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# 100 Animals on Campus

Animals or pets are not permitted in any campus building except for service animals, approved emotional support animals, animals involved in authorized research or instruction programs or animals approved to reside in campus housing. Limited exceptions are outlined in the following subsections. Dogs must have a valid license that also serves as evidence of current rabies vaccinations.

Unless otherwise provided in this section, the [CSU Policy on Service and Emotional Support Animals for Students on Campus](#) applies to SF State students.

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## 100.1 Definitions

- **Service Animal (SA):** any dog or miniature horse that is individually trained to do work or perform a task for an individual with a disability, including physical, sensory (deaf or blind), psychiatric, intellectual, or other mental disability. The work or tasks performed by the Service Animal must be directly related to the individual's disability. Service Animals do not need to be approved by campus, but Disability Program Resource Center (DPRC) should be notified to allow DPRC to share CSU and campus policies and guidelines with the handler.
- **Emotional Support Animal (ESA):** a category of animal not trained to perform specific tasks directly related to an individual's disability; instead, the animal's owner derives a sense of well-being, safety, calm, or comfort from the animal's presence. ESAs may provide necessary emotional support to an individual with a mental or psychiatric disability but are not considered a Service Animal under the Americans with Disabilities Act (ADA). ESAs are allowed on campus as accommodation for a person with a disability. They must be approved by the proper campus authority to live in campus housing or enter campus work or academic/instructional/recreational areas.
- **Pet:** a domestic animal, kept and cared for by an individual, providing no specific purpose other than companionship.
- **Wild Animal:** any animal that isn't tame and lives on its own without any help from people. A wild animal finds its own food, shelter, water and all its other needs in a specific natural habitat. Habitat can be a field, woods, pond, wetland, prairie, park, or in the core of the campus. Wild animals do not include feral or stray domestic animals.

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## **100.2 Service Animals**

A Service Animal (SA) is defined as a dog or miniature horse that is individually trained to do work or perform tasks for the benefit of a person with a disability, including physical, sensory, psychiatric, intellectual or other mental disabilities. An SA may also be referred to as a guide dog or a signal dog. SAs are trained to recognize and respond to a handler's need for specific service. SAs are allowed on campus grounds, including university housing, food-service facilities, places of entertainment, on-campus residences, academic classrooms and campus libraries. The SA must have current vaccinations and be housebroken and under control. The use of SAs is protected by the ADA.

### **100.2.1 Service Animals for Students**

Handlers with SAs are not required to notify Disability Programs Resource Center (DPRC) of their use of a service animal prior to coming to campus, except for requests to bring an SA to a research or teaching lab as outlined in Section 100.2.3. However, notifying DPRC is highly recommended because it allows the DPRC to share the CSU and campus policies and guidelines with them.

### **100.2.2 Service Animals for Employees**

Approved SAs are allowed for employees in campus buildings while the employee is performing their duties on behalf of the university and on campus transportation vehicles (including any campus shuttle, bus, or other fleet vehicle). SAs may not be left unattended in any building, vehicle, or outdoor space on campus.

An employee may request an SA as a reasonable accommodation in the workplace. Employees requesting approval to bring a SA into their campus workspace must notify their supervisor/manager and may be asked to submit documentation of their need for a SA and the animal's fitness to the Employee Accommodations for approval through the accommodations process. This process provides Employee Accommodations an opportunity to advise the employee of their rights and responsibilities when it comes to accommodations, including making sure they have and understand the CSU service animal policy. Employee Accommodations may deny approval of a SA, or may withdraw approval, where the animal user fails to ensure their SA conforms to the requirements outlined in Section 100.2 of this policy.

An employee submitting a request for a service animal accommodation to the Employee Accommodations office may bring their unapproved SA to interact with Employee Accommodations staff.

If the need for a SA is not obvious, only the following two questions may be asked of the SA owner/handler:

1. Is the dog/minature horse a service animal required because of a disability?
2. What work or task has the dog/minature horse been trained to perform?

These questions may not be asked if the need for the SA is obvious.

### **100.2.3 Service Animals in Research and Teaching Laboratories**

Research and teaching laboratories can present safety hazards and risks to people and animals depending on the specific laboratory environment. Such hazards can include biological, chemical, radioactive, and equipment. Hence, **individualized**, special consideration and evaluation of those hazards and risks are necessary.

SF State may impose legitimate safety requirements on the use or presence of a SA that are necessary for safe operation of its facilities. There are some facilities that are not safe for use or presence of a SA and from which SF State may exclude a SA based on actual risks. Alternatively, SF State may require specialized personal protective equipment for the SA or other special requirements to ensure the safety of the SA and others in the space. Laboratories are areas where a SA may pose a substantial and direct threat to health and safety. As a result, requests in these areas will require an individualized assessment that is determined on a case-by case basis.

Any individual seeking to bring a SA into a laboratory on campus must contact Disability Programs Resource Center (DPRC) (for student requests) or Employee Accommodations (EA) (for employee requests) to request an accommodation. DPRC or EA will evaluate the request and engage in the interactive process regarding what accommodations are appropriate reaching a decision, DPRC or EA may consult with Environment Health & Safety (EHS) to ensure DPRC or EA understands and accounts for any related safety issues. To the extent DPRC or EA determines that use of a SA is appropriate, it will communicate with the lab manager regarding the accommodation to ensure proper safety procedures are put in place.

SF State complies with all federal, state and local laws and regulations pertaining to SAs.

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### **100.3 Emotional Support Animals (ESA)**

An Emotional Support Animal (ESA) is defined as an animal that is not trained to perform specific tasks directly related to an individual's disability but does provide emotional support which alleviates one or more identified symptoms or effects of a person's disability. An ESA may also be referred to as an assistance animal, a comfort animal or a therapy animal. An ESA is not restricted by species like a service animal. An ESA must be free from offensive odors, parasites and infectious diseases; conduct itself in a manner appropriate to a campus environment (housebroken, well groomed, etc.); not engage in behavior that disrupts or interferes with campus purposes (barking, etc.); not show signs of endangering the health or safety of others (biting, etc.); be six months or older; be appropriately licensed; and have all current vaccinations. ESAs must also meet additional requirements such as those specified in an approval agreement allowing the ESA in university housing, other campus buildings or offices. The right to have an ESA is not protected by the ADA.

### **100.3.1 Emotional Support Animals for Students**

Approved ESAs are permitted for students in on-campus housing. A student must show the DPRC that the student meets the definition of a qualified person with a disability and the student-resident must have been given approval by the DPRC to have an ESA as a reasonable accommodation. The student must also agree to and complete the Emotional Support Animal Addendum to the Student Housing License Agreement after approval by the DPRC, but prior to bringing the animal into their residence. The student's roommates will also be notified that an animal will be present in the residence.

Approved ESAs are permitted to live in on-campus housing, provided the animal is appropriately licensed, is an animal that is legally permissible in accordance with jurisdictional policy/law, the animal and/or its care does not pose an immediate threat or danger to the resident or residential community, and is able to be under full control of the handler at all times. While the university cannot restrict the number of ESAs a student may request on campus, the student must show compelling and sufficient evidence that more than one ESA is necessary and reasonable if more than one is requested.

Because ESAs are considered accommodations, residents must provide a clear request for a reasonable accommodation to the DPRC either in writing or in an appointment with the DPRC, along with appropriate supporting documentation from the student's treating licensed medical or mental health professional to the DPRC. Documentation will be evaluated for approval by the DPRC and not by Housing or Residential Life.

Housing has the discretion as to where the student and their ESA will be housed and may require students seeking permission to live with their ESA on campus to provide reasonable advance notice of their intent, so students living nearby will be informed that an animal will be present. In cases of conflicting accommodation needs (e.g. severe allergies that would prevent another resident from living in the space with an ESA), the DPRC will guide all parties through the interactive process and work with Student Housing to determine a reasonable outcome for all parties. In cases of concern for behavior and/or welfare of the ESA, applicable policy and practices set by Student Housing and Residential Life regarding conduct and the license agreement will be the primary course of remediation, with DPRC involved as needed.

### **100.3.2 Student Requests for Emotional Support Animals in the Classroom**

Approval for an ESA in student housing does not permit the animal to be taken to classes. A student may separately request, through the normal accommodation process through the DPRC, an ESA as a necessary accommodation in a classroom under the Rehabilitation Act of 1973, Section 504. The act specifies not only whether such an accommodation can furnish some emotional support, but whether it is essential for the student to be able to attend the class.

Upon receipt of a student's request for an ESA in the classroom, the DPRC will engage in an interactive process to determine if an ESA is both a necessary and reasonable accommodation for

the student to have equal access to the classroom environment. Type of animal is a factor in whether the request is reasonable or not. The DPRC will contact the student within 2 business days to offer an appointment. The student is also instructed to follow-up to schedule an appointment after they submit their request. The interactive process will require the student to meet with a Disability Specialist to discuss the request, give a self-report of their need for the accommodation, and in most cases, require documentation from a qualified care provider supporting the need for the accommodation. General documentation guidelines are available on the DPRC website. Consultation with the DPRC Associate Director and Director is required.

The student's Disability Specialist will issue the decision (approval or denial) of a request for an ESA in the classroom. If the decision is a denial, the student has a right to appeal the decision by submitting a complaint/grievance to an appeals officer of their choice, who will issue the next decision. Complaint/grievance (appeal) instructions are available on the DPRC website and this information is given to students both verbally and in writing at the time of their initial appointment with the DPRC.

In the case of a Section 504 request for an animal in a classroom, the appeal process differs from the process for an approval of an ESA in University Housing. An appeal of a decision of a Section 504 request for an animal in the classroom should be submitted through the campus appeal process, with the final decision coming from the Vice President for Student Affairs and Enrollment Management or designee. At this stage, the decision on the appeal is final.

### **100.3.3 Emotional Support Animals for Employees**

Authorized ESAs are allowed for employees in campus buildings while the employee is performing their duties on behalf of the university and on campus transportation vehicles (including any campus shuttle, bus, or other fleet vehicle). An ESA is not granted access to places of public accommodation (including food-service facilities, places of entertainment, and on-campus residences, where the ESA has not been approved to reside or visit) unless such access is required for the employee to fulfill their duties on behalf of the University and that access has been approved as part of the employee's reasonable accommodation. ESAs may not be left unattended in any building, vehicle, or outdoor space on campus.

An employee request for an ESA as a reasonable accommodation in the workplace is treated the same as any other request for reasonable accommodation in the workplace. Employees requesting approval to bring an ESA into their campus workspace must notify their supervisor/manager and submit the required documentation of their need for an ESA and the animal's fitness to the Employee Accommodations for approval through the accommodations process. Employee Accommodations may deny approval of an ESA, or may withdraw approval, where the animal user fails to ensure their ESA conforms to the requirements outlined in Section 100.3 of this policy.

### **100.3.4 Emotional Support Animals for Employee and Family Housing and Non-Affiliated Campus Residents**

Participants in SF State's Employee and Family Housing Program (EFH) and non-affiliated campus residents, i.e., legacy tenants, may request permission to house an ESA in campus housing. Requestor must submit the EFH Emotional Support Animal Addendum and comply with all requirements of the addendum including, but not limited to, providing supporting documentation including proof of current vaccination(s), spay/neuter documentation (if applicable), license, veterinarian's contact information, proof of registration with the City and County of San Francisco, photo of the ESA, and proof of renter's insurance covering claims of damage caused by the ESA. EFH Administration will review the information provided and approve or deny the request.

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## **100.4            Pets**

A pet is not considered a service or an emotional support animal.

Pets must be either secured by a leash up to six (6) feet maximum in length, the other end of which is retained by a person; secured in a carrier; or securely confined in a vehicle. Pets are not permitted in any campus building, even if on a leash, with limited exceptions outlined in this policy. Pets may not be left unattended on campus, including in parked vehicles.

Pets, except for fish in an aquarium under ten (10) gallons, may not be housed in student housing on campus. This limitation does not apply to EFH and non-affiliated campus residents, i.e., "legacy" residents, which are governed by the terms and conditions of the housing license, lease agreement, or as otherwise specified.

Participants in San Francisco State University's EFH and non-affiliated campus residents, i.e., "legacy" tenants, may request permission to house a pet (or pets) in campus housing. Requestor must agree to and complete the EFH Pet Addendum and comply with all requirements of the addendum including, but not limited to, providing supporting documentation including proof of current vaccination(s), spay/neuter documentation (if applicable), license, veterinarian's contact information, proof of registration with City and County of San Francisco, photo of the pet, and proof of renter's insurance covering claims of damage caused by the pet. EFH Administration will review the information provided and approve or deny the request. If approved, a monthly, non-refundable Pet Fee is assessed to the resident.

### **100.4.1            Impoundment of Pets**

Pets found on campus in violation of these policies are subject to impoundment by City & County of San Francisco Animal Care & Control.

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## **100.5            On-Campus Animal Programs**

Animals participating in on-campus animal programs, for example, the Health, Promotion & Wellness Therapy Dog program, must follow the policies and procedures for those specific programs.

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## **100.6 Wild Animals**

The trapping, caging, displaying, and/or use of wild animals on campus for any other purpose than educational instruction or by authorized individuals is prohibited. Requests to trap, cage, display and/or use of wild animals on campus for educational instructions purposes must be submitted to SF State's Institutional Animal Care & Use Committee (IACUC) for review and approval.

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, shall be allowed to inhabit the campus grounds.

Prohibited human intervention includes, but is not limited to, interaction with, feeding, building of shelters, and injection of medication, unless requested by a veterinarian associated with educational instruction.

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 regulated, controlled, or humanely relocated, when possible, in accordance with all applicable laws and regulations.

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## **100.7 Responsibilities**

### **100.7.1 Campus Responsibilities**

The campus is responsible for providing and facilitating a process to request approval of ESAs, a grievance process where there are alleged violations of ESAs or Service Animal user rights under this policy, and a reporting mechanism for alleged violations of this policy or California state law on protection of Service Animals.

Human Resources, Environment Health & Safety, University Housing, Disability Programs Resource Center and University Police shall collaborate as needed to identify and address any threat or disruption to the campus environment related to this policy.

### **100.7.2 Animal Owner Responsibilities**

Dogs over 4 months old and residing in San Francisco for more than 30 days are required by county regulation to be licensed through Animal Care & Control. Dog owners are responsible for dog licensing.

Animal owners/handlers are responsible for complying with this policy and all other applicable policies, laws and procedures relating to their animals. Animal owners/handlers are responsible for disposing of feces deposited by their animals; keeping their animals under control; and ensuring the safety of their animals.

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## **100.8 Consequences of Violation of Animals on Campus Policy**

University affiliates may be disciplined under appropriate policies, including but not limited to the State of California Education Code Section 89535, Faculty Code of Ethics, the Student Code of Conduct, the California State University Standards of Ethical Conduct, CSU Personnel Policies for Faculty and Staff Members, or any applicable collective bargaining agreement.

Any person, regardless of university affiliation, is subject to applicable state laws and regulations regarding the care, handling, treatment, and possession of animals, including but not limited to California Penal Codes, California Health & Safety Codes, and the California Code of Regulations.

Any person who, without legal justification, intentionally interferes with the use of a Service Animal by harassing or obstructing the Service Animal, is in violation of California law, which is punishable by fines or imprisonment. They may also be barred from campus property and subject to the consequences outlined in section 100.8 of this policy.

Any person whose animal in their care attacks or interferes with a Service Animal may be barred from campus property and subject to the consequences outlined in section 100.8 of this policy. Any animal that attacks or interferes with a Service Animal may also be barred from campus property.