

Campus Administrative Policy

Policy Title: **Animals on Campus**

Policy Number: 3051 Functional Area: General Administration

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Responsible Officer: Executive Vice Chancellor for
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Senior Vice Chancellor for Administration
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Applies to: CU Anschutz
CU Denver

A. Introduction

The purpose of this policy is to set the guidelines, requirements, and procedures regarding the presence of animals (i) on the University of Colorado Denver | Anschutz Medical Campus, including the CU South Denver location (“University”) or (ii) at University-sponsored events, programs or activities.

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C. Policy Statement Concerning Animals on Campus

The University allows individuals to bring animals on Campus property or include them as part of University-sponsored events, programs, or activities in accordance with federal and state laws and in other situations subject to the rules outlined in this Policy. At the same time, the University recognizes the health and safety risks potentially created

by unrestrained animals on Campus and at University-sponsored events, programs, or activities. This Policy sets forth roles and responsibilities of employees, students, visitors, and applicants for admission or employment with the University who have the need to bring animals on Campus or include them as part of University-sponsored events, programs, or activities.

This Policy is administered and enforced by the Animals on Campus Committee (“Committee”) that consists of representatives from the following University departments: Legal, University Risk Management, Human Resources, Disability Resources and Services, Institutional Animal Care and Use Committee and Office of Laboratory Animal Resources.

D. Definitions

1. Animal Definitions

- a. Emotional Support Animal: an animal that is not a service animal as they are not specially trained to perform a task and are not covered by the Americans with Disabilities Act, as amended (“ADA”) relative to public accommodations, but they are covered by applicable law relative to housing considerations to allow a person with a disability an equal opportunity to use and enjoy a dwelling. To legally be considered an Emotional Support Animal, the animal needs to be prescribed by a licensed mental health professional to a person with a disabling mental illness.
- b. Pet: an animal kept for ordinary use and companionship. A Pet is not considered a Service Animal, Service Animal in Training, Emotional Support Animal, Therapy Animal, or Research Animal.
- c. Research Animal: any animal that is covered under a University of Colorado Animal Care and Use Committee (IACUC) approved protocol. Research Animals are not Pets, Service Animals, Therapy Animals, or Emotional Support Animals unless part of a study approved by the IACUC. Their presence on campus is controlled by the Office of Laboratory Animal Research; the terms of this Policy do not apply to those animals.

- d. Service Animal: a dog, and in some specific instances a miniature horse, that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the animal must be directly related to the person's disability.
- e. Service Animal in Training: an animal engaged in training to become a Service Animal. All below references to Service Animals refers also to Service Animals in Training.
- f. Therapy Animal: a trained animal that accompanies a licensed counselor or therapist to treatment sessions in order to deliver individualized animal-assisted therapy interventions.

2. Additional Definitions

- a. ADA Coordinator: an employee of the University responsible for providing information to and facilitating the reasonable accommodation process, pursuant to the ADA for employees and applicants for employment.
- b. Campus: includes all University-owned, leased, or controlled locations.
- c. Disability: with respect to an individual, a physical or mental impairment that substantially limits one or more major life activities of such an individual, a record of such an impairment, or being regarded as having such an impairment. The impairment may be permanent, chronic, or progressive. An impairment that is episodic or in remission is considered a disability under the ADA if the condition would substantially limit a major life activity when active.
- d. Disability Services Director: an employee of the University whose purpose is to provide assistance to students with disabilities, including the provision of reasonable accommodations.
- e. Handler: person without a disability who is training a Service Animal.
- f. Partner: person with a disability using a Service Animal. For purposes of this policy, this can be either a student or n employee.
- g. Public Facilities: any property, including buildings, grounds, and equipment controlled by the University and open to the

- public.
- h. Qualified Individual with a Disability: an individual with a disability who possesses the requisite skills, education, experience, and training for a position, and who can perform, with or without reasonable accommodation, the essential functions required for the position the individual desires or holds.
 - i. Reasonable Accommodation: a modification or adjustment to the job application process or the work environment enabling a qualified individual with a disability to be eligible for a position, perform the essential functions of a position, or enjoy the same benefits and privileges of employment as are enjoyed by similarly situated employees without disabilities. The University provides reasonable accommodations to qualified individuals with a disability in order for them to enjoy equal benefits and privileges of work and to enable performance of the essential functions specified in the job description.

E. Responsibilities and Procedures

1. Service Animal Qualifications

A Service Animal must be individually trained to do work or perform tasks for the benefit of an Individual with a Disability. The work or tasks performed must be directly related to the disability. Service Animals must be accompanied by a Partner at all times and the Partner must maintain control of the animal at all times.

The Service Animal must be current on vaccinations.

In situations where it is not obvious that the animal is a Service Animal, the University may ask:

- a. “Is the animal a service animal required because of a disability?”; and
- b. “What work or task has the animal been trained to perform?”

Pursuant to the ADA, University officials shall not require that the animal demonstrate its task, or, for student Partners, inquire about

the nature of the person's disability. However, if at any time the Service Animal exhibits disruptive, aggressive, or inappropriate behavior questionable of a Service Animal while on Campus or at a University-sponsored event, program or activity, these questions may be asked at a later time, see 3 below.

2. Service Animal Care and Control Requirements

The care and supervision of a Service Animal is the responsibility of the Service Animal's Partner. Service Animals must be harnessed, leashed, or tethered, unless the device interferes with the Service Animal's work or the individual's disability prevents using these devices. In that instance, the Partner must maintain control of the animal at all times through voice, signal, or other effective controls.

As noted in the ADA, the Partner is responsible for caring for and supervising the Service Animal, which includes toileting, feeding, grooming and veterinary care. If a Service Animal is sick, that Service Animal should not be brought to Campus or University-sponsored events, programs, or activities during the duration of that sickness. The Partner is responsible for the cleanup of all animal waste; the University may designate animal waste areas.

The owner or individual with a disability who has control or custody of a Service Animal or the trainer of a Service Animal is liable for any damage to persons, premises, or facilities caused by the Service Animal or Service Animal in Training.

3. Removal of Service Animals from Campus or University-Sponsored event, program, or activity

A University official, including, but not limited to, an event coordinator and/or a member of the Animals on Campus Committee, may require the removal of a Service Animal from campus or from a University-sponsored event, program or activity if it is: (1) out of control (i.e. biting or attempting to bite), vocalizing, running around, jumping at or on other animals or people or engaging in other aggressive or disruptive behavior; or (2) the animal is not housebroken.

Circumstances leading to removal will be reviewed on a case-by-case basis. In the event the University properly excludes a Service Animal, it must provide the Handler the opportunity to participate in the service, program, or activity without having the Service Animal present. Once a particular animal has been excluded, it may not return to campus. If an excluded animal reappears on campus, the animal's Partner will be referred, as applicable, to either a student conduct official or human resources for possible disciplinary action.

4. Employees and Service Animals on Campus

Qualified employees with a disability who require a Service Animal as a Reasonable Accommodation, as defined by the ADA, in a University office or other facility not open to the general public must submit a request that they be permitted to bring their Service Animal to their place of employment. The ADA Coordinator may review this request with the Employee's supervisor. The employee must contact the ADA Coordinator at least two weeks in advance of the Service Animal coming on campus or other University facility or as early as is reasonably practicable. After engaging in the interactive process on a case-by-case basis with the disabled employee, the ADA Coordinator may approve the requested accommodation and will provide documentation for the employee to present to their supervisor.

Employees who do not themselves have a disability that would benefit from the use of a Service Animal but wish to train an animal to be a Service Animal for other individuals must submit a request to the relevant campus ADA Coordinator. These requests will be considered on a case-by-case basis with supervisor input, but not analyzed under the Americans with Disabilities Act.

Employees wishing to bring Service Animals and Service Animals in Training to campus must initially provide Service Animal and Service Animal in Training health and vaccination records, including but not limited to negative fecal exam results, to the ADA Coordinator and maintain such records, updated on an annual

basis, that can be shown upon demand to the ADA Coordinator or a University official enforcing this Policy.

5. Students and Service Animals on Campus

A student with a disability, who requires a Service Animal in an academic setting, is encouraged to meet with the Office of Disability Resources and Services. After registration, including verification of the disability and Service Animal, is complete, the disability staff will provide documentation for the student to present to their faculty. In addition, the disability staff are available to assist with providing access to additional accommodations, resources, information, and advocacy.

6. Visitors and Service Animals on Campus

Visitors with Service Animals may access all public facilities, with the exception of areas where this Policy specifically prohibits Service Animals.

7. Extent of and Restrictions on Service Animal Access

The University may prohibit or otherwise restrict the access of Service Animals in certain University facilities due to health or safety restrictions or concerns, where the presence of a Service Animal may put the Service Animal at risk, compromise the integrity of certain research, or otherwise fundamentally alter a program or activity. Each request for access will be evaluated on a case-by-case basis by the ADA Coordinator or Disability Services Director.

Service Animals may be restricted from the following areas:

- Food preparation areas;
- Research laboratories;
- University Animal Care Facilities
- Mechanical rooms or custodial closets such as boiler rooms, facility equipment rooms, electrical closets, elevator control rooms, and similar spaces;
- Areas where personal protective clothing or equipment are necessary;
- Areas where there is a danger to the Service Animal such as

classrooms, wet laboratories or wood/metal/machine shops, where there are physical, chemical or other hazards on the floor, in the air, or protruding from a surface, that could cause harm to the animal.

8. Conflicting Disabilities

Individuals with medical issues aggravated due to the presence of other's Service Animals should contact the Office of Disability Resources and Services if the Partner involved is a student or the ADA Coordinator if the Partner involved is an employee. The Office of Disability Resources and Services or the ADA Coordinator will resolve any conflict in a timely manner and will consider the conflicting needs and/or accommodations of all individuals involved.

F. Service Animals in Training on Campus

A trainer of a Service Animal, or an individual with a disability accompanied by an animal that is being trained to be a Service Animal, may have the right to be accompanied by the Service Animal in Training at the University. The presence of the Service Animal in Training may not interfere with the trainer's responsibilities to the University.

Pursuant to Section E(4) above, Employees requesting to bring a Service Animal in Training to the workplace must speak with the ADA Coordinator prior to bringing the animal to campus.

G. Emotional Support Animals are not Permitted in University Facilities

Students requesting to keep an Emotional Support Animal in their University dormitory, must work with the facility to determine under what circumstances the animal is allowed.

Therapy Animals are permitted in University public facilities to the extent that they are accompanied by a trained therapist or counselor and are being used solely for the purpose of individualized or group assisted animal therapy ("AAT"). The trained therapist or counselor must request permission from the University Committee prior to bringing the animal on campus and follow all campus requirements regarding third party use of facilities as well as certain minimum

requirements relating to vaccination and insurance as determined by the Committee. The rules outlined above regarding Service Animals apply to Therapy Animals. Therapy Animals must:

1. Have completed a training program, acceptable to the University, prior to engaging in any therapy services.
2. Be seen by a veterinarian, the cost of which is paid by the animal's owner, once per year and provide to the University evidence of current vaccinations and a negative fecal exam.
3. Be secured in an appropriate crate or enclosed space/office at all times that the animal cannot be physically present with the Handler.

The Therapist or Counselor must:

1. Accept complete financial responsibility for the animal.
2. Obtain informed consent from each patient who will be seen by the Therapy Animal.
3. Maintain control of the animal at all times.
4. Develop a plan to remove the animal whenever the circumstances of the therapy session require removal.
5. Require that the patient wash their hands after coming into contact with the Therapy Animal.
6. Attend to the needs of the animal including, but not limited to, allowing the Therapy Animal regular breaks from the sessions, taking the animal outside to designated areas to eliminate, and providing water when necessary.
7. Keep the animal away from campus if it shows signs of illness until cleared by a veterinarian.

In addition to the prohibited locations in section D.1.f, the Therapy Animal may be further restricted by the clinical sites of practice.

"Puppy De-stress" type events must meet the criteria for therapy animals or otherwise be approved in writing at least two weeks prior to a scheduled event by the Committee.

H. Contacting The Animals on Campus Committee

Persons with concerns, about specific Service Animals they see on campus, may inform the Animals on Campus Committee at: aoc@ucdenver.edu.

Therapists and Counselors wishing to incorporate Therapy Animals into their practice and departments that wish to sponsor “Puppy De-Stress” events must inform the University by contacting the Animals on Campus Committee at aoc@ucdenver.edu. The request will then be forwarded to the Animals on Campus Committee who will review and meet with the Therapist or Counselor to outline additional requirements, if any.

I. ADA Resources

If you are a student at the CU Denver Campus and need to make an application for accommodations or need information regarding the ADA and Service Animals Policy, contact the Office of Disability Resources and Services at Disability Services Coordinator at (303) 315-3510 or by mail to CB 118 P.O. 173364 Denver, CO 80217-3364.

If you are a student at the CU Anschutz Medical Campus and need to make an application for accommodations or need information regarding the ADA and Service Animals Policy, contact the Office of Disability Resources at (303) 724-5640 or by mail at Strauss Health Sciences Library - 1409A1, 12950 East Montview Boulevard, Aurora, CO 80045.

If you are an employee or prospective employee and need to make an application for accommodations or need information regarding the ADA and Service Animals Policy, contact the ADA Coordinator at (303) 315-2700 or mail to P.O. Box 173364, Campus Box A005/130, Denver, CO 80217-3364.

J. Other Applicable Policies

University students and employees who are located off of University property and not engaged in a University-sponsored program or activity must adhere to the policies and procedures regarding animals established by the third party location.

Notes

1. December 1, 2016: Adopted by the Senior Vice Chancellor for Administration & Finance
August 8, 2018: Reformatted
October 1, 2020: Approved and Re-issued by both Chancellors
2. History:

August 8, 2018: Reformatted to reflect a Campus-wide effort to recast and revitalize various Campus policy sites into a standardized and more coherent set of chaptered policy statements organized around the several operational divisions of the university.
October 2, 2020: Policy was reviewed in accordance with direction by the Executive Vice Chancellor for Administration and Finance.
Definitions were clarified, policy enforcement responsibility was added, guidelines updated to be consistent with the Americans with Disabilities Act (ADA).
3. Initial Policy Effective Date: December 1, 2016
4. Cross References/Appendix: N/A