

## **Animals on Campus Policy**

### ***Overview***

This policy establishes regulations regarding all domestic, feral, wild, stray, and service animals found on the UH Maui College main campus in Kahului. This policy is not applicable to animals related to instructional and/or research activity.

### ***Purpose***

The policy protects the College community from hazards associated with or caused by animals both domestic and wild, and optimizes the safety and health of College employees, students, and visitors as it relates to animals on campus.

### ***Definitions***

*Domestic Animal* – An animal that has been trained or adapted to living in a human environment including, dogs, cats, birds, and other types of household pets.

*Feral Animal* – A once domestic animal that has reverted to an untamed state or a non-domesticated animal living in its natural habitat. Feral animals select specific areas on campus grounds as their habitat and gather/reside in colonies, flocks, or packs.

*Wild Animal* – A non-domesticated animal living in its natural state.

*Stray Animal* - A loose domesticated or once domesticated animal that has reverted to an untamed state, but for the purpose of this policy does not gather/reside in any specific area. These animals are thought of as transient in nature and may randomly enter/exit campus grounds and buildings.

*Service Animal* – Dogs<sup>1</sup> that are individually trained to do work or perform tasks for the benefit of an individual with a disability, including but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, fetching dropped items, assisting with a seizure disorder, reminding a person with mental illness to take medication, assisting with autism, and calming a person with Post Traumatic Stress Disorder or performing other duties. Service dogs are working dogs, not pets. A companion, comfort or therapy animal does not qualify as a service animal under the Americans with Disabilities Act (ADA) and are viewed as a domestic animal or pet.

### ***Animal Control***

The following animal control policies apply to these different types of animals:

#### **Domestic Animals**

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<sup>1</sup> Revised ADA regulations have new, separate provisions about miniature horses that have been trained to do work or perform tasks for people with disabilities. Please refer to ADA guidelines on miniature horses at [http://ada.gov.service\\_animals\\_2010.htm](http://ada.gov.service_animals_2010.htm)

- Dogs and other animals must be under control while on campus grounds and restrained by a leash or chain that does not exceed six (6) feet in length and that is in the hands of a responsible person;
- Any dog or other animal brought to campus must be licensed and fully inoculated, with the burden of proof on the owner;
- Fecal matter deposited by any dog or other animal brought to campus must be removed immediately by the owner;
- The feeding of animals near outside dining facilities and other campus areas which may result in a potential health hazard, a public nuisance or property damage is strictly prohibited; and,
- Pets and other animals are not permitted in any campus building with the exception of service animals on duty and accompanying a disabled person; authorized research/instructional animals; animals used by law enforcement or emergency personnel.

### **Feral Animals**

- Feral animals that are not a risk and do not represent a hazard, cause property damage, or create a public nuisance, shall be allowed to inhabit the campus grounds.
- Feral animals that are a potential risk, represent a hazard, cause property damage, create a nuisance, or otherwise pose a potential conflict for humans shall be relocated to the Humane Society when possible, in accordance with all applicable laws and regulations.
- Unauthorized individuals (employees, students, or the general public) who seek to feed, chase, interfere with, or remove any feral animal will be asked to cease and desist in such activities. Should such individuals ignore such requests, they may be subject to escort off campus grounds or other corrective/disciplinary action.

### **Stray and Wild Animals**

- No intervention will be taken with stray and wild 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 human intervention.
- Stray and wild animals that are a potential risk, represent a hazard, cause property damage, create a nuisance, or otherwise pose a potential conflict for humans shall be relocated when possible, in accordance with all applicable laws and regulations by authorized campus personnel or private contractors whenever possible.

### **Service Animals**

- The College encourages a student using a service animal on campus to alert the disability services counselor.
- Federal law does not require an animal to be formally trained or to be certified that it has been trained. Service animals are individually trained to effectively perform tasks for people with disabilities.
- Service animals must be on a leash and/or under the control of a responsible person at all times. Note: A service animal user does not have to use a leash if he or she is unable, if

using a leash would harm him or her, or if the animal must perform a task without use of a leash.

- A service animal is not required to wear a collar, tag, vest, or other identifying equipment indicating that it is a trained service animal. Staff may ask if the “dog is a service animal required because of a disability?” and “what work or task has the dog been trained to perform?”<sup>2</sup> Employees may not ask about the person’s disability, require documentation or ask that the dog demonstrate its ability to perform the work or task.
- Service animals must be licensed and fully inoculated, with the burden of proof on the animal user. Fecal matter deposited by a service animal must be removed immediately and disposed of properly. The burden is on the service animal user to arrange for removal of fecal matter if he or she is personally unable to perform the task.
- The College may prohibit the use of service animals in certain locations due to health or safety restrictions, where service animals may be in danger, or where their use may compromise the integrity of a program or research. Access to restricted areas may be granted on a case by case basis by contacting the Vice Chancellor of Administrative Services office.
- The College has the authority to request the removal of a service animal from its facilities or grounds if the animal becomes unruly or disruptive, unclean, and/or unhealthy to the extent that the animal’s behavior or condition poses a direct threat to the health and safety of others or otherwise causes a fundamental alteration in the College’s services, programs, or activities.

### ***Responsibilities***

- The Vice Chancellor of Administrative Services or designated representative(s) will be responsible for providing the final determination on the potential risk, potential hazard, potential for property damage, or potential for public nuisance of any animal on campus property and shall provide for general oversight of the implementation of this policy.
- Operations and Maintenance will provide support services as necessary that promote and maintain a safe and healthy learning and working environment. These responsibilities include, but are not limited to, assistance with the entrapment and relocation of animals, erection of animal barriers, the removal and disposal of random animal fecal matter, and coordination of contracted services pertaining to animal control entrapment and removal.

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<sup>2</sup> ADA Requirements: [http://ada.gov/service\\_animals\\_2010.htm](http://ada.gov/service_animals_2010.htm)

