



Operational Area:	Administration and Operations
Responsible Executive:	General Counsel
Responsible Office:	Equal Opportunity Office
Effective:	December 1, 2022

Animals on University Property

Administration and Operations

Contents

- I. Introduction
- II. Roles and Responsibilities
- III. Definitions
- IV. Policy Statement
- V. Procedures
- VI. Related Information
- VII. Policy History
- VIII. Policy Approval

I. Introduction

- A. **Authority:** C.R.S. § 23-54-102, *et seq.* (2022) authorizes the Trustees of Metropolitan State University of Denver (“MSU Denver” or “University”) to establish rules and regulations to govern and to operate the University and its programs. The MSU Denver Trustees retain the authority to approve, to administer, and to interpret policies pertaining to University governance. The MSU Denver Trustees authorize the MSU Denver President to approve, to administer, and to interpret policies pertaining to University operations. The Americans with Disabilities Act (ADA) governs the use of service animals by individuals with disabilities. See 42 U.S.C. § 12101, *et seq.* The City of Denver’s Code of Ordinances provides regulations on the ownership, care, and handling of animals within city limits.
- B. **Purpose:** This policy provides rules and requirements for MSU Denver employees, students, and other individuals who bring animals, including service and emotional support animals, on University property and in University-controlled spaces. See definitions below.
- C. **Scope:** This policy applies to MSU Denver employees, students, and visitors.



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Animals on University Property

Administration and Operations

II. Roles and Responsibilities

- A. **Responsible Executive:** General Counsel
- B. **Responsible Administrator:** Chief Equal Opportunity Officer
- C. **Responsible Office:** Office of Equal Opportunity
- D. **Policy Contact:** Executive Director, Office of Equal Opportunity, 303-615-0036
- E. The **Office of Equal Opportunity** is responsible for responding to complaints from students, student employees, faculty, staff, volunteers, and visitors regarding allegations of discrimination over whether a service animal or emotional support animal may be permitted on University property or in a University-controlled space as a reasonable accommodation for a person with a disability, if the dispute cannot be resolved by the **Office of Human Resources** for employees or the **Access Center** for students.

III. Definitions

- A. **Emotional Support Animal:** An emotional support animal is defined as any animal that provides companionship, emotional support, wellbeing, or comfort, which eases one or more identified symptoms or effects of a disability. Emotional support animals are not individually trained or trained to perform specific actions or tasks to assist individuals with disabilities.
- B. **Handler:** Any individual bringing an animal on University property or in a University-controlled space.



Operational Area:	Administration and Operations
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Animals on University Property

Administration and Operations

- C. **Law Enforcement or Rescue Animal:** Any animal under the control of police, security, or emergency personnel trained to aid in the functions of the personnel.
- D. **Pet:** Any animal that is not trained or employed as a service, emotional support, or working animal by the handler or used for educational purposes.
- E. **Service Animal:** Any dog or miniature horse that is individually trained to do work or to perform tasks for the benefit of individuals with physical, sensory, psychiatric, intellectual, mental disabilities or other disabilities. Service animals are usually dogs and miniature horses. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. Examples of work or tasks performed by a service animal include guiding people who are visually impaired, alerting people who are aurally impaired, pulling a wheelchair, alerting, retrieving items, providing assistance with stability or balance with a mobility impairment, protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress (PTS) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a service animal has been trained to provide must be directly related to the person’s disability. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA or this policy.
- F. **University Property:** All areas owned, operated, leased, or rented by the University.
- G. **University-controlled Space:** For the purposes of this policy, a University-controlled space is defined as any indoor area controlled by the University and any outdoor area controlled by the University with limitations on use or access, such as practice fields, stadiums, tennis



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Animals on University Property

Administration and Operations

courts, etc. Areas open to the public, such as streets, lawns, sidewalks, and parking lots, with no limitations on access, are not University-controlled spaces.

IV. Policy Statement

A. **General Prohibition of Animals:** All individuals on University property are prohibited from bringing animals, including pets, into any University building or other University-controlled space at all times. However, individuals with disabilities are allowed to bring service animals and emotional support animals on University property or in a University-controlled space, as provided herein. All animals brought onto University property are subject to City of Denver ordinances regarding ownership, care, and handling of animals within city limits. The University is not responsible for damages or injuries caused by animals on University property or in University-controlled spaces.

B. **Permissible Animals**

1. **Animals Used for Educational Purposes:** Animals used in the course of instruction, research, or co-curricular activity are permitted on University property and in University-controlled spaces, provided the handler follows all applicable legal requirements and ethical standards concerning the care, handling, and use of animals in research and instruction.
2. **Service Animals:** MSU Denver welcomes trained service animals that assist individuals with disabilities on University property and in University-controlled spaces and areas open to the public, as provided by this policy and applicable law.

President's

Policy Statement
University Policy Library

Operational Area:	Administration and Operations
Responsible Executive:	General Counsel
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Animals on University Property

Administration and Operations

Members of the University community and visitors are prohibited from interfering in any way with a service animal or the duties it performs.

3. **Emotional Support Animals:** University employees or students with a disability may be granted permission to have their emotional support animal accompany them onto University property and University controlled spaces as an approved accommodation. University employees and students must follow the processes outlined in the Procedures section below. Students requesting to bring an emotional support animal to campus must register with and have the emotional support animal approved by the Access Center. Employees requesting to bring an emotional support animal to campus must contact Human Resources to have the emotional support animal approved.

4. **Law Enforcement and Rescue Animals:** Animals under the control of police, security, or emergency personnel are permitted to perform specific functions consistent with the animal's training and law enforcement personnel duties.

C. Requirements of Animals and their Handlers

1. Dogs must be licensed and vaccinated in accordance with State of Colorado and City of Denver regulations. Other types of animals must have vaccinations appropriate for that type of animal.
2. Animals must be in good health, clean, and free of odors.
3. Reasonable behavior is expected from all animals while on University property and in University-controlled spaces. If a service animal, for example, exhibits unacceptable behavior, the handler is expected to employ the proper training

President's

Policy Statement
University Policy Library

Operational Area:	Administration and Operations
Responsible Executive:	General Counsel
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Animals on University Property

Administration and Operations

techniques to correct the situation. Handlers of disruptive and aggressive animals may be asked to remove them from University property and in University-controlled spaces. If the improper behavior happens repeatedly, the handler may be told not to bring the animal into any facility until the handler takes significant steps to mitigate the behavior. The handler is responsible for any damages caused by the service or emotional support animal. Service and emotional support animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In cases such as these, the individual must maintain control of the animal through voice, signal, or other effective controls.

V. Procedures

A. Areas Restricted to Service and Emotional Support Animals

The University may prohibit the use of service and emotional support animals in certain locations because of health or safety restrictions, where service and emotional support animals may be in danger, or where their use may compromise the integrity of certain research. Such restricted locations include, but are not limited to, food preparation areas, certain research laboratories, mechanical rooms/custodial closets, wood/metal/machine shops, classrooms with demonstration or research animals, areas where protective clothing is necessary, and/or other areas where the animal's presence may constitute a danger or fundamental alteration of the program or activity conducted in the area.

B. Removal of Service and Emotional Support Animals

The University has the authority to remove a service or emotional support animal from a University owned or controlled space if the service or emotional support animal becomes



Operational Area:	Administration and Operations
Responsible Executive:	General Counsel
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Animals on University Property

Administration and Operations

unruly or disruptive, unclean, and/or unhealthy to the extent that the animal's behavior or condition poses a direct threat to the health or safety of others, or otherwise causes a fundamental alteration in the University's services, programs, or activities. If such behavior or condition persists, the handler may be directed not to bring the animal on University property or in University-controlled spaces until the problem is rectified.

C. Employees Requesting Permission for a Service or Emotional Support Animal

1. A student employee, faculty member, staff member, volunteer, or visitor who seeks to bring a *service animal* on University property or in a University-controlled space has the option of notifying the Office of Human Resources of the need for a service animal's presence in advance of an interview, being hired, or bringing the animal to work to support the animal's use and respond to any issues that may arise.
2. In the case of an *emotional support animal*, the student employee, faculty member, staff member, volunteer, or visitor must provide documentation that shows that the animal is needed because of a disability. The Office of Human Resources has the right to deny the request for an emotional support animal.
3. If the employee needs any other accommodations in the workplace, documentation of the disability and a request for accommodations should be directed to the Office of Human Resources.

D. Students Requesting Permission for Service and Emotional Support Animals:

1. A student or potential student who seeks to bring a *service animal* on University property or in a University-controlled space has the option of notifying the Access Center of the need for the service animal's presence in advance of coming to campus to support the animal's use and respond to any issues that may arise.

Operational Area:	Administration and Operations
Responsible Executive:	General Counsel
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Animals on University Property

Administration and Operations

2. In the case of an *emotional support animal*, the student must provide documentation that shows that the animal is needed because of a disability to the Access Center. The Access Center has the right deny the request for an emotional support animal.
 3. If a student needs any other accommodations, documentation of the disability and a request for accommodations should be directed to the Access Center.
- E. **Appeals and Grievances:** In the event of a dispute or disagreement about an accommodation relating to a service or emotional support animal or an animal restriction, the individual should work with the University's Access Center or Office of Human Resources. If parties are unable to reach an agreement, the individual may contact the Office of Equal Opportunity.
- F. **Service Animals in Training:** Colorado law allows a trainer of a service animal, or an individual with a disability accompanied by an animal that is being trained to be a service animal, to accompany the service animal in training. The trainer or handler of the service animal is liable for any damages to persons, premises, and facilities caused by the individual's service animal in training. Please refer to the above section on "Requirements for the Animals and their Handlers" and "Permissible Animals."

VI. Related Information

- A. Title II of the Americans with Disabilities Act
- B. City of Denver Code of Ordinances, Section 8: Animals
- C. Auraria Higher Education Center Animals on Campus Policy
- D. MSU Denver Accommodations for Employees and Applicants with Disabilities Policy



Operational Area:	Administration and Operations
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Animals on University Property

Administration and Operations

VII. History

- A. **Effective:** December 1, 2022
- B. **Review:** This policy will be reviewed every three years or as deemed necessary by University leadership.

VIII. Approval

Janine Davidson, Ph.D.
President, Metropolitan State University of Denver

N/A

Chair, Board of Trustees, Metropolitan State University of Denver