



Service Animals and Animal Policy

Category: Legal/Compliance

Responsible Office: Disability and Accessibility Services

Responsible Administrator: General Counsel

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POLICY SUMMARY

This policy outlines the guidelines and regulations regarding animals on the SFBU campus, including the use of service animals in compliance with applicable laws.

POLICY

Policy Statement

San Francisco Bay University (“SFBU” or “University”) is committed to ensuring accessibility and inclusivity for individuals with disabilities who require service animals. This policy establishes guidelines for the presence of service animals, emotional support animals (ESAs), and pets on campus, ensuring compliance with applicable laws and maintaining a safe and productive environment.

Applicability

This policy applies to all members of the university community and all visitors.

Procedure

Campus Access

- **Service Animals**

Service Animals must be allowed to accompany Handlers in all areas of SFBU, subject to the restrictions outlined below. Service animals are allowed in all areas where the general public or students are permitted, unless restricted for health or safety reasons.

When it is not obvious what service an animal provides, SFBU employees reserve the right to request verification that an animal is a service animal by asking: (1) is the animal required because of a disability? and (2) what work or task has the animal been trained to perform? Employees cannot ask about the person's disability or request any documentation or verification.

- **Emotional Support Animals**

Emotional Support Animals (ESAs) are not automatically classified as Service Animals. ESAs are not permitted to accompany persons with disabilities in public areas of SFBU's main campus.

ESAs may be permitted in a student's¹ assigned housing unit if approval has been received from the Office of Accessibility and Disability Service and provided that Residential Life can accommodate the request based on availability of space. ESAs are restricted to the registered student's unit and only permitted outside the unit to care for the animal. Residents are only permitted to have their ESA in their living space and are not permitted to take them into other university buildings or Residence Halls.

ESAs of visitors are not permitted in any University building.

In addition to the restrictions described below, there may be additional rules and regulations outlined in the student housing contract.

- **Prohibited Animals**

With the exception of service animals and approved ESAs, all other animals, including pets, are prohibited in University buildings.

- **Restrictions**

SFBU may prohibit or otherwise restrict the access of Service Animals in certain University buildings due to health or safety restrictions and concerns or otherwise fundamentally alter a program or activity of SFBU. Any such prohibition or other restriction on access to any SFBU building pursuant to this Policy shall be determined in writing, when possible, using the guidance provided by this Policy and other relevant information by responsible officials of each affected SFBU unit with copies provided to the Coordinator of Disability and Accessibility and Services and the Associate Director of Title IX and Equity.

Residence Life may also deny access to a Service Animal or ESA if it is too large for the available housing assignments, if reasonable housing accommodation cannot be provided, or for the health and safety of the community.

¹ Some employees may need to live in University Housing to fulfill the essential functions of their job. Human Resources will manage the required disability documentation for non-student employees and send it to Residence Life.

- **Exceptions**

Exceptions to any provision of this Policy, including restrictions placed by SFBU units on access to specific areas or other aspects of SFBU facilities for Service Animals, will be considered on a case-by-case basis upon written request to the Coordinator for Accessibility and Disability Services or the Director of Human Resources, submitted not less than five business days prior to the effective date of any such exception. The designated employee(s) will consult with other appropriate members of the SFBU community in an interactive process to determine whether or not the request will be granted or denied, taking into account all of the relevant facts and circumstances. The designated employee(s) will inform the requester of the decision in writing, including any conditions or restrictions in cases where exceptions are granted.

Under exigent or unusual circumstances, a responsible official of a SFBU unit may allow a temporary exemption to any restrictions pursuant to this Policy. Such a temporary exemption may grant an animal temporary access to otherwise restricted areas of SFBU buildings, but only for a duration and extent required based on the nature of the exigency or other unusual circumstances.

Responsibilities of Handlers and ESA Owners

1. All are required to keep their animals under their direct physical control at all times, when outside of their assigned housing unit as permitted by this Policy.
2. All are prohibited from transferring control to another person even momentarily, except as provided by this Policy or other SFBU policies. Owners are responsible for ensuring that the animal is contained appropriately when not present in the housing unit for class, work, or other activity.
3. All must ensure that their animals are kept clean, well-groomed, and free from offensive odors.
4. All must ensure that their Service Animals are housebroken. All must clean-up after their service animal or ESA immediately and properly disposing of waste in designated areas. Proper clean-up will depend on the specific circumstances. To this end, all Handlers and Owners are required to have in their possession at all times when accompanied by their animals appropriate and sufficient cleaning materials and disposal bags whenever their animals are present in a SFBU building or on campus.
5. All must prevent their animal from engaging in disruptive behavior such as, but not limited to excessive barking, growling, or jumping on individuals.
6. In the case of a Handler whose disability prevents or impairs the ability to comply with the requirements of this paragraph, as required by applicable federal laws, it is the responsibility of Handler or Owner to have previously made satisfactory arrangements for a third party to perform all actions required by this paragraph. The Coordinator of Accessibility and Disability

Services or HR is available for consultation on making third party arrangements if needed.

7. In all cases of damage to SFBU facilities or property by an animal failing to control its bodily elimination due to illness or otherwise, the owner is responsible for the cost of additional cleaning of or repairs to SFBU facilities or the cleaning, repair, or replacement of damaged property.
8. All approved animals must be in compliance with state and local laws regarding health, vaccination, and care of the particular type of animal.

Conflicting Disabilities

Some people may have allergic reactions to animals that are substantial enough to qualify as disabilities. SFBU will consider the needs of such persons as well as the needs of Handlers and ESA owners in meeting its obligations to reasonably accommodate all disabilities. Students requesting allergy accommodations should contact the Office of Accessibility and Disability Services in order to register and document the allergy. Employees who are not also students should submit their allergy documentation to the Human Resources. The Dean of Students will facilitate a resolution when a resolution cannot be reached within the affected SFBU unit, program or activity.

Grounds for Removal

- **Out of Control Animal**

Owners will be asked to remove any animal if it is out of control and the owner does not take effective and immediate action to control it. If the out of control behavior happens repeatedly, the owner may be prohibited from bringing the animal into University facilities until the owner can demonstrate that significant steps have been taken to correct and control the behavior.

- **Non-Housbroken/Unsanitary Animal**

A Handler or Owner may be directed to remove an animal that is not housebroken or if the animal's environment is not maintained in a healthy, sanitary environment or the animal is not kept clean and well-groomed.

- **Direct Threat**

An animal that poses a direct threat to the health or safety of others that cannot be reduced or eliminated by reasonable modifications is not permitted on campus. A direct threat determination will consist of an individualized assessment based on reasonable judgment, current medical knowledge, or the best available objective evidence to determine (1) the nature, duration and severity of the risk; (2) the probability that the potential injury will actually occur; and (3) whether reasonable modifications of policies, practices, or procedures will mitigate the risk.

- **Improper/Inadequate Care**

Failure to properly care for an animal will result in the animal being removed from SFBU property. The University will report any animal abuse or neglect to the

appropriate authorities, in addition to applicable disciplinary actions under the Student Code of Conduct or employee progressive discipline process.

This section is not exhaustive and other provisions of this Policy may warrant removal of animals from SFBU facilities. When an animal is removed pursuant to this Policy, the University will work with the Handler or Owner to identify reasonable alternative opportunities to participate in SFBU services, programs, or activities without the animal's presence.

Procedure for Requesting an Emotional Support Animal STUDENTS

- **Emotional Support Animals**

Students who wish to have ESAs in their university housing units must register the animal with the Office of Accessibility and Disability Services annually. The student must provide medical documentation from a licensed physician, mental health provider, or other mental health professional who can attest:

1. that the individual qualifies as a person with a disability and specifically identify the diagnosis and functional limitation(s);
2. that the ESA is necessary to provide the student with an equal opportunity to enjoy and use university housing;
3. that there is a clear and documented connection between the student's disability and the assistance provided by the ESA, including how the ESA helps mitigate the identified functional limitations; and
4. that the licensed professional providing the documentation has an established history of treating the student for the diagnosed disability.

- **Service Animals**

Students who require the use of Service Animals that have been trained to perform tasks for people with disabilities may choose to register their dogs with the Office of Accessibility and Disability Services, but are not required to do so. Residential Life has separate procedures (**Residential Life Guide**) to facilitate service animals in university housing.

- **Generally**

The Office of Disability and Accessibility Services shall maintain appropriate records on registered animals and provide University Housing and Title IX and Equity Officer with the identities of the students and their approved ESAs when their registration requirements have been completed. The provisions of this Policy are minimal requirements that may be supplemented by more specific requirements and procedures developed and implemented by individual SFBU units due to the particular circumstances involved. Upon approval by the Associate Director of Title IX and Equity, these shall also be enforceable under this Policy.

EMPLOYEES

- **Emotional Support Animals**

ESAs are generally not considered to be reasonable accommodations in the workplace under Title I of the ADA because they do not perform specific tasks that assist a person with a disability. Those employees who are required to live in University Housing as a condition of employment may have their ESAs with them in the University Housing unit subject to the provisions of this Policy and any applicable requirements and procedures developed and implemented by University Housing.

Employees who are not also students, who seek to have ESAs in their required University Housing unit must register the animal with Human Resources using the Reasonable Accommodation Form on the **Employee Portal**² via the The employees must provide medical documentation from a licensed physician, mental health provider, or other mental health professional who can attest:

1. that the individual qualifies as a person with a disability and specifically identify the diagnosis and functional limitation(s);
2. that the ESA is necessary to provide the person with a disability an equal opportunity to enjoy the use of the housing unit;
3. that there is an identifiable and documented nexus between the disability and the assistance that the animal provides by describing how the use of the ESA in the residence is necessary or required to mitigate the impact of the functional limitation(s); and
4. that the documenting licensed physician, mental health provider, or other mental health professional has a documented history of treating the student for the underlying disability.

- **Service Animals**

Employees who require the use of Service Animals that have been trained to perform tasks for people with disabilities may choose to register their dogs with the Human Resources, but are not required to do so. Employees with Service Animals who reside in University Housing will need to comply with Housing procedures and policies on service animals (**Residential Life Guide**).

- **Generally**

The Human Resources Department shall maintain appropriate records on registered animals and provide University Housing with the identities of the employees and their approved ESAs when their registration requirements have been completed. The provisions of this Policy are minimal requirements that may be supplemented by more specific requirements and procedures developed and implemented by individual UGA units due to the particular circumstances involved. Upon approval by the Associate Director of Title IX and Equity, these shall also be enforceable under this Policy.

² Spouses and children of employees who are required to live in University Housing must register their ESAs with Human Resources.

VISITORS

- **Emotional Support Animals**

ESAs are not permitted on campus or in SFBU buildings other than university housing units, except as otherwise permitted in this Policy.

- **Service Animals**

Visitors are permitted to bring Service Animals into campus buildings, classrooms, residence halls, meetings, dining areas, recreational facilities, activities and events without prior approval.

Definitions

Service Animal

A dog (or, in some cases, a miniature horse) that is individually trained to perform tasks for a person with a disability, as defined by the Americans with Disabilities Act (ADA). The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Handler

The individual responsible for the care and control of a service animal. A Handler may also be a personal care attendant who handles the animal for a person with a disability.

Emotional Support Animal (ESA)

Any animal providing emotional support, well-being, or comfort that eases one or more identified symptoms or effects of a documented disability. Emotional support animals may also be referred to as comfort or therapy animals. Emotional support animals are not individually trained to perform specific work or tasks. Pets (as defined below) are not considered ESAs.

Pet

Any animal that does not qualify as a service animal or ESA.

Building

Any university owned structures with a roof and walls.

Responsibility

- **Students**

In the case of student Handlers, failure to comply with this Policy is a violation of the SFBU Student Code of Conduct under the jurisdiction of the SFBU Dean of Students

- **Employees**

In the case of employee Handlers, failure to comply with this Policy will be referred to the employee's supervisor for handling under SFBU Progressive Discipline policies.

- **Visitors**

Any guests or visitors who fail to comply with this Policy will be removed from the SFBU campus.

RELATED INFORMATION

SFBU Employee Handbook
Residential Life Guide

Primary Contact

Coordinator for Disability and Accessibility Services

REVISION HISTORY

04/10/2025 - edits submitted by the policy committee

2/15/2025 – moved to template; policy statement and scope edited; definitions added

09/20/2024 – initial draft of policy created

Next Review Date

July 2030

APPROVAL

TBD - Board of Trustees

04/28/2025 - President

04/17/2025 - University Policy Committee

APPENDICES

None