



Policy FA004: Animals on University Property

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A. Intent

The intent of this policy is to provide for the control of all live animals on property owned or controlled by Pennsylvania Western University (PennWest) and to optimize the safety and health of the University community from disease and injury.

B. Definition(s)

Domestic Animal – An animal having been trained or adapted to living in a human environment. Such animals include, but are not limited to dogs, cats, birds, rabbits, and other types of household pets. This does not include research animals, or wild or feral animals.

Emotional Support Animal (ESA) – Emotional Support Animals (ESAs) are sometimes referred to as assistance, support, or comfort animals. An ESA is not a pet. The ESA provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. ESAs do not perform work or tasks that would qualify them as Service Animals under the ADA.

Feral Animal – Feral animals belong to a domesticated species like cats, but live wild. Often, they are the offspring of animals that belonged to people but were either let loose or escaped from confinement.

Research Animal – Research animals that are kept or brought on the University or utilized off-campus for the sole purpose of research or experimentation.

Service Animal – Dogs that have been trained to perform tasks that assist people with disabilities. Service animals are not pets, but working animals that provide a service directly related to a person's disability. Service Animal includes service dogs who are in-training.

Therapy Animal – An animal (typically a domestic animal) that has been appropriately trained, evaluated, and certified to industry standards by an organization to provide a type of therapy and is tolerant to a variety of environments and experiences.

Wild Animal – An animal that is not socialized or domesticated.

C. Policy

General

- Animals are prohibited in all University owned or operated buildings, except as provided by this policy. The following types of animals are permitted on University property, when necessary and as appropriate:
 - Service animals;
 - Emotional support animals, as specified by this policy;
 - Therapy animals, as specified by this policy;
 - Law enforcement and search & rescue animals;
 - Stray animals temporarily being held by University Police;
 - Animals approved as part of a program, event, or contract, in accordance with the University Events Manual; and
 - Animals approved as part of University research, education, or experimentation.
- The abandonment of animals on campus grounds is strictly forbidden. Any animal found tethered unattended or abandoned shall be humanely impounded in accordance with all applicable laws and regulations.
- Individuals who bring animals onto University property shall be held responsible for the compliance with all federal, state, and local laws concerning the animal (including registration, vaccinations, and tags), the immediate cleanup and proper disposal of any waste products (including feces), and any damage inflicted by the animal to individuals or property. The individual must provide all applicable documentation to the University upon request.
- The University has the right to remove any animal from campus property where the animal creates a hazard or interferes with university operations including but not limited to making incessant noise, harassing or intimidating people, or damaging property.
- The possession of poisonous reptiles, constricting snakes (e.g., boas, pythons, and anacondas) and other potentially dangerous or aggressive animals on University property, except when used for approved academic or research purposes or as an approved ESA, is strictly prohibited.

Domestic Animals

- Domestic animals are generally not permitted in or on any controlled space on University property, and are permitted only in outdoor areas open to the general public.
- Domestic animals must be under the direct control of a responsible person while on campus grounds, restrained by either a leash that does not exceed 72 inches in length or in an appropriate animal carrier, crate, cage or kennel. Domestic animals under voice command are not considered on leash (under control) and are not permitted.
- Domestic animals that are brought into University Housing, must meet the requirements established by Residence Life and Housing and be approved.

Emotional Support Animals (ESAs)

- In accordance with applicable federal law, the University permits an individual to have an ESA within their assigned University housing, where approved by Residence Life and Housing. However, ESAs are not permitted in any other building owned or controlled by the University, unless specifically approved as a reasonable accommodation by the Office of Students with Disabilities (“OSD”).
- When the ESA is outside of their individual living area (i.e. suite or room) they must be in an animal carrier or controlled by a leash or harness.
- When the ESA is inside their individual living area and the owner is not present, the ESA must be crated or caged.
- ESAs are permitted to be in outdoor public areas to the same extent as domestic animals.
- Student requests for accommodation to have an ESA in University Housing requires approval from the Office of Students with Disabilities and Residence Life and Housing, in accordance with the Procedures below.
- In accordance with applicable federal law, the University reserves the right to remove ESAs when appropriate.

Research and Education Animals

Vertebrate

- All live vertebrate animals proposed to be utilized for research, education, and experimentation on or off campus, must be approved by the University’s Institutional Animal Care and Use Committee (IACUC) prior to conducting the research, education, or experimentation.
- The care and use of vertebrate animals shall be done in accordance with the protocols approved by the IACUC.
- The IACUC is responsible for the following:
 - Reviewing and approving of protocols for vertebrae animals involved in research and experiments (on or off campus);
 - Suspending any animal care and use activity that fails to comply with federal regulation or an IACUC approved protocol;
 - Inspecting all animal housing facilities and animal use areas under IACUC

approval;

- Evaluating the care and use of research animals under IACUC approval;
- Making recommendations to the administration regarding any aspect of PennWest's animal care facilities or program; and
- Reviewing concerns involving the care and use of research animals under IACUC approval.

Invertebrate

- Live invertebrate animals utilized for research, education, and experimentation on or off campus are permitted when done in accordance with this policy.
- When planning to utilize invertebrate animals for research, education, and experimentation the following items shall be evaluated and controls shall be implemented, where applicable:
 - Training of personnel;
 - Appropriate husbandry practices;
 - Health monitoring and record keeping;
 - Species interactions;
 - Facility provisions;
 - Occupational health and safety risks; and
 - Appropriate containment to prevent escape.
- Safety & Risk Management and University Police must be contacted if invertebrate animals which may pose a health hazard risk to human or the environment (e.g. venomous species, disease vectors, parasitic organisms) are proposed to be used and/or maintained on campus.
- All federal, state, and local laws must be followed when obtaining and maintaining invertebrate animals on campus.
- All appropriate permits must be obtained prior to obtaining animals from wild sources.
- The care and use of invertebrate animals shall be done appropriately and humanely according to their species needs. Invertebrate animals do not require an IACUC approved protocol.
- Invertebrate species are not permitted in animal research space which is under the oversight of the IACUC without prior approval of the IACUC.

Service Animals

- ADA regulations do not require Service Animals to wear a vest, ID tag, or specific harness. In situations where it is not obvious that the animal is a Service Animal, University employees may only ask the following two questions:
 - Is the animal required because of a disability?
 - What work or task has the animal been trained to perform?

- In accordance with applicable state and federal law, Service Animals are permitted within buildings on property owned or controlled by the University. They are permitted access to all areas that their owners would otherwise be permitted access. However, the owner should evaluate the potential risks with bringing a Service Animal into hazardous or high-risk areas (i.e. laboratories). When the safety of the animal or of others is a concern, an interactive discussion should occur with the individual with oversight of the area to establish procedures for the use of the area on a case-by-case basis.
- The handler must retain full control of the animal at all times while on University property. The animal must be in an animal carrier or controlled by a harness, leash or tether, unless these devices interfere with the animal's work, the individual's disability prevents use of these devices, or the animal is within the handler's own dwelling. In these cases, the handler must maintain control of the animal through voice, signal, or other effective controls.
- In addition to dogs, ADA regulations have a limited exception for miniature horses that have been individually trained to do work or perform tasks for people with disabilities. (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.) The regulations set forth four assessment factors to assist in determining whether miniature horses can be accommodated in their facility, where reasonable. The assessment factors are as follow:
 - Whether the miniature horse is housebroken;
 - Whether the miniature horse is under the owner's control;
 - Whether the facility can accommodate the miniature horse's type, size, and weight; and
 - Whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

Therapy Animals

- Therapy Animals provide therapeutic support to people other than their handlers.
- The use of Therapy Animals in or on University owned or controlled property must be approved in accordance with the University's events approval process. Therapy Animals are only permitted to access the specific locations as specified with their approval.

Wild or Feral Animals

- The trapping, caging, and/or use of wild animals on campus, other than by authorized individuals, is prohibited.
- Wild animals that are a potential risk, represent a hazard, cause property damage, create a nuisance, or otherwise pose a potential conflict for humans may be regulated, controlled, or humanely relocated when possible, in accordance with all applicable laws and regulations.
- All individuals are prohibited from leaving unattended food or water on campus grounds for the purpose of feeding animals or engage in any other human intervention unless approved to do so through a University authorized program. Human intervention

includes, but is not limited to, attracting animals, feeding, watering, building shelters for animals, and providing medication. Any unattended food or water or unauthorized shelters found outside on campus grounds may be removed and disposed of.

- All trash dumpsters, in which food may potentially be disposed of, are to be kept clean and covered at all times.

D. Procedure(s)

Emotional Support Animals

- Students with disabilities are required to request a reasonable accommodation to possess an ESA on campus prior to bringing the animal to campus. Requests for accommodations should be made to OSD.
- The OSD shall have thirty (30) days to evaluate a request for a reasonable accommodation to possess an ESA on campus based on:
 - Whether the student has a disability;
 - Whether the student has a disability-related need for an animal—in other words, does the animal provide emotional support that alleviates one or more identified symptoms or effects of a person's existing disability; and
 - Whether there is an identifiable connection between the disability and the assistance the animal provides.
- For a request for an ESA in a student housing unit, OSD will evaluate the request with the assistance Residence Life and Housing. The request may be denied if the specific ESA in question poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation. The request may also be denied if the specific animal in question would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation.
- Students seeking an accommodation for an ESA must provide reliable documentation of a disability from a licensed mental health professional qualified to assess that the animal provides emotional support that alleviates one or more of the identified symptoms or effects of an existing disability.

Service Animals

- Students are not required to request or obtain permission to have a service animal on campus. Students are required to notify the OSD before the service animal can come to campus. The OSD does require proof of vaccination and license for the service animal.

Housing Conflicts and Conflicting Medical Needs

- Students who are assigned to roommates who do not want to share a room with a service animal or ESA may request a transfer, but the student being accommodated will not be required to move solely to accommodate another student's preference. However, where a student has medical issues that are precipitated by the service animal or ESA, Residence Life and Housing, in consultation with OSD, will attempt to reach a mutually beneficial solution that may involve either or both students relocating to another unit.
- It is common for persons to have a medical condition that causes an allergic reaction to animals. Persons who have asthma/allergy/medical issues are encouraged to make their condition known to the OSD once the housing assignment is made by providing medical documentation to support their claim. Housing options can be determined to meet the

needs of both students.

E. Related policies

FA052 Safety and Risk Management

F. Contact Information

Safety & Risk Management

Residence Life and Housing

University Police

Office for Students with Disabilities

G. Policy Review Schedule

All policies will be reviewed every two years or on an as needed basis if a change in BOG, PASSHE or Pennsylvania law would create the need for an immediate change.