

Animals on University Property

Version 1

 Print

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Contact	<p>Department for Disability Support Services (https://accessibility.ecu.edu/): (252) 737-1016</p> <p>ECU Police Department (https://police.ecu.edu/): (252) 328-6787</p> <p>Department of Campus Living (https://campusliving.ecu.edu/): (252) 328-2758</p> <p>Office of Environmental Health and Safety (https://oehs.ecu.edu/): (252) 328-6166</p> <p>ECU Athletics (https://ecupirates.com/): (252) 737-4669</p>
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Related Policies

Additional References	<p>Faculty Manual - Faculty Research and Scholarship (https://www.ecu.edu/cs-acad/fsonline/customcf/currentfacultymanual/part7.pdf)</p> <p>Campus Living Agreement (https://campusliving.ecu.edu/contracts-and-forms/)</p> <p>NC OSHR (https://oshr.nc.gov/document/animal-state-property-template)</p> <p>Institutional Animal Care & Use Committee (IACUC) (https://iacuc.ecu.edu/)</p> <p>ECU Department of Comparative Medicine (https://comparativemedicine.ecu.edu/)</p> <p>NIH Guide for the Care and Use of Laboratory Animals (pdf) (https://grants.nih.gov/grants/olaw/Guide-for-the-Care-and-Use-of-Laboratory-Animals.pdf)</p> <p>ECU Office of Research Administration (https://rede.ecu.edu/ora/)</p> <p>ADA (https://www.ada.gov/)</p>
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1. Introduction

Members of the East Carolina University ("ECU" or the "University") community and others often wish to bring animals on or into University Property for a variety of reasons. It is the purpose of this Regulation to articulate the conditions under which animals may or may not be permitted on or in University Property.

2. Scope of Jurisdiction of this Regulation

This Regulation governs all persons who have animals on or in University Property or who wish to bring animals on or into University Property, as well as to all persons, companies, and University units who interact with, train or instruct persons who have animals on or in University Property or who wish to bring animals onto or into University Property.

3. Definitions

Subject to the provisions of this Regulation, if an animal satisfies more than one of the following definitions, the animal shall be considered to be classified as the type of animal that is allowed to provide the most extensive assistance or support to a person with a disability or other illness or infirmity. For example, an animal may satisfy the definitions of both “Comfort or Emotional Support Animal” and “Service or Assistance Animal,” in which case the animal should be classified as a “Service or Assistance Animal,” because that type of animal is allowed to provide the widest range of assistance or support to a person with a disability or other illness or infirmity.

3.1. **“Animal for Academic/Research”** means an animal involved in teaching and/or research and includes the care and use of the animal as referenced in the ECU Faculty Manual Part 7 Sections II Contents and III Animal Welfare Regulations as well as the Institutional Animal Care and Use Committee (IACUC).

3.2. **“Animal Research Facility”** means research laboratories/spaces and temporary holding facilities managed by University departments for the purposes of conducting research.

3.3. **“Comfort or Emotional Support Animal”** means an animal selected by, or prescribed to, an individual with a disability by a healthcare or mental health professional for emotional support, well-being or comfort.

3.4. **“Direct Threat”** means a significant risk to the health or safety of others that cannot be eliminated by any legally required modification of policies practices or procedures, or provision of auxiliary aids or services.

3.5. **“Domesticated Animal”** means an animal that is a member of a species that normally and customarily shares human habitat in Pitt County, North Carolina, and which is dependent on humans for food and shelter, including dogs, cats, and other animals that are confined to a cage or enclosure, including, but not limited to, fish in an aquarium.

3.6. **“Feral or Wild Animal”** means a Non-Domesticated animal that has been found in the wild, or which is in a wild state, and which is not dependent on humans for food and shelter when it lives in the wild.

3.7. **“Human Intervention”** refers to a situation where a person other than the owner/handler is attracting, feeding, or watering animals, building shelters for animals, or providing treatment to animals.

3.8. **“Institutional Animal Care and Use Committee”** (or IACUC) is a federally mandated ECU committee that fosters compliance with applicable law and policy through ensuring optimal animal welfare and facilitating the efforts of the institution's scientists and instructors in the humane and appropriate utilization of animals in research, education and other scholarly pursuits.

3.9. **“Law Enforcement Agency Animal”** means an animal that is trained to assist law enforcement personnel in the performance of their official duties. This definition includes animals that are commonly referred to as “patrol animals” or “rescue animals.”

3.10. **“Person with a Disability”** means, subject to the Americans with Disabilities Act (“ADA”), a person with a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

3.11. **“Pet”** means a Domesticated Animal that does not qualify as any of the following: an Animal for Academic/Research; a Comfort or Emotional Support Animal; a Law Enforcement Agency Animal; a

Service Assistance or Service Animal; a Therapy Animal; or any other animal that the University specifically allows, or is required to allow, on or in University Property pursuant to law, policy or regulation.

3.12. **“Search and Rescue Animal”** means an animal that is trained and may be used to assist in a search and rescue operation.

3.13. **“Service or Assistance Animal”** means a dog or miniature horse that is individually trained, or is in training, to do work or perform tasks for the benefit of an individual with a disability under, and subject to, the ADA, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a Service or Assistance Animal must be directly related to the handler's disability. Examples of such work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

3.14. **“Therapy Animal”** means a dog that:

3.14.1. Has received training appropriate for animal assisted therapy ("AAT") or registration by a recognized national therapy animal organization, such as Pet Partners or Therapy Dogs International; and

3.14.2. Is used by a health care or mental health professional in a therapeutic setting.

3.15. **“University Property”** means all grounds, buildings, rooms, auditoriums, facilities, stadiums, or other space or improvements, that are owned, leased, used, or otherwise controlled by the University.

4. Animals on or in University Property – General Requirements

4.1. Except as provided in this Regulation, no person may bring animals in or onto University Property.

4.2. All animals must be under the control of the owner/handler at all times.

4.3. With the exception of limited situations involving Service or Assistance Animals (see below) all animals must be restrained by a leash or other appropriate device that does not exceed 6 feet in length.

4.4. All animals must be licensed and fully inoculated in accordance with applicable federal, state, Pitt County and City of Greenville North Carolina regulations. With limited exceptions for Service or Assistance Animals (see below) the burden of proving current valid licensure and current inoculation status is on the owner/handler.

4.5. Animal fecal matter deposited on or in University Property must be removed immediately and disposed of properly by the owner/handler. The burden is on the owner/handler to arrange for removal of fecal matter if he or she is personally unable to perform the task.

4.6. Damage to University Property is the responsibility of the owner/handler, including the costs for replacement and/or repairs.

4.7. The University may remove or require the removal of any animal on or in University Property that poses a Direct Threat to the health or safety of others, is not housebroken, or otherwise disrupts the uses to which the particular University Property is intended.

4.8. Animals found tethered, unattended, or abandoned may be humanely impounded in accordance with applicable laws and regulations. Animals that are tethered, unattended, or abandoned on University Property should be reported to University Police.

4.9. Animals may be left in vehicles parked on University Property for a brief period of time, as long as the animal is not endangered and does not endanger others or create a public nuisance. In the event of endangerment to the animal or others, or public nuisance, the animal's handler/owner is subject to citation and the animal may be humanely impounded. In order to protect the health and safety of an animal, any animal control officer, law enforcement officer, fire fighter, or rescue squad worker, who has probable cause to believe that an animal is confined in a motor vehicle, crate or other space under conditions that are likely to cause suffering, injury, or death to the animal due to heat, cold, lack of adequate ventilation, or other endangering conditions, may enter by any reasonable means under the circumstances after making reasonable effort to locate the owner or other person responsible for the animal. Members of the University Community who observe animals confined in such circumstances should immediately contact University Police.

4.10. If any animal is deemed by University officials to be a Direct Threat to the health or safety of any person, or to any other animal, then that animal may be moved to a safe place, which may include removal from University Property, in any manner deemed necessary by University officials. Such action may be taken even if the animal posing a threat would otherwise be permitted on or in University Property under this Regulation. Members of the University Community should immediately report such animals to the University Police.

4.11. All animals must have current required vaccinations and documentation where applicable. Dogs and cats must have evidence of current rabies vaccination. Flea control must be maintained (oral/topical treatments, etc.) and documented where applicable.

4.12. The ECU IACUC must be informed and ECU Environmental Health and Safety (EH&S) must review and approve requests for animals to be brought on or in University Property for exhibitions, petting zoos, circuses, animal shows and the like.

5. Pets

5.1. Except as set forth herein, Pets are not allowed on University Property.

5.1.1. Pets may be allowed temporarily on specified out of doors University Property for the duration of an official University event, if approved by the University and the department/unit responsible for the event (e.g. Barefoot on the Mall, Pet-A-Puppy Day, etc.).

5.1.2. Subject to approval by Campus Living, fresh water fish may be allowed in residence hall rooms if kept in an aquarium no larger than ten (10) gallons.

5.1.3. Subject to approval by Campus Living, dogs and cats may be allowed to live in professional and guest apartments.

6. Service and Assistance Animals (including those in training)

6.1. Individuals with disabilities are permitted to be accompanied by their Service or Assistance Animal (dogs or miniature horses only) in all areas of University Property where members of the public, participants in services, programs or activities, or invitees are allowed to go. However, for Service or Assistance Animals to gain access to ECU Animal Research Facilities, prior approval must be obtained by the Department of Comparative Medicine and IACUC.

6.2. A Service or Assistance Animal in training may be brought on or into University Property for the purpose of training when the animal is accompanied by a person who is training the animal, and the animal wears a collar and leash, harness, or cape that identifies the animal as a service animal in training.

6.3. If an individual's need for a Service or Assistance Animal and/or the qualifications of the animal are not obvious, the handler may be asked only the following: (a) whether the animal is required because of a disability; and (b) what work or task(s) the animal has been individually trained to perform.

6.4. Service or Assistance Animals shall be under the control of their handlers at all times. A Service or Assistance Animal may have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the animal's safe, effective performance of work or tasks, in which case the animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

6.5. Students desiring to house a Service or Assistance Animal in their University residence halls must, in addition to all other applicable requirements of this Regulation, complete the Campus Living Agreement, which requires approval by Campus Living and Disability Support Services. To the extent the Campus Living Agreement is inconsistent with this Regulation, then this Regulation shall control.

6.6. A Service or Assistance Animal may be excluded from University Property, including classrooms, or offices, when:

6.6.1. The animal is out of control and the animal's handler does not take effective action to control it; or

6.6.2. The animal is not housebroken; or

6.6.3. The animal's presence or behavior fundamentally alters the nature of the programs, services, facilities, privileges, advantages, or accommodations of the Property.

6.7. If a Service or Assistance Animal is properly excluded from all or a portion of University Property, the individual with a disability shall be given the opportunity to participate in the service, program, or activity without having the animal on the premises.

6.8. The University is not responsible for the care or supervision of a Service or Assistance Animal. Accordingly, if a person with a disability remains on or in University Property after his or her animal is properly excluded, it is that person's responsibility to make arrangements for the animal's care and supervision.

6.9. An individual with a disability will not be required to: (1) pay a surcharge related to the use of a Service or Assistance Animal, even if other people accompanied by animals are required to pay fees; or (2) comply with other requirements generally not applicable to people without animals

6.10. Unless otherwise excluded by the ADA or this Regulation, a person with a disability who brings a Service or Assistance Animal on or into University Property has all the responsibilities and liabilities that any other person has, including liability for any damage done by the animal.

6.11. Use of a Service or Assistance Animal must comply with ADA regulations and other applicable law.

6.12. It is a Class 3 misdemeanor under North Carolina law:

6.12.1. "To deprive a person with a disability or a person training a Service Animal of any rights granted the person" under the laws applicable to persons with disabilities, or "of any rights or privileges granted the general public with respect to being accompanied by animals"; or

6.12.2. To charge any fee for the use of the service animal."

6.13. It is also a Class 3 misdemeanor "to disguise an animal as a service animal or service animal in training." N.C.G.S. § 168-4.5. In other words, it is a crime under North Carolina law to attempt to obtain access for an animal under the false pretense that it is a Service Animal.

7. Therapy Animals

7.1. With prior permission of the facility, a Therapy Animal trained for Animal Assisted Therapy ("AAT") may be brought into appropriate University health care or mental health facilities to work with its owners/handlers to provide service in conjunction with a University-approved program in one or more therapeutic settings.

7.2. Except in those instances where the Therapy Animal is provided by the University and being handled by a University employee, each owner/handler shall:

7.2.1. Provide to the University documentation of the training for the Therapy Animal or registration with a recognized and reputable therapy dog organization or certifications/assurances for other species as applicable;

7.2.2. Provide to the University documentation showing that the owner/handler has obtained and maintains liability insurance coverage protecting the University from claims arising out of the presence and utilization of the Therapy Animal and has obtained approval for the presence and use of the Therapy Animal from appropriate University officials; and

7.2.3. Advise each patient who reasonably may be expected to come into contact or in proximity to a Therapy Animal in advance that the Therapy Animal will be present, and obtain the patient's consent in writing to the presence and, if applicable, the use of the Therapy Animal in that patient's treatment. The consent document will include a waiver of claims against the University related to the patient's interaction with the Therapy Animal.

7.3. A Therapy Animal may be brought on or into University Property other than health care or mental health facilities when the Therapy Animal will be utilized in an educational program designed to educate others about mental health issues and treatment if: (a) the owner/handler obtains the consent of the administrator responsible for the facility; (b) potential attendees are given at least five days advance notice that a Therapy Animal will be present in the facility; and (c) the Therapy Animal is under the control of the owner/handler at all times, and is restrained by a leash or other appropriate device that does not exceed 6 feet in length.

8. Comfort or Emotional Support Animals

8.1. A Comfort or Emotional Support Animal need not have specialized training.

8.2. Comfort or Emotional Support Animals must at all times remain in University housing. Residents of University housing seeking permission to have their animal reside with them must, in addition to all other applicable requirements of this Regulation, complete the Campus Living Agreement, which requires approval by Campus Living and Disability Support Services. To the extent the Campus Living Agreement is inconsistent with this Regulation, then this Regulation shall control.

8.3. A resident of University housing requesting permission to have an Emotional Support Animal in University housing must provide the Department of Disability Support Services ("DSS") with the required documentation on or before the University Housing Application Deadline.

8.4. The DSS requires such advance notice in order to gather, review, and verify the required documentation, which includes, but is not limited to: verification of a disability, the determination of any conflicting disabilities in the immediate vicinity where the animal will be housed, and verification of all vaccinations and the health of the animal including all the necessary licensing. If documentation is immediately available, the time for the approval process may be shortened.

8.5. Documentation of the need for a Comfort or Emotional Support Animal should include a signed letter, on professional letterhead, from the person's physical or mental healthcare provider or licensed therapist. The provider or therapist should be familiar with the professional literature concerning the assistive and/or therapeutic benefits of Comfort or Emotional Support Animals for people with disabilities. At a minimum, the letter shall include the following, to the satisfaction of DSS:

8.5.1. The provider's diagnosis of the person's condition;

8.5.2. A clear description of the current impact and functional limitations resulting from the disability;

8.5.3. The provider's confirmation that the Comfort or Emotional Support Animal has been prescribed for treatment purposes and is necessary to help alleviate symptoms associated with the person's

condition and/or to help the person use and enjoy University housing services;

8.5.4. The provider's description of the service(s) that the animal will provide; and

8.5.5. Any additional rationale or statement the University may reasonably need to understand the basis for the professional opinion.

8.6. DSS staff will review documentation, and, if DSS staff determine that a qualifying disability exists, DSS staff will arrange a meeting with a University housing representative and the person requesting that an Emotional Support Animal be housed in University housing.

8.7. This Regulation will be reviewed with the person at that time and an interactive dialogue will take place to determine whether or not the animal is a reasonable accommodation, considering alternative accommodations and the impact of the animal on the University housing.

8.8. The effect on others must be considered, including the potential effect on persons with allergies to animal hair or dander, as well as the willingness of roommates to share their housing with an animal. Depending on such considerations, an alternative housing assignment may be considered.

9. Law Enforcement Agency and Search and Rescue Animals

9.1. All Law Enforcement Agency animals (including animals used by the ECU Police Department) may accompany a law enforcement officer on or in University Property, in the performance of the officer's official duties. The officer's use of the Law Enforcement Agency Animal shall comport with applicable constitutional and legal standards and requirements.

9.2. A Search and Rescue Animal may accompany its handler on and in University Property to the extent the handler is officially authorized and acting pursuant to applicable constitutional and legal standards and requirements to assist in a search and rescue operation.

10. Animals for Academic/Research

Animals for Academic/Research are permitted on and in University Property consistent with University policies governing the use of such animals for teaching, instruction and research.

11. Feral or Wild Animals

11.1. 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/or humanely relocated in accordance with applicable laws and regulations.

11.2. No person shall bring a Feral or Wild Animal inside University Property or buildings.

11.3. Except for animals used for Academic Research, no person may do anything to attract Feral Animals to University property, nor may any person feed or set out food or water for Feral or Wild Animals on or in University Property, or engage in any similar human interventions.

12. Violations of this Regulation

12.1. To report the presence of an animal in violation of this Regulation call ECU Police and Public Safety at 9-1-1, or use the LiveSafe or similar officially approved application.

12.2. Persons who fail or refuse to comply with this Regulation may, consistent with law, this Regulation, and any other applicable University Policies or Regulations be subject to appropriate disciplinary action, including, but not limited to being partially or totally barred from bringing or keeping animals on or in University Property.

East Carolina University

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