



CALIFORNIA STATE UNIVERSITY CHANNEL ISLANDS ADMINISTRATIVE POLICY MANUAL

Division for Business & Financial Affairs

Approved By: ~~Erika D. Beek~~ Richard Yao, Ph.D.
President

Policy Number: FA.30.002

Effective Date: 10/17/16

Revision Date: 4/29/2024

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Policy on Animals on Campus

PURPOSE:

The purpose of this policy is to provide equal access and reasonable accommodation for students, campus residents, and visitors with disabilities and to protect the University community from hazards associated with or caused by animals, both domestic and wild. The University recognizes that owners of domestic and service animals bring their animals to the campus and that wild or feral animals often select the campus grounds as their habitat.

This policy is intended to optimize the safety and health of students, faculty, staff, ~~and~~ visitors and animals as it relates to animals on University property.

This policy excludes Emotional Support Animals. (Refer to the Disability Accommodations and Support Services (DASS) website regarding housing accommodations.)

BACKGROUND:

California Code of Regulation, Title V Article 9 section 42353.1, Bicycles, Skateboards, Roller Skates, and Animals. California Civil Code, section 54.1 through 54.2. Title 3, Section 36.302 of ADA. Ventura County Ordinance, Chapter 4. Animals.

POLICY:

Accountability:

The University Police Department is are responsible for California penal code and vehicle and Ventura County code enforcement, and enforcement of University regulations and coordination of the response to animals that are in danger of harm or pose a potential threat to the community. A response may be in conjunction with other campus are ~~departments~~ and/or allied agencies.

Disability Resource Programs Accommodations & Support Services (DASS) is responsible for providing support services to students with impairments necessitating the useing of a service animal on campus, as needed, and is responsible for the authorization of an Emotional Support Animal accommodation in residential living spaces.

Human Resources Programs is responsible for providing support services to employees faculty and staff with impairments that which necessitate the use of a service animal.

Environmental, Safety & Environmental, Health & Safety Risk Management is responsible for advising



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on the risk, potential hazard, and potential for property damage, of any feral animals on campus property grounds.

~~Conferences & Events~~ All events, internal, co-sponsored, and external, ~~require the approval of is-responsible for~~ Risk Management prior to ~~the approval and regulation of~~ animals being brought to campus ~~in connection with special events~~.

Risk Management is responsible for evaluating and approving the liability of bringing animals on campus for all events.

Applicability:

With the exception of the University Glen and Anacapa Canyon residential communities, ~~y~~ this policy is applicable to any person, in any building, or on any property, owned or controlled by the University. ~~-~~ Animal control in the University Glen and Anacapa Canyon residential communities is covered by their respective lease agreements. This policy purposely excludes animals used for research and teaching purposes ~~during regularly scheduled classes~~.

Definitions:

Animal Nuisances: Any animal, except an animal kept or controlled by a governmental agency, which has committed any one or more of any of the following acts is deemed to be a public nuisance:

- An unprovoked infliction of physical injury upon any person where such person is conducting himself or herself lawfully.
- Unprovoked threatening behavior toward any person where such person is conducting themselves lawfully which occurs in such circumstances as to cause such person reasonably to fear for their physical safety.
- The utterance of barks or cries which are loud, frequent and continued over a period of time.
- An unprovoked infliction of physical injury upon any other animal.
- The damaging of University property or the personal property of some person other than the owner or keeper of the animal.
- Any fecal matter deposited by domestic animals and not removed immediately.
- Any unattended, unleashed, or otherwise uncontrolled domestic animal.
- The dumping of trash cans or the spreading of trash.
- The chasing of pedestrians, bicycles or vehicles.

For this policy, the following definitions shall apply:



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Domestic Animal: An animal that has been trained or adapted to living in a human environment. Such animals include, but are not limited to dogs, cats, birds, rabbits, ~~fish~~fish, and other types of household pets.

Emotional Support Animal: An animal that is necessary to afford a person with a disability an equal opportunity to use and enjoy student housing because the animal ameliorates one or more identified symptoms or effects of the student's disability.

Feral Animal: A once-domestic animal that has reverted to an untamed state.

~~**Wild Animal:** A non-domesticated animal living in its natural habitat.~~

Service Animal: A dog that has been ~~individually~~individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104; Health and Safety Code § 113903).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

Other animals, whether wild or domestic, do not qualify as service animals. Dogs that are not trained to perform tasks that mitigate the effects of a disability, including dogs that are used purely for emotional support, are not service animals.

Wild Animal: A non-domesticated animal living in its natural habitat.

Member Responsibility:

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Campus employees are expected to treat individuals with service animals with the same courtesy and respect that the campus affords to all members of the public (28 CFR 35.136).

Inquiry:



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~~If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, campus employees should ask the individual only the following questions (28 CFR 35.136(f)):~~

- ~~— Is the animal required because of a disability?~~
- ~~— What task or service has the service animal been trained to perform?~~

~~If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.~~

Removal:-

~~If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal campus operations, a campus employee may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).~~

~~Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Campus employees are expected to provide all services as are reasonably available to an individual with a disability, with or without a service animal.~~

Complaints:

~~When handling a situation of a complaint regarding a service animal, campus employees should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).~~

~~Animal Nuisances: Any animal, except an animal kept or controlled by a governmental agency, which has committed any one or more of any of the following acts is deemed to be a public nuisance:~~

- ~~• An unprovoked infliction of physical injury upon any person where such person is conducting himself or herself lawfully.~~
- ~~• Unprovoked threatening behavior toward any person where such person is conducting himself or~~



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~~herself lawfully which occurs in such circumstances as to cause such person reasonably to fear for his or her physical safety.~~

- ~~• The utterance of barks or cries which are loud, frequent and continued over a period of time.~~
- ~~• An unprovoked infliction of physical injury upon any other animal.~~
- ~~• The damaging of University property or the personal property of some person other than the owner or keeper of the animal.~~
- ~~• The dumping of trash cans or the spreading of trash.~~
- ~~• The chasing of pedestrians, bicycles or vehicles.~~

Text:

Wild or Feral Animals –

- Wild or feral animals that are not a risk and do not represent a hazard, cause property damage, or create a public nuisance, and that do not ~~involve~~ require human intervention, will be allowed to inhabit the campus grounds.
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- Prohibited human intervention includes, but is not limited to, feeding, building of shelters, and injection of medication.
- Wild or feral animals that are a potential risk, represent a hazard, cause property damage, create a nuisance, or otherwise pose a potential conflict for humans will be regulated, controlled, and humanely relocated in accordance with all applicable laws, regulations and best practices.

Domestic Animals –

- ~~Dogs, cats, and other d~~Domestic animals must be under control while on campus grounds, and restrained by a leash, chain or harness that does not exceed six (6) feet in length and that is in control of a responsible person.
- Any ~~dog, cat, or other~~ domestic animal brought to campus must be licensed and fully inoculated in accordance with Ventura County regulations, with the burden of proof on the owner or person in control.
- Fecal matter deposited by any dog, cat, or other domestic animal brought to campus must be removed immediately and disposed of properly by the owner. The burden is on the animal owner or person in control to arrange for removal of fecal matter if ~~s/he they are~~ personally unable to perform the task.
- ~~Dogs, cats, and other d~~Domestic animals may not enter campus buildings, including all residence halls. ~~-~~ This section does not apply to fish contained within a fish tank that have been approved by the appropriate unit/area department head nor does it apply to a service ~~dog~~ animal, accompanying a person with a disability or an authorized service ~~dog~~ animal trainer, as defined by California Civil Code §54.1, and 54.2.
- Domestic animals found tethered, unattended, or abandoned may be humanely impounded in accordance with all applicable law and regulations.
- Domestic animals may be confined in vehicles parked on campus for a reasonable period of time, as long as the animal in not endangered and does not endanger others or create a nuisance.

Service Animals –

- Federal law does not require a service ~~dog~~ animal to be formally trained or to be certified that it has been trained. Service ~~dogs~~ animals are individually trained to effectively perform tasks for people with disabilities.
- ~~The term service animals also includes guide dogs and signal dogs.~~



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- Service ~~dogs~~ animals must be on a leash and/or under the control of a responsible person at all times, except that a service ~~dog~~ animal user does not have to use a leash if he or she is unable, if using a leash would ~~harm him or her~~ harm them, or if the ~~dog~~ animal must perform a task without use of a leash.
- A service ~~dog~~ animal is not required to wear a collar, tag, vest, or other identifying equipment indicating that it is a trained service animal.
- Service ~~dogs~~ animals must be licensed and fully inoculated, with the burden of proof on the animal user.
- Use of a service ~~dog~~ animal in University facilities may be prohibited if the use of the animal poses a direct threat to the health or safety of other persons, or if the presence of the service ~~dog~~ animal will result in a fundamental alteration of the service, program, or activity involved.
- The owner must be in full control of the service ~~dog~~ animal at all times, as required elsewhere in this policy.
- Reasonable behavior and proper hygiene are expected from the service ~~dog~~ animal while on campus. If the ~~dog~~ service animal exhibits unacceptable behavior, the owner is expected to employ proper training techniques and correct the situation. Service ~~dogs~~ animals with hygiene or behavioral issues will be denied access to the University.

Special Events –

- Approval must be obtained from Conferences & Events for animals to be brought on campus for a singular event involving the display or demonstration of specialized skills or natural behaviors, or any animal used for instructionally related activities outside of regularly scheduled classes.

EXHIBIT(S):

None.