John Carroll UNIVERSITY

DRAFT

Policy: **Animals on Campus**	Policy No: *will be provided by UCAdP*
Policy Developer(s): **Office of Risk Management**	Original Date: *will be provided by UCAdP*
Last Review Date: NA *(will be updated by UCAdP)*	Approval Date: *will be completed by UCAdP*

I. POLICY: Except for animals specifically exempted by this policy, animals (including but not limited to dogs, cats, birds, or snakes) are not permitted in any John Carroll University ("the University") building at any time. Animals such as dogs and cats may be present outdoors on campus grounds if they are leashed or held and attended at all times. Students in residence halls are required to follow rules and restrictions on animals in residence halls.

II. PURPOSE: To set parameters on animals on campus in order to maintain the health and safety of all members of the University community, while ensuring compliance with applicable ordinances and laws.

III. SCOPE: This policy pertains to all faculty, staff, and students of the University and visitors to the University campus.

IV. PROCEDURES:

A. No animal is permitted inside any University building, unless specifically exempted by this policy.

B. Domesticated animals are permitted outside on campus grounds when leashed or physically held, and properly attended at all times. Domesticated animals also are permitted on the outdoor grounds of property of University-affiliated entities (i.e. shopping center, apartment buildings) when leashed or physically held by a handler who is otherwise permitted to be present on the property, and properly attended at all times. Wild, dangerous, or undomesticated animals are prohibited from University property, unless specifically exempted by this policy.

1. The University reserves the right to request that an individual with a leashed or held domesticated animal present documentation that the animal is in compliance with all applicable state and local laws, especially in the case of a medical emergency related to the animal, such as an animal bite.

C. Owners or handlers of leashed or held animals must pick up any animal waste and properly dispose of it.

D. The individual accompanying an animal on campus grounds takes full responsibility for its needs and behaviors. The animal may not engage in disruptive behavior or present a danger to the health or safety of others.

E. Animals are not permitted inside Don Shula Stadium, University tennis courts or other athletic fields.

F. Individuals residing in a University residence hall must abide by the restrictions on animals established by Residence Life (see exemptions below).

G. Individuals residing in a house or apartment owned or leased by the University or an affiliated entity of the University must comply with the lease provisions regarding restrictions on animals or pets inside the dwelling or on the grounds, except for animals exempted under this policy (see exemptions below).

H. Visitors on University property must comply with this policy regarding animals that are brought onto or come onto University property.

I. Owners will be liable for damage the animal may cause to property of others, including University property. Property damage can also serve as grounds for removal of the animal.

J. **Exempted Animals**: The following animals are permitted on University property:

1. **Service animals while performing duties.**
   a. Service Animals are permitted on University property and grounds, and in University buildings, in any location where its handler is allowed (except for facilities necessary to maintain health and safety, or locations where the animal would be in danger, i.e., chemical labs without proper protective equipment), while they are performing tasks for the individual they accompany.
   b. Service Animals may enter any building or classroom with the person they accompany.
   c. The individual accompanying the Service Animal takes full responsibility for its needs and behaviors. The animal may not present a danger to others.
   d. Service animals must be under the physical control of the owner or handler by a harness or leash, or if use by the owner of these is not possible, by other non-physical restraints or verbal commands.
   e. Service Animals must be house broken. Animal waste must be picked up and disposed of properly.
   f. Employees seeking to utilize a Service Animal in the workplace must notify in advance the Human Resources Department of the need for the Service Animal so that the request can be reviewed and use of the Service Animal can be coordinated with their department.
   g. Students should notify Student Accessibility Services (SAS) about the use of a Service Animal in class so the University can coordinate and plan for the presence of the Service Animal. Students must notify SAS about the desire to keep their Service Animal in the residence hall so that the request can be coordinated (see Student Accessibility Services website).
   h. If it is not readily apparent that an animal is a Service Animal, the appropriate University office (i.e., SAS or Human Resources) may inquire whether the Service Animal is required for a disability and the task that the Service Animal performs. No other inquiries about the Service Animal are permitted.
   i. Service Animals must be in compliance at all times with applicable federal, state and local laws, including those on vaccinations or animal registration.
2. **Emotional Support Animals with Students in Residence Halls.**
   a. An Emotional Support Animal (ESA) is permitted in University residence halls and University-owned housing when a student with a documented disability requests and is granted permission by the Student Accessibility Services (SAS)

office to have an ESA in a residence hall or in University-owned housing as part of the disability accommodation process (see Student Accessibility Services website).

b. The individual must take full responsibility for the animal's needs and behaviors, including taking the animal outside as needed and picking up and disposing of any animal waste. The individual is responsible for disruptive or threatening behavior by the animal, which may result in the ESA's removal.
c. ESAs are permitted in a resident's own living area and outside on campus grounds when leashed or physically held. ESAs are not permitted inside other University buildings.
d. ESAs may not pose a danger to the health or safety of others.
e. ESAs must be in compliance at all times with applicable federal, state and local laws, including those on animal registration and leash laws.
f. ESAs that are not permitted under applicable federal, state or local law will not be allowed on University property.
g. Animals whose size is not suitable for residence hall housing or who cannot safely tolerate the environmental and other conditions in the residence hall environment will be not permitted in residence halls.

3. **Animals as a Reasonable Accommodation in the Workplace**
   a. An employee with a documented disability seeking to bring an animal to work as a reasonable accommodation for a documented disability should contact Human Resources to make an accommodation request.
   b. The procedures for making disability accommodation requests are outlined in the Human Resources Disability Accommodation Policy.
4. **Research and Teaching Animals.**
   a. Animals that are officially part of the University's teaching, research or clinical programs are exempt from this policy.
   b. Departments are required to comply with all requirements specified in any applicable research protocol and as determined by the Office of Sponsored Research.
5. **Animals Permitted Under Policies of Residence Life or University-Owned Property:**
   a. Animals and pets permitted under University Residence Life policies are exempted under this Policy. The Office of Residence Life may alter Residence Life policies from time to time, in which case, students must comply with current Residence Life policies.
   b. Animals and pets explicitly permitted under a lease of University-owned property are exempted under this Policy.
6. **Animals Permitted for Specific Purposes:** Animals may be permitted on occasion for specific purposes in circumstances such as:
   a. as required by law,
   b. when necessary for the health and safety of the campus community,
   c. therapy animals when brought to campus as part of a University-sponsored event with written approval of the appropriate vice president of a division, or
   d. with written approval of the appropriate vice president of a division.

These instances may include the presence of animals who are: law enforcement animals; search and rescue animals; or domesticated animals temporarily on campus for an authorized event.

K. Enforcement/Termination of Access

The University may terminate any animal's permission to access campus grounds or University-owned buildings in the following circumstances:

1. The animal poses a danger to the health or safety to others.
2. The owner or handler of the animal fails to maintain control over the animal.
3. The owner or handler of the animal fails to pick up animal waste of the animal, after being issued a written warning.
4. The animal is disruptive to the working or educational environment of the University, and the owner or handler has not addressed the disruption after a written warning.
5. Upon termination of any University housing license or lease of the owner or handler of the animal.

Any repeated violation(s) of this policy by employees after a warning has been issued will be subject to appropriate corrective action under the Human Resources Corrective Action Policy or the Faculty Handbook, as appropriate. Student violations of this policy will be addressed by the Dean of Students Office, consistent with the Student Code of Conduct. Visitors in violation of this policy may be referred to JCU Police Department and their access to campus may be restricted.

L. Reporting Concerns

1. Emergency safety concerns about an animal on campus should be reported to the John Carroll University Police Department (216-397-1234).
2. Non-emergency safety concerns about an animal on campus, such as an unattended animal or a health or safety issue involving an animal, should be reported to the John Carroll University Police Department or the Regulatory Affairs and Risk Management department.
3. Concerns regarding a student's animal should be directed to the Office of Residence Life, the Student Accessibility Services Office, or the Dean of Students Office, as appropriate.
4. Concerns about an employee's animal should be directed to the Human Resources Department, which will review the issue.

M. Modifications to Policy: The University may modify this policy and accompanying procedures and requirements as necessary to meet legal or compliance issues, and/or to appropriately accommodate individuals with disabilities. Individuals requesting a modification to this policy in relation to a disability accommodation must follow the accommodation process established by the Student Accessibility Services (SAS) Office (for students) or the Human Resources Department (for employees). Requests will be evaluated based on an individual assessment of the particular request as part of an interactive process with the individual making the request.

V. <u>DEFINITIONS:</u> terms used within or relating to this policy.

A. Service Animal: A dog (or, in rare cases, a miniature horse) specially trained to perform one or more specific functions or activities for an individual with a documented disability, including, for example, guide dogs for those with

hearing/vision impairments or service dogs that perform tasks for those with mobility impairments or to alert or assist its handler. Service animals do not include an animal serving solely as a crime deterrent, or emotional support, comfort, companionship or other kinds of animals.

B. Emotional Support Animals: An animal that provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. These animals need not be specially trained, and may be of any species or breed unless otherwise prohibited by state or local ordinances.

C. Leashed: An animal is considered to be *leashed* when it is restrained by a line, rope, cord, or chain which is under the control of the owner or handler.

VI. CROSS REFERENCES:

A. University Policies, including but not limited to

1. Human Resources Disability Accommodation Policy.
2. Student Accessibility Services Assistance Animal Policy
3. Residence Life Animal Policy
4. Corrective Action Policy

This policy will next be reviewed five years from the approval date/date of last review.

UCAdP Spring 2019:
Formatting and links

After 2/21 meeting: clarified relationship between assistance and support animals, add "grounds for removal" to IV. I; ESA link to SAS website; definition of leash

At 3/21 meeting: clarification of ESAs and Assistance Animals in definitions