

# UC SANTA BARBARA

## POLICY and PROCEDURE

### **Service and Support Animal Policy**

Contact: ADA Compliance Office, Human Resources, Disabled Students Program

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## **SERVICE AND SUPPORT ANIMALS**

This policy and procedure describes the use of Service and Support Animals on University Property.<sup>1</sup>

### **I. DEFINITIONS**

**Service Animal:** Any dog that is 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 disorder.

1. Other species of animals, whether wild or domestic, trained or untrained, are not Service Animals for the purposes of this definition; however miniature horses may qualify in some situations.
2. The work or tasks performed by a service animal must be directly related to the individual's disability.

**Support Animal:** Animals utilized for emotional support, well-being, or comfort by individuals with disabilities. Because they are not individually trained to perform work or tasks, Support Animals are not Service Animals.

**Handler:** The individual with a disability who utilizes a Service or Support Animal as an accommodation.

**Accommodation:** Any modification or adjustment in policies, practices, procedures, or work/school/housing environment to enable a qualified individual with a disability to enjoy equal opportunities and access to University rights, privileges, benefits, and services.

**University Property:** Any property owned or controlled by the University including on and off-campus housing, buildings, and grounds.

### **II. SCOPE**

This policy on Service and Support Animals applies to all individuals on University Property, including students, faculty, staff, and visitors, without exception.

### **III. POLICY**

The care, supervision, and well-being of a Service or Support Animal are the sole responsibility of the Handler at all times. All Handlers who utilize Service or Support Animals on University Property

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<sup>1</sup> Please see "Pets on Campus" Policy if you wish to bring a pet onto University Property.

are subject to all provisions of County of Santa Barbara Ordinance, Chapter 7: Animals and Fowl<sup>2</sup>. Service and Support Animal Handlers are responsible for damage caused by their animals, removing or arranging for the removal of animal waste, and ensuring that Service and Support Animals are under control at all times. When on University Property, Service and Support Animals must be harnessed, leashed, or tethered. If a harness, leash, or tether interferes with a Service Animal's work or the Handler's disability prevents the use of these devices, then the Handler must maintain control of the Service Animal through voice, signal, or other effective controls. For their safety, Service and Support Animals are not permitted on bikeways and may not be tethered to any campus building, object, landscaping, or vehicle at any time.

**A. Service Animals:**

1. Handlers are generally permitted to bring Service Animals onto University Property and into campus buildings.

When determining whether a dog is a Service Animal, the University may not ask about the nature or extent of a person's disability or require proof that an animal has been certified or licensed as a Service Animal.

However, unless it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability), the University may ask two questions to determine whether an animal qualifies as a Service Animal

The University may ask:

- i. Is this animal required because of a disability?
  - ii. What work or task is this animal trained to perform?
2. Handlers may bring Service Animals in training onto University property and into campus buildings in accordance with state law.
3. Prior to bringing a Service Animal to reside in University-owned housing, an employee or student resident Handler must contact University and Community Housing Services to ensure that any accommodations necessitated by the presence of the Service Animal may be made in a timely manner.
4. Employees may request to bring Service or Support Animals into the workplace by contacting Human Resources.
5. Please refer to Section E of this policy for further information on who to contact with questions relating to Service Animals.

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<sup>2</sup> Certain sections of Santa Barbara County Ordinance Chapter 7 may not be applicable to temporary visitors and employees on the University Property. It is up to each Handler to be aware of all applicable laws relating to their Service or Support Animal.

## **B. Support Animals:**

1. Support Animals may be permitted on University Property on a case-by-case basis. Support Animals' presence on campus is limited by the following:

### UCSB Owned Housing

Support Animals may be permitted in University housing on a case-by-case basis for UCSB students and employees.

### UCSB Buildings

UCSB employees may be permitted to bring their Support Animal into University buildings where they are employed. Employees in need of such an accommodation must contact Human Resources.

Students are generally not permitted to bring Support Animals into non-residential buildings (e.g. classrooms). If a student is in need of an accommodation relating to a Support Animal outside of housing, the student must contact the Disabled Student Program.

2. Before bringing a Support Animal into a UCSB building, the requesting individual must obtain approval from the appropriate campus authority. Please refer to Appendix A for further information on how to apply for a Support Animal accommodation and Section E for information regarding who to contact with questions or requests to bring a Support Animal onto UCSB property.

If approval is granted, the requesting party shall be required to (1) provide a photo and the name of the Support Animal; (2) proof of registration and vaccination requirements as specified by Santa Barbara County Ordinance, Chapter 7; and (3) sign the Guidelines and Agreement for a Support Animal Accommodation.

3. Emotional Support Animals may not be allowed to accompany owners to all outdoor events (e.g. graduation, sporting events, outdoor concerts). It is the Handler's responsibility to contact the appropriate University office to determine whether or not a campus event will allow Emotional Support Animals.

## **C. Removal or Relocation of Service or Support Animals:**

1. Service or Support Animals may be removed from University Property for reasons including but not limited to:
  - i. If the Service or Support Animal is unreasonably disruptive (e.g. excessive barking or aggressiveness) and the Handler does not take effective action to control the animal. Repeated instances of such behavior may result in exclusion from University Property until the Handler can demonstrate effective control of the Service or Support Animal.
  - ii. If the Service or Support Animal is not housebroken. The Handler must also ensure that the animal is kept clean and well-groomed. Service and Support

Animals that are excessively unclean (e.g. soiling of facilities or flea-infestation) may be excluded from University Property.

- iii. If the Handler fails to remove Service or Support Animal waste pursuant to Santa Barbara County Ordinance, Chapter 7. Repeated instances of failure to remove animal waste may result in exclusion of the Service or Support Animal from University Property.

**D. Areas That May Be Restricted**

There may be areas where a Service or Support Animal poses a substantial and direct threat to health and safety that cannot be reduced or eliminated by a reasonable accommodation. These areas may include laboratories, animal research areas, medical facilities, or food preparation areas. An individualized assessment is required before denying the Service Animal entry including an assessment of the nature, duration, and severity of the risk, the probability of harm or injury, and the availability of modifications to minimize the risk. Requests to bring a Service or Support Animal into a restricted area must be made to the ADA Compliance Officer before attempting to access the restricted area.

**E. Contacts**

<b>If you are a...</b>	<b>And you have questions about...</b>	<b>Contact:</b>
<b>University housing student resident or prospective student resident</b>	A Service or Support Animal in University Housing	University & Community Housing Services, <a href="http://www.housing.ucsb.edu/">http://www.housing.ucsb.edu/</a>
<b>University housing staff/faculty resident or prospective staff/faculty resident</b>	A Service or Support Animal in University Housing	University & Community Housing Services, <a href="http://www.housing.ucsb.edu/">http://www.housing.ucsb.edu/</a>
<b>Temporary visitor to university housing</b>	A Service or Support Animal in Summer Conferences, West Cottages, or the Faculty Club	University & Community Housing Services, <a href="http://www.housing.ucsb.edu/">http://www.housing.ucsb.edu/</a>
<b>Staff, Faculty, or Academic Employee</b>	A Service or Support Animal in University employment	Human Resources, <a href="http://www.hr.ucsb.edu/">http://www.hr.ucsb.edu/</a>
<b>Student, Staff, Faculty, or Academic Employee</b>	Bringing a Service or Support Animal into a restricted area (e.g. laboratory, animal facility, or research area)	ADA Compliance Office, <a href="http://www.ada.ucsb.edu/">http://www.ada.ucsb.edu/</a>
<b>Visitor</b>	A Service or Support Animal on University Property	ADA Compliance Office, <a href="http://www.ada.ucsb.edu/">http://www.ada.ucsb.edu/</a>

#### **IV. RESPONSIBILITIES**

- A. Handlers are responsible for complying with this policy.
- B. Department heads are responsible for ensuring compliance with this policy within their areas and for ensuring that faculty, staff, students and visitors are informed of the policy. Violations of the policy by students should be handled in accordance with the Student Conduct Code, in consultation with the Office of Judicial Affairs. Faculty and academic employee violations of the policy should be handled in accordance with the Academic Personnel Manual, in consultation with Academic Affairs. Staff employee violations of the policy should be handled in accordance with Personnel Policies for Staff Members or the applicable collective bargaining agreement, in consultation with Employee & Labor Relations.

#### **V. REFERENCES and RELATED POLICY**

Department of Justice ADA Guidance  
ADA Regulations Relating to Service Animals  
California Department of Fair Employment and Housing  
County of Santa Barbara Ordinance No. 4948  
UCSB Pets on Campus Policy

Office of Civil Rights Guidance on Service Animals  
California Civil Code section 54.1(c)  
Student Code of Conduct  
Academic Personnel Manual  
Personnel Policies for Staff Members  
Collective Bargaining Agreements

**APPENDIX A**  
**PROCEDURE FOR REQUESTING A SUPPORT ANIMAL ACCOMMODATION**

**HOUSING ACCOMMODATION:**

A housing applicant or current resident with a disability may request a Support Animal Accommodation in housing by sending a request to University & Community Housing Services. The request should not contain medical information.

**The applicant or resident should send the following information to University & Community Housing Services:**

- (1) A cover letter with a detailed explanation of the need for the Support Animal; **and either:**
- (2a) A letter from your current qualified diagnosing professional (*including but not limited to licensed psychologists, psychiatrists, neurologists, or other professionals with training and expertise in the diagnosis of mental disorders*) that addresses the following:
  1. Verifies that the requesting individual has a qualifying disability that impacts a major life activity and states how the disability may impact the student or employee while in university housing.
  2. Verifies the limitations of the disability and specific information describing how the Support Animal mitigates those limitations.
  3. Whether there any other treatment(s) that would be equally effective in alleviating the effect of the resident’s disability other than a Support Animal?
  4. Verification that clinician has no reason to believe that the resident is unable to care for the Support Animal responsibly;

OR

- (2b) Have your current qualified diagnosing professional complete a form available in the office of University & Community Housing Services.

If the request is approved, University & Community Housing Services will then work with the resident to implement the accommodation, as well as review with the resident the Guidelines for Maintaining the Community Standards and Resident Responsibilities for the Support Animal.

**WORKPLACE ACCOMMODATION:**

An employee requesting a Support Animal as a reasonable accommodation in the workplace, is treated as any other request for reasonable accommodation in employment. The employee should submit the request to their supervisor and provide Human Resources Workplace Accommodations with the supporting medical documentation. Please see the Human Resources Workplace Accommodations [website](#) for more information.