



BOISE STATE UNIVERSITY

University Policy 9160

Animals on Campus

Effective Date

May 2017

Last Revision Date

November 07, 2023

Responsible Party

Vice President for Student Affairs and Enrollment Management, (208) 426-2384
Office of Institutional Compliance and Ethics, (208) 426-1258
Educational Access Center, (208) 426-1583
Human Resources, (208) 426-1616

Scope and Audience

This policy applies to the use of Service Animals, Support Animals, and Pets on University-owned or -controlled property by faculty, staff, students, and visitors.

This policy does not apply to the use of animals for sponsored and unsponsored research and academic activities (See University Policy 5070 - Animal Care and Use), animals used by law enforcement on campus, or animals used for the University mascot.

Employees needing to use a Service Animal or Support Animal in the course and scope of their employment should follow the process under University Policy 7570 (Accommodating Disabilities in the Work Environment) for requesting a reasonable accommodation under the ADA. Students needing to use a Support Animal in academics or housing should contact the Educational Access Center to request an accommodation (see University Policy 2080 - Equal Access for Students with Disabilities).

Additional Authority

- The Americans with Disabilities Act of 1990, as amended (ADA)
 - Section 504 of the Rehabilitation Act of 1973
 - Fair Housing Act
 - Idaho Code Title 25 (Animals)
 - Idaho Code Title 36, Chapter 7 (Captive Wildlife)
 - Idaho Code Title 56, Chapter 7 (Rights of Individuals with Disabilities)
 - Idaho Administrative Code 13.01.06, 13.01.10
 - Idaho Administrative Code 02.04.27, 02.06.09
 - Boise City Code Title 5 Chapter 1 (Animals)
 - University Policy 1060 (Non-discrimination and Anti-harassment)
 - University Policy 12020 (Exclusion from Campus)
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1. Policy Purpose

To establish policy that guides how the University supports the use of Service Animals, Support Animals, and Pets on campus.

2. Policy Statement

The University is committed to making reasonable modifications to its rules, policies, and practices as required by law to afford people with disabilities an equal opportunity to access its programs, services, and activities. Possession of any animal on campus, including but not limited to domestic pets, wildlife, livestock, wild animals, exotic animals, vicious animals, and insects must be in compliance with local, state, and federal laws and regulations. [Boise City Code Title 5 Chapter 1](#) should be consulted before bringing any animal on campus. All animals must be attended to and restrained at all times.

3. Definitions

3.1 Handler

The owner and/or person in charge of an animal.

3.2 Pet

Any animal kept for ordinary use and companionship. Service and Support Animals are not considered Pets.

3.3 Service Animal

Any dog, or in some circumstances a miniature horse, that is individually trained to do work or perform tasks for the benefit of a person 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 person's disability. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.

3.4 Service Animal in Training

An animal that is participating in a formal program to learn how to become a Service Animal.

3.5 Support Animal

An animal that provides emotional or other support that improves one or more identified symptoms or effects of a person's disability. Unlike Service Animals, Support Animals are not required to be trained to perform work or tasks, and they may include species other than dogs and miniature horses. Support Animals could include, but are not limited to domestic dogs, domestic cats, rabbits, companion birds, and other animals commonly kept as Pets.

4. Service Animals

- a. Service Animals are permitted to accompany people with disabilities in all areas of University facilities, including on-campus housing, where students, members of the public, and other participants in services, programs, or activities are allowed to go. A Service Animal may accompany an employee in the workplace (areas not open to the general public or students) when approved as a reasonable accommodation under the ADA (see University Policy 7570 - Accommodating Disabilities in the Workplace).
- b. A Service Animal must be trained so that it controls its waste elimination, absent illness or accident. The Handler must maintain control of the Service Animal at all times by a harness, leash, or other tether, or by voice, signals, or other effective means if the Handler is unable to hold control devices, or such use would interfere with the Service Animal's performance of work or tasks.
- c. The University does not require documentation, such as proof that the animal has been certified, trained, or licensed as a Service Animal.
- d. University employees may only ask two questions of the Handler to determine whether the animal qualifies as a Service Animal:

- Is the animal required because of a disability?
 - What work or task has the animal been trained to perform?
- e. Asking additional questions of the Handler may be a violation of University Policy 1060 (Non-discrimination and Anti-harassment). If a University employee has concerns about a Service Animal, the employee should contact the Educational Access Center.

5. Service Animal Trainees

Service Animals in Training are allowed on campus to the same extent and subject to the same limitations as Service Animals.

6. Support Animals

- a. A Support Animal may reside in on-campus housing when it may be necessary to afford a student with a disability an equal opportunity to use and enjoy on-campus housing.
- b. Before a Support Animal can move into on-campus housing with a person with a disability, the student must submit a request for an accommodation to the [Educational Access Center](#) and be approved for the accommodation. The Educational Access Center will review the request for an accommodation, review documentation, and engage in the interactive process with the student. Once the interactive process is complete, the Educational Access Center will notify the student and Housing and Residence Life Administration if the request is approved or denied. Prior to a final decision, the Educational Access Center Staff may request additional information from the student. The request for a Support Animal should be made at least thirty (30) days prior to the student bringing the Support Animal into on-campus housing.
- c. The Educational Access Center will require documentation from a licensed physician or mental health provider, including without limitation a qualified psychiatrist, social worker, or other mental health professional, to provide sufficient information for the University to determine that:
- The individual qualifies as a person with a disability
 - The Support Animal is necessary to afford the person with a disability an equal opportunity to use and enjoy on-campus housing
 - There is a reasonable, documented connection between the animal and the disability

- d. Student housing employees (e.g., Resident Assistants) must follow the process under University Policy 7570 (Accommodating Disabilities in the Work Environment) to request the use of a Support Animal as an accommodation.
- e. Upon approval of a Support Animal, the Handler will be provided with and must follow the Handlers Guidelines in Appendix A. Handlers should refer to these guidelines for more information.

6.2 Areas Other Than On-Campus Student Housing

- a. Before a Support Animal can accompany a person with a disability in areas other than on-campus student housing, the student must submit a request for an accommodation through the Educational Access Center and be approved for the accommodation. The Educational Access Center will review the request for an accommodation, review documentation, and engage in the interactive process with the student. Once the interactive process is complete, the Educational Access Center will notify the student if the request is approved or denied. Prior to a final decision, the Educational Access Center staff may request additional information from the student.
- b. An employee seeking to bring a Support Animal into the workplace must first make a request and be approved for a reasonable accommodation under University Policy 7570 (Accommodating Disabilities in the Work Environment).
- c. Upon approval of an accommodation allowing a Support Animal in the workplace or to accompany a student in non-public spaces and spaces in which pets are not allowed, the Handler will be provided with and must follow the Handlers Guidelines in Appendix A. Handlers should refer to these guidelines for more information.
- d. Support Animals are not allowed in classrooms (unless as an approved accommodation), on University shuttles, or in dining or food preparation areas.
- e. A Support Animal, even if approved as an accommodation, may be excluded from an office suite or floor of a building if the Handler fails to abide by the Handlers Guidelines in Appendix A.
- f. Members of the University community may address concerns about a Support Animal to the ADA/504 Coordinator in the Office of Institutional Compliance and Ethics at complianceandethics@boisestate.edu or (208) 426-1258.

7. Pets

7.1 Areas of Campus Where Pets Are Allowed

- a. Faculty and staff may be permitted to have Pets in University-owned housing to the extent permitted by their rental agreement.
- b. Managers and supervisors have the authority to allow or prohibit Pets from an office suite or floor of a building. If allowed, faculty and staff may be permitted to have Pets in cubicles or individual private offices. This includes the private office of the Handler or any other Boise State employee, where advanced permission has been obtained from that employee. For example, a Handler may bring their Pet to a small meeting in an employee's private office or hoteling space upon agreement by other impacted employees.
- c. Outdoors, Pets must be in voice or physical control of the Handler at all times. Pets are not permitted to run at large on University property.
- d. Pets may be excluded if the Handler fails to abide by the Handlers Guidelines in Appendix A.

7.2 Restricted Areas

Pets are not allowed in locations or situations other than those specifically noted in Section 7.1 above. Such areas of campus where Pets are not allowed include:

- On-campus student housing, with the exception of fish (in a 10-gallon or less tank)
- University shuttles
- Classrooms and training labs (except for instructional purposes)
- Dining or food preparation areas
- Indoor areas open to the public and commonly used, such as the Student Union, Albertson Library, foyers, bathrooms, lounges, meeting and conference rooms, except as necessary to travel en route to permitted locations.
- University Health Services or any other health or medical area

- Private offices that are essentially public areas due to the frequency with which they are visited by others and used for meetings
- University Athletics facilities including Albertsons Stadium and Extra Mile Arena
- University event venues including the Morrison Center and the Special Event Center
- Server rooms
- Any area or situation in which another person has raised a legitimate concern for health or other reasons due to the presence of a Pet

8. Exceptions and Exclusions

- a. The University may impose restrictions on, and may even exclude an animal in certain instances, including Service and Support Animals. Any animal may be excluded from an area in which it was previously authorized to be if:
 - It is out of control (e.g., barking uncontrollably, jumping on people or property, not under voice or physical control, etc.) and effective action is not taken by the Handler to control it,
 - It is not housebroken or the Handler fails to clean a cage or box designated for the animal's waste such that the cleanliness of the room is not maintained, or
 - It poses a direct threat to the health or safety of others that cannot be mitigated by reasonable modifications of policies, practices, or procedures, or the provision of auxiliary aids or services.
- b. In the event that restriction or removal of a Service or Support Animal is determined to be necessary, the person with a disability will still be given the opportunity to participate in the service, program, or activity without having the animal present.

9. Guidelines for Members of the University Community

To ensure equal access and nondiscrimination of people with disabilities, members of the University community must abide by the following practices:

- Allow Service Animals, and in some cases Support Animals, to accompany people with disabilities on campus;

- Do not ask for details about a person's disability;
- Do not pet a Service or Support Animal as it distracts the animal from its work;
- Do not feed a Service or Support Animal;
- Do not deliberately startle, tease, or taunt a Service or Support Animal;
- Do not allow Pets to approach and/or interfere with a Service or Support Animal; and
- Do not separate or attempt to separate a Handler from their Service or Support Animal.

10. Policy Non-Compliance

Violations of this policy will be reviewed on a case-by-case basis and may result in the following:

- Exclusion or expulsion in the case of students, or
- Exclusion or disciplinary action up to and including dismissal from employment, in the case of faculty and staff, or
- Exclusion from campus, in the case of the public.

11. Appeal Procedures

- a. An employee who feels their animal has been improperly excluded from campus or the workplace should contact Human Resources at (208) 426-1616 or hrrs@boisestate.edu.
- b. A student who feels their animal has been improperly excluded from campus or on-campus housing should contact the Education Access Center at (208) 426-1582 or eacinfo@boisestate.edu.
- c. A member of the public who feels their animal has been improperly excluded from campus should contact the ADA/504 Coordinator at (208) 426-1258 or complianceandethics@boisestate.edu.

12. Conflicting Disabilities

Some people may have an allergic reaction to an animal that is substantial enough to qualify as a disability, or may have other disabilities that may be in conflict. The university will consider the

needs of both persons in meeting its obligations to accommodate all disabilities and to resolve any conflicting disabilities as efficiently and expeditiously as possible.

13. Related Information

[Educational Access Center](#) – Available to students at (208) 426-1583

[Human Resources](#) - Available to University employees at (208) 426-1616

[Office of Institutional Compliance and Ethics](#) – Available to visitors at (208) 426-1258

14. Appendix A: Handlers Guidelines

Expectations for Service Animals, Support Animals, and Pets (“animal”)

- The University is not responsible for the care or supervision of Service or Support Animals or Pets.
- The animal must have sufficient training not to bark or otherwise be a disruptive presence.
- The animal must be housebroken/potty trained.
- The handler must clean up after, and properly dispose of the animal’s waste in a safe and sanitary manner.
- Animals must be under the control of their handler at all times. For Support Animals and Pets, the animal must be controlled by a tether, leash, or harness, or contained in an animal carrier. Service Animals should be controlled by a tether, leash, or harness, unless the device interferes with the Service Animal’s work or the individual’s disability prevents using the device. In that case, the Service Animal must be controlled through voice, signal, or other effective controls.
- No animals may be tied or tethered to any University property, including but not limited to buildings, railings, bike racks, fire hydrants, fences, sign posts, benches, and trees.
- The animal must not be left unattended for any period of time or placed in the care of a co-worker or another student.
- The animal must be able to behave in a small or confined space and not be excessively loud or overactive, and in no way show any signs of violence or threatening behavior (formal obedience training or a temperament evaluation is recommended).

- Handlers must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals.
 - The animal must be free from fleas, parasites, offensive odors, and the Handler must strive to provide the animal with Humane care.
 - In the case of an emergency, the University is not responsible for evacuating a Support Animal or pet, but must allow evacuation of a Service Animal with its owner/handler.
 - Handlers are strongly encouraged to have homeowners, renters, or other appropriate insurance coverage in case of any injury, accident, or damage in the workplace. Handlers may be financially responsible for any injury to another person or damage caused by the animal that is beyond reasonable wear and tear.
 - If the essential duties of the handler's position require the employee to enter student residences or offices of other employees with their Support Animal, absent an emergency or prior permission, the employee must notify students or other individuals 24 hours in advance of their plan to have their support animal accompany them into the residence/office.
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Revision History

November 7, 2023