically cannot clean up after their own service animal may not be required to pick up and dispose of animal waste. However, these individuals should use marked service animal toileting areas when such areas are provided.

4.7 Animals may be left in vehicles so long as they do not pose any threat to passers by and they are not in danger or distress. Unattended or unrestrained animals other than those left in vehicles, animals that pose a hazard or potential hazard to passers by, or animals in danger or distress, will be removed from university property by a local animal control services. Policy complies with local codes.

5.0 PROCEDURES

5.1 Enforcement

5.1.1 Individuals who bring unauthorized animals onto university property shall be asked to remove the animal immediately or secure it in a private vehicle.

5.1.2 Anyone noting unauthorized animals on campus, or animals not appropriately restrained, should call Campus Police.

5.1.3 UVU employees who are repeat violators will face disciplinary action including but not limited to letters of reprimand, or in extreme cases, potential loss of employment.

5.1.4 Students who are repeat offenders may also face disciplinary action including reprimand, or in extreme cases, expulsion or banishment from university property.

5.1.5 Costs of damage to property directly resulting from animals on university property shall be the sole responsibility of the owner.

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 the Facilities department and/or the Purchasing department.

5.2 Contacts: Questions regarding this policy should be directed to Campus Police.

	POLICY HISTORY	
Date of Last Action	Action Taken	Authorizing Entity



UTAH VALLEY UNIVERSITY Policies and Procedures



POLICY APPROVAL PROCESS - STAGE 2 SUMMARY OF COMMENTS

Policy Title: Animals on Campus	Policy Number: 160
Sponsor: Linda Makin, Kyle Reyes	Steward: Irene Whittier, Alexis Palmer
Presentation to: Alexis Palmer	Date Presented: 10/03/2019

NOTE: Indicate with X whether the comment is editorial (grammar, punctuation, sentence structure, etc.) or is a substance comment (content, procedure, etc.).

CAMPUS	POLICY	Editorial	Substance	CONCERN	SPONSOR/STEWARD RESPONSE
ENTITY	SECTION	Comment?	Comment?		
Faculty Senate	Overall		X	The faculty senate supports the implementation of this policy if our comments are addressed. Vote Results: Support – 36 Do Not Support - 3 Abstain - 0	
Faculty Senate	4.2.1.3 See Comment 3		X	The policy prevents service animals from being where they might harm other people, but no procedure is outlined for when the disabled person needs to be in the same place as someone who can be harmed by the animal. One such common circumstance is an instructor or student who is allergic	Refer to the direct threat analysis found in 3.1.



			to the service animal accompanying	
			a student with a disability attending	
			the same class. Such procedures	
			should be spelled out in policy.	
Faculty	4.5.3	Χ	There is no provision in the policy	Added language to 4.5.3 indicating to notify
Senate	See		for what an animal partner should	custodial services.
	Comment		do if an animal toilets in a non-	
	1		toileting area and they are physically	
			unable to clean it up themselves.	
			Please include such a provision.	
Faculty	4.7	Х	The language should be clarified to	Removed "designated"
Senate	See		indicate exactly where non-service	_
	Comment		animals are allowed to be. It is not	
	2		clear as stated.	
Faculty	4.4.1.1	Х	It is unreasonable to expect that	This policy has been revised to clarify that
Senate	See		research animals meet the same	the care of any animal used in testing,
	Comment		certification requirements as service	teaching, and research comes under Policy
	4		animals. Instead animals used for	652 Care and Use of Vertebrate Animals in
	'		research should satisfy Policy 652	Research and Instruction. See the revision
			Care and Use of Vertebrate Animals	in section 4.4.1.
			in Research and Instruction. This	
			policy should remove the	
			requirement that research animals	
			meet the same requirements as	
			service animals and instead refer to	
İ			Policy 652.	



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Appendix: Unedited Faculty Senator Comments Summarized Above

#	Name	Policy Section	Editorial Comment?	Substance Comment?	Concern	Suggestion
1	Alan Parry	4.5.3	N	Y	What happens if the animal does its business in non-animal toileting area and the partner is not physically able to clean it up? While I agree it is unreasonable for them to clean it up themselves, what should they do? Leave it in the hallway?	For those unable to clean up if their animal has an (ahem) incident that doesn't occur in the toileting area, they should have to contact custodial services.
2	Alan Parry	4.7	N	Y	Clearly this line is so that we don't have to worry about a neighbor walking their dog on the sidewalk. However, this leaves ambiguous whether an animal can be on the lawn. The first sentence seems to suggest they shouldn't, while the second sentence specifically prohibits things, but does not specifically prohibit lawns.	The language should be reworded to clarify exactly where non-service animals are allowed to be.
3	Alan Parry	4.2.1.3	N	Y	This line suggests that a service animal may NOT accompany their partner if the animal poses a danger to others. In the event that an instructor or another student has a significant allergy to a service animal or other health concern, this line suggests that the animal is simply not allowed in that classroom. Even if this is not the intention, the alternative of forcing the animal into that environment produces an equally problematic situation. This very common issue is not addressed in the policy.	The policy needs to include provision for what to do in common cases like this and other potential conflicts. Jeremy Knee suggested in senate that there were some ideas in place, but this kind of thing should be written into policy and vetted through the policy process.



				A policy dealing with animals on campus, that does not provide provision for what to do when these kinds of common conflicts occur is insufficient to govern how we handle animals on campus.	
4	Senate Floor	4.4.1.1		Animals used in research should not have to meet service animal requirements.	This policy should refer to the requirements of animals for research policy, Policy 652.

Policy Title: Animals on Campus	Policy Number: 160
Sponsor: Linda Makin/Kyle Reyes	Steward: Irene Whittier/Alexis Palmer
Presentation to: Academic Affairs Council	Date Presented: 7/31/19

CAMPUS	POLICY	CONCERN	SPONSOR/STEWARD RESPONSE
ENTITY	SECTION		
AAC			No comments

Policy Title: Animals on Campus	Policy Number: 160	
Sponsor: Linda Makin/Kyle Reyes	Steward: Irene Whittier/Alexis Palmer	
Presentation to: UVUSA	Date Presented: 7/31/19	

CAMPUS	POLICY	CONCERN	SPONSOR/STEWARD RESPONSE
ENTITY	SECTION		
UVUSA			No comments



UTAH VALLEY UNIVERSITY Policies and Procedures

Policy Title: Animals on Campus	Policy Number: 160
Sponsor: Linda Makin/Kyle Reyes	Steward(s): Alexis Palmer/Irene Whittier/Jeremy Knee
Presentation to: PACE	Date Presented:

Note: Indicate with X whether the comment is editorial (grammar, punctuation, sentence structure, etc.) or is a substance comment (content, procedure, etc.)

CAMPUS ENTITY	POLICY SECTION	Editorial Comment	Substance Comment	CONCERN	SPONSOR/STEWARD RESPONSE
PACE Board	4.6		X	Nothing specifically allows/forbids unattended wildlife like the ducks in the lake. Can we officially allow them on campus?	This policy is about regulating human behavior so if the animal is not accompanied by a human this policy does not apply.
PACE Board	4.8		Х	Can this be interpreted to allow staff to keep goldfish? I have considered bringing one in.	The policy does not prohibit goldfish. Speak with your supervisor if you would like to bring a goldfish.



PACE Board	4.2.1.3	x		Confusing sentence construction. It starts out negative "does not pose" and ends positive "would cause substantial". Should be reworded to be easier to understand, as this construction makes it seem like we want the animal to cause damage.	We revised the sentence: The service animal does not pose a direct threat to the health, safety, or property of others.
PACE Board	Overall	Х	Х	Not sure if editorial or substance. Maybe both. Owner or partner is used throughout, except in Procedures (5.1.2). Should it always be "Owner" or always be "Partner"? Should it always be "Owner or Partner"? And what exactly is an animal partner anyway?	We have updated the language to indicate the use of "owners" throughout.