



UC San Diego

Policy & Procedure Manual

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ANIMALS AS ACCOMMODATIONS FOR DISABILITIES IN UC SAN DIEGO HOUSING

1. SCOPE

This Policy applies to UC San Diego students, faculty, and staff in UC San Diego housing. Individual facilities may have other relevant procedures or guidelines regarding permitted access by animals that are not Service Animals or Assistance Animals.

2. POLICY SUMMARY

UC San Diego is committed to granting reasonable accommodations to its rules, policies, practices, and services when such accommodations are necessary to afford people with disabilities equal opportunities to participate in the University's programs and activities. This Policy explains the requirements and procedures that apply to individuals with disabilities who seek accommodations to allow animals in university housing.

3. DEFINITIONS

A. Service Animal. The University adopts and incorporates the definition of Service Animal set forth at [28 CFR 35.104, Nondiscrimination on the Basis of Disability in State and Local Government Services](#).

<https://www.govinfo.gov/app/details/CFR-2002-title28-vol1/CFR-2002-title28-vol1-sec35-104->

B. Assistance Animal. An animal that works, provides assistance, or performs physical tasks for the benefit of an individual with a disability, and/or provides necessary emotional support to an individual with a mental or psychiatric disability that alleviates one or more identified symptoms of an individual's disability. Assistance Animals are not Service Animals. An Assistance Animal is not required to be professionally trained or certified and need not be a specific type of animal. Assistance Animals are sometimes referred to as emotional support animals, therapy animals, or companion animals.

C. Owner. The person who has requested the accommodation to allow an animal in University housing.

4. POLICY STATEMENT

I. SERVICE ANIMALS

- A. The University's procedures, Owner responsibilities, and scope of access permitted to the Service Animal are defined by [28 C.F.R. 35.136 - Service Animals](https://www.govinfo.gov/app/details/CFR-2016-title28-vol1/CFR-2016-title28-vol1-sec35-136).
<https://www.govinfo.gov/app/details/CFR-2016-title28-vol1/CFR-2016-title28-vol1-sec35-136>

II. ASSISTANCE ANIMALS

- A. Procedures for Requesting Accommodation to Allow an Assistance Animal in University Housing
- a. Although there are restrictions on animals in university housing, the University will consider a request from an individual with a disability for a reasonable accommodation from this prohibition to allow an Assistance Animal.
 - b. A person residing in university housing wishing to request an Assistance Animal be permitted as an accommodation, should contact the appropriate office listed below:
 - Students - Office for Students with Disabilities - 858.534.4382
 - Faculty and Staff - DisAbility Counseling and Consulting - 858.534.6744
 - Health Science Funded Staff - 619.543.3200
 - c. The University may require a current statement and/or documentation from a reliable healthcare provider that the current Owner has a disability and that the animal would provide assistance that would ameliorate one or more symptoms or effects of the disability. A reliable healthcare provider is a provider, as defined in the following link, who is familiar with the Owner's disability and the necessity for the requested accommodation.
<http://osd.ucsd.edu/files/Assistance-Animal-Accommodation-Request-3.25.19.pdf>
 - d. The University, in consultation with the resident and other parties, as appropriate, may consider the criteria below to determine whether the presence of the animal is reasonable in making housing assignments for individuals with Assistance Animals:
 1. Whether the animal poses or has posed in the past a direct threat to the individual or others;
 2. Whether the animal currently causes or has previously caused excessive damage to housing beyond reasonable wear and tear;
 3. Whether the size of the animal is too large for available assigned housing space;
 4. Whether the animal's presence would force another individual from University housing (e.g., due to allergies);
 5. Whether the animal's presence otherwise violates other individuals' right to peace and quiet enjoyment; and
 6. Whether the animal is housebroken or is unable to live with others in a reasonable manner.
 - e. The Owner must provide written consent for the University to disclose information regarding the request for and presence of the Assistance Animal to those individuals who may be affected by the presence of the animal including, but not limited to, staff who clean and maintain facilities, security officers, campus police, residential life staff, and potential and/or actual roommate(s)/neighbor(s). Such

information shall be limited to information related to the animal and shall not include information related to the individual's disability. The University reserves the right to assign or reassign an individual with an Assistance Animal to a single room without a roommate or to a space with fewer roommates upon availability; such an assignment or reassignment would not increase the housing cost born by the Owner.

- f. No Assistance Animal may be kept in University housing at any time prior to the Owner receiving approval as a reasonable accommodation under this Policy.
- B. Owner's Responsibilities.** If the University grants an Owner's request to live with an Assistance Animal, the Owner is solely responsible for the custody and care of the Assistance Animal and must meet the following requirements:
- a. The Owner must abide by all current city, county, and state ordinances, laws and regulations that pertain to animal licensing and vaccinations. The University reserves the right to request documentation proving that the animal has been vaccinated and licensed.
 - b. The animal must be under the Owner's control at all times. If the animal is unruly or disruptive (e.g. making excessive noise, running around, bringing attention to itself, jumping on people, exhibiting aggressive behaviors, soiling facilities) and the Owner is unable or unwilling to take immediate and effective action to control the animal, the University may revoke the accommodation as unreasonable and ask the Owner to remove the animal from the housing facility.
 - c. The Owner must ensure that the animal is well cared for at all times. Any evidence of mistreatment, abuse, neglect, or abandonment may result in the removal of the animal from University facilities and/or discipline. The Owner is responsible for ensuring that the animal is appropriately contained, when the Owner is not with the animal. During emergencies when the Owner is not present, emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal. Animals may not be left overnight in University housing to be cared for by someone other than the Owner. When the Owner is absent from their place of residence overnight or longer, the Owner must arrange for the animal to be domiciled and cared for off campus during the Owner's absence.
 - d. The Owner is required to clean up after and properly dispose of animal waste in a safe and sanitary manner and use animal relief areas designated by the University. An Owner may be charged for any damages caused by the animal beyond reasonable wear and tear. The Owner's living space may be inspected for fleas, ticks, or other pests if necessary as part of the University's routine inspections or when a complaint arises. If fleas, ticks, or other pests are detected through inspection, the Owner may be billed for the expense of any pest treatments used above and beyond the standard pest treatment measures and the University may revoke the accommodation as unreasonable.
 - e. Should the Owner reside in a shared space, the Owner is responsible for informing others who live in the shared space of the animal prior to the animal's arrival in housing.
 - f. If the Assistance Animal is no longer needed or is no longer residing in University housing, the Owner must promptly notify in writing the appropriate Office(s) that authorized the accommodation. If an Owner needs to replace an Assistance Animal, the Owner must follow the procedures in this Policy when requesting that a different animal be allowed to reside in University housing.

C. Removal of an Assistance Animal

- a. The University may require that the Owner immediately remove the animal from University property if: 1) the animal poses a direct threat to the health or safety of others; 2) the animal causes substantial property damage; 3) the animal's presence results in a fundamental alteration of a University program, including without limitation the housing program for other residents; 4) the Owner does not comply with the Owner's Responsibilities set forth above; or 5) the animal or its presence creates an unmanageable disturbance or interference with the University community. The University will base such determinations upon the consideration of the behavior of the particular animal at issue, and not on speculation or fear about the harm or damage an animal may cause. Should the Assistance Animal be removed from the premises for any reason, the Owner is still required to fulfill the Owner's housing obligations for the remainder of the housing contract.

III. PEOPLE ADVERSELY AFFECTED BY ANIMALS ON CAMPUS

Students who are adversely affected by the presence of a Service Animal or Assistance Animal (for example, allergies; fear of dogs) should contact the Office for Students with Disabilities at 858-534-4382 and engage in the interactive process so that reasonable accommodations may be determined.

Faculty and staff should contact DisAbility Counseling and Consulting at 858.534.6744. Health Science funded staff should contact 619-543-3200.

5. FORMS

The Director of the Office for Students with Disabilities shall have the authority to create, revise, and require the use of forms that implement this Policy. Those forms shall be published on the webpage for the Office for Students with Disabilities: <https://osd.ucsd.edu/>.

6. REVISION HISTORY

New policy.