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**WVU POLICY F&S – 1**  
**ANIMALS ON CAMPUS**

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**1. PURPOSE & SCOPE.**

- 1.1. **Purpose:** This Policy sets forth the roles and responsibilities of individuals who bring animals on property that is owned or controlled by West Virginia University (“WVU” or “University”), including Service, Therapy, and Emotional Support Animals (collectively referred to as “Special Purpose Animals” or “SPA”).
- 1.2. **Scope:** This Policy applies to all Faculty, Staff, Students, applicants for admission or employment at WVU, and other Members of the University Community.

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**2. RESPONSIBILITIES OF OWNERS FOR ANIMALS ON CAMPUS.**

- 2.1. Animals are not permitted inside University buildings or outside on University owned property unless done so in accordance with this Policy.
- 2.2. Domestic Animals are permitted outside on University owned property if the owner complies with the provisions of this policy.
- 2.3. Employees and all others performing work on behalf of the University who seek the presence of a SPA as a workplace accommodation must do so in accordance with Section 6 of this Policy.
- 2.4. All Domestic Animals and SPAs brought on campus, regardless of the circumstances, must:
  - 2.4.1. Be under the complete control of the owner at all times and present no hazard to people, other animals or property.
  - 2.4.2. Be secured to a leash, cord, chain, or similar direct physical control of a maximum length of six (6) feet, the other end of which is being restrained by a person.
    - 2.4.2.1. If this constraint interferes with a Service Animal’s work, or if the individual’s disability prevents using these restraint devices, the individual must maintain control of the animal through voice, signal, or other effective controls while still being within six (6) feet of the animal.



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- 2.4.2.2. Physical constraint of the animal does not apply to SPAs kept within an individual's University housing assignment while the owner is present.
  - 2.4.2.3. Physical constraint of the animal does not apply to Therapy Animals when in their enclosed assigned territory. Signage must be used to indicate whether or not the Therapy Animal is present in its assigned territory.
  - 2.4.3. Not be tethered to a stationary fixture or tree or left unattended on campus. Provided that, SPAs may be left unattended in the confines of the owner's University residence, if properly confined or secured in a cage, kennel, or other means of restriction.
  - 2.5. Domestic Animals and SPAs brought to campus must have a valid pet tax identification and current rabies vaccinations and/or any other treatments as suggested by a veterinarian to ensure safety of other pets and the public at large. The owner must also have evidence that the animal complies with all local regulations as well as the veterinarian's advice.
  - 2.6. In all cases, the owner of the Domestic Animal and SPA is responsible for the animal's behavior, including but not limited to any damage, person, other animals or property, caused by the animal.
  - 2.7. The owner of any Domestic Animal and SPA is responsible for the removal and disposal of any waste and/or feces generated by the animal, in an appropriate outdoor receptacle.
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### 3. SERVICE ANIMALS ON CAMPUS.

- 3.1. In accordance with applicable state and federal law, Service Animals are permitted within buildings on property owned or controlled by the University.
- 3.2. Service Animals are permitted access to all areas of campus, including University buildings and any place of public accommodation, that their owners would otherwise be permitted access.
- 3.3. Owners of Service Animals should take special caution and must evaluate the potential risks when bringing a Service Animal into hazardous or high risk areas on campus. Those areas include, but are not limited to, laboratories, gun ranges, and agricultural sites. When the safety of the animal or of other people is a concern, an interactive discussion will occur to establish procedures for the use of the facility on a case-by-case basis.



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#### 4. THERAPY ANIMALS ON CAMPUS.

- 4.1. Therapy Animals are animals approved and provided by the University for the benefit of the University Community. These animals are permitted access to all areas of campus, including University buildings and any place of public accommodation, that their owner, trainer, or other party responsible for the care of the Therapy Animal would otherwise be permitted access.
  - 4.1.1. University approved and provided Therapy Animals are not therapy animals used in the treatment and/or provision of healthcare carried out by a healthcare provider. An animal approved for use in the treatment and/or provision of healthcare does not mean it is approved for use at the University as a Therapy Animal. Before a prospective Therapy Animal may accompany its owner on WVU campus, including the Health Sciences Campus, it must go through the evaluation and approval process outlined below in Section 4.5.
- 4.2. Therapy Animals are subject to Section 2 of this Rule, must be registered with the Office of Auxiliary and Business Services and, for the avoidance of doubt, must be accompanied by their owner, trainer, or other party responsible for the care of the Therapy Animal at all times while on campus.
- 4.3. Therapy Animals must be removed from the immediate area by their owner, trainer, or other party responsible for its care, upon request by a Member of the University Community.
- 4.4. Any concerns or complaints regarding Therapy Animals should be addressed to the Office of Auxiliary Services at [SpecialPurposeAnimals@mail.wvu.edu](mailto:SpecialPurposeAnimals@mail.wvu.edu) or 293-7202. The Office of Auxiliary Services has the express authority to request immediate remedy of the concern or complaint up to and including prohibiting the Therapy Animal from the immediate area where the concern or complaint originated or from campus entirely.
- 4.5. **Therapy Animal registration and responsibilities.** Prior to placement on campus, Therapy Animals must undergo and pass an evaluation conducted by a party approved by the University. In addition, the Therapy Animal and its owner, trainer, or responsible party must enroll and successfully complete the University's AVS 277 class, or an acceptable equivalent.
  - 4.5.1. Upon completion of the evaluation and AVS 277 or equivalent, the Therapy Animal's owner, trainer, or responsible party must pass the University's test to become a certified handler.



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- 4.5.2. After the owner, trainer, or responsible party successfully completes the certified handler test, the Therapy Animal may begin accompanying them on campus.
  - 4.5.3. During every calendar year, the University may require that the owner, trainer, or responsible party and the Therapy Animal successfully complete the University's Visitation Therapy Dog Certification. Failure to complete the Visitation Therapy Dog Certification may result in removal of the Therapy Animal from campus.
  - 4.5.4. Owners, trainers, or responsible parties of Therapy Animals are strongly encouraged to participate in at least one University sanctioned Assistance Animal event per year.
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### 5. EMOTIONAL SUPPORT ANIMALS ON CAMPUS.

- 5.1. In accordance with applicable federal law, the University permits an Employee or a Student with a disability to have an ESA within their University residence hall, apartment, or other University housing.
  - 5.1.1. An Employee or a Student may not bring their ESA into other University buildings, including the dining center associated with their assigned University housing, unless they have received prior express written authorization from the Office of Accessibility Services or the University's ADA Coordinator, as applicable.
- 5.2. Requests for an accommodation to have an ESA in a University residence hall, apartment, or other University housing requires the approval of the Office of Accessibility Services.



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- 5.3. In accordance with applicable federal law, an ESA is not permitted to accompany Employees into their workplace unless that building is the person's assigned University housing, or the ESA is otherwise granted as a reasonable workplace accommodation pursuant to Section 6 of this Policy.
  - 5.4. In accordance with applicable federal law, the University reserves the right to remove ESAs when appropriate.
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### 6. WORKPLACE ACCOMMODATION.

- 6.1. Employees, and all others performing work for the University, who seek the presence of an SPA as a workplace accommodation must contact the University's ADA Coordinator in the Division of Diversity, Equity, and Inclusion and request such. The University's ADA Coordinator shall engage in the interactive process with the requesting party to determine whether the requested accommodation is reasonable.
  - 6.2. This interactive process must occur before any employee can bring an SPA into the workplace.
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### 7. UNIVERSITY ACTION REGARDING ANIMALS ON CAMPUS.

- 7.1. The University may take reasonable efforts to remove an animal confined in a vehicle when there appears to be eminent danger or threat to the animal due to inadequate ventilation or temperature conditions. The University is not liable for any associated repair/damage costs to the vehicle for this action and the vehicle's owner assumes full responsibility.
- 7.2. The University retains the right to remove any animal, including SPAs, from University premises if the safety of others, destruction of property, disturbance, or violation of policy warrants such removal. The removal of any animal and any necessary cleaning, repairs, and/or pest control will be done at the expense of the owner.
- 7.3. If an animal presents an immediate threat to persons, other animals or property, Members of the University Community should contact the University Police Department as soon as reasonably possible.



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**8. FERAL OR WILD ANIMALS.**

- 8.1 Feral or 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 require human intervention, may inhabit the campus grounds.
- 8.2 No person may do anything to attract Feral or Wild Animals to campus, nor may any person feed or set out food or water for Feral or Wild Animals on campus or engage in any other human intervention. Human intervention includes, but is not limited to, attracting animals, feeding, watering, building of shelters for animals, and providing medication.
- 8.3 Feral or Wild Animals that are a potential risk, represent a hazard, cause property damage, create a nuisance, or otherwise pose a potential threat to the health or safety of humans will be regulated, controlled, and humanely relocated in accordance with all applicable laws and regulations.

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**9. ANIMALS NOT GOVERNED BY THIS POLICY.**

- 9.1. This Policy does not govern the following animals:
- 9.1.1. Animals involved in authorized research being conducted by WVU or its affiliates;
- 9.1.2. Animals owned and used by law enforcement agencies in the exercise of the agency's official duties; and
- 9.1.3. Animals used for performance on premises or involved in a University-sponsored activity or event, such as mascots, but only as approved by the University in advance by the Vice President for Strategic Initiatives.

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**10. VIOLATIONS OF THIS POLICY.**

- 10.1. Any Faculty, Staff, or University volunteer who violates this Policy shall be subject to appropriate disciplinary action.
- 10.2. Any Student who violates this Policy shall be subject to appropriate disciplinary action, up to and including expulsion, in accordance with the Student Code of Conduct.





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- 10.3. Other Members of the University Community (excluding Faculty, Staff, Students, and University volunteers which are discussed above) who violate this Policy shall be subject to appropriate corrective action, including, but not limited to, issuance of a no trespass order or cancellation of relationship with the University.
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## 11. DEFINITIONS

- 11.1. “Domestic Animal” means any dog, cat, or other socialized or domesticated animal that normally and customarily share human habitat and are normally dependent on humans for food and shelter. The definition of Domestic Animal does not include animals on University grounds for research purposes; nor does it include Feral or Wild Animals.
- 11.2. “Emotional Support Animal” means an animal that in certain circumstances, pursuant to the Fair Housing Act, is necessary to afford the person with a disability an equal opportunity to use and enjoy University housing. An ESA may provide physical and emotional support. ESAs do not perform work or tasks that would qualify them as Service Animals under the ADA.
- 11.3. “Employee(s)” means Faculty and Staff.
- 11.4. “Faculty” is defined in BOG Faculty Rule 4.2 – Appointment, Promotion, Tenure, and Dismissal for Cause.
- 11.5. “Feral or Wild Animals” are animals that are not socialized or domesticated.
- 11.6. “Member of the University Community” means (i) an individual engaged in any University activity or program, whether on or off campus; (ii) any individual lawfully on University property; (iii) any individual that is a University student, faculty, staff, University official, University volunteer, or a University visitor; and (iv) any vendor or contractor, including that vendor’s or contractor’s employees and independent contractors, who are working on campus.
- 11.7. “Person with Disability” means a person with a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such impairment.
- 11.8. “Service Animal” means any dog or miniature horse 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 disability. Other species of animals, whether wild or domestic, trained or untrained, are not Service Animals for the



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purposes of this definition. The work or tasks performed by a Service Animal must be directly related to the handler’s disability. “Service Animal” also includes dog or miniature horse undergoing training by an approved trainer who is an agent of an organization generally recognized by agencies involved in the rehabilitation of persons who are disabled as reputable and competent to provide training for assistance animals, and/or their handlers.

11.9. “Staff” means any Classified or Non-Classified Employee, as defined in BOG Talent & Culture Rule 3.1, and any individual employed as a Mountaineer Temporary Employee.

11.10. “Student” is defined in BOG Student Life Rule 6.1 – Student Rights and Responsibilities; Student Conduct.

11.11. “Therapy Animal” means a Domestic Animal that is provided by the University for the benefit of the Members of the University Community that has been appropriately trained by an approved trainer and is tolerant of a variety of environments and experiences while also providing support to Members of the University Community by positively affecting overall mental and physical health, reducing stress factors, and improving overall mood; “Therapy Animal” also includes Domestic Animals undergoing training by an approved trainer who is competent to provide training for Therapy Animals. Therapy Animals may include visitation animals or other animals used for the benefit of the Members of the University Community, but does not include therapy animals that are approved for use in the treatment and/or provision of healthcare carried out by a healthcare provider.

11.12. “Vice President for Strategic Initiatives” means the Vice President or his or her designee.

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**12. SUPERSEDES.**

12.1. This Policy supersedes all other policies, procedures or guidelines at the University to the extent those documents are inconsistent with and fall under the scope of this Policy.

