

POLICY CONCEPT FORM

Name and UO Title/Affiliation:	Kassy Fisher, Assistant Vice President for Administration and Chief of Staff, Finance and Administration
Current Title/# (if applicable):	Animal Control/OAR 571-50-0025
Submitted on Behalf Of:	Jamie Moffitt
Responsible Executive Officer:	Vice President for Finance and Administration

SELECT ONE: New Policy Revision Repeal

Click the box to select

HAS THE OFFICE OF GENERAL COUNSEL REVIEWED THIS CONCEPT: Yes No

If yes, which attorney(s): Bryan Dearing

GENERAL SUBJECT MATTER

Include the policy name and number of any existing policies associated with this concept.

Animal Control, OAR 571-50-0025
<http://policies.uoregon.edu/animal-control>

RELATED STATUTES, REGULATIONS, POLICIES, ETC.

List known statutes, regulations, policies (including unit level policies), or similar related to or impacted by the concept. Include hyperlinks where possible, excerpts when practical (e.g. a short statute), or attachments if necessary. Examples: statute that negates the need for or requires updates to an existing policy; unit level policy(ies) proposed for University-wide enactment; or existing policies used in a new, merged and updated policy.

Institutional Use of Animals in Research and Instruction, UO Policy 09.00.01
<http://policies.uoregon.edu/policy/by/1/09-research/animals-research-and-instruction-institutional-use>

STATEMENT OF NEED

What does this concept accomplish and why is it necessary?

The university requires a policy to establish its stance on animals on campus and within the institution's buildings. However, the current policy (OAR 571-50-0025) is not sufficient. For example, its terminology is outdated, it does not speak to wildlife, service animals that are not dogs, or animals used for law enforcement; nor does it articulate processes for appeal or exception. The revision addresses these issues.

AFFECTED PARTIES

Who is impacted by this change, and how?

All faculty, staff, students, volunteers, visitors, guests, and University contractors at all University of Oregon owned and leased locations.

CONSULTED STAKEHOLDERS

Which offices/departments have reviewed your concept and are they confirmed as supportive? (Please do not provide a list of every individual consulted. Remain focused on stakeholders (e.g. ASUO, Office of the Provost, Registrar, Title IX Coordinator, etc.).)

Name	Office	Date
Andre Le Duc, Steve Stuckmeyer, Flo Hoskinson	Safety and Risk Services, including Risk Management and Environmental Health & Safety	May 2017
Martin Stanberry	Affirmative Action	May 2017
Bryan Dearing	General Counsel	May 2017
Nancy Resnick	Human Resources	May 2017
Michael Griffel	Housing	May 2017
Kathy Snell	Animal Care Services, Research Office	May 2017
Jamie Moffitt	VPFA	May 2017

Current policy with redline edits:

Animal Control

Reason for Policy:

This policy outlines the University of Oregon's ~~position on~~approach to animals on University-owned or controlled property.~~within the institution's buildings.~~

Entities Affected by this Policy:

This policy applies to all faculty, staff, students, volunteers, visitors, guests, and University contractors at all University-owned or controlled property.
~~All individuals entering University of Oregon buildings and facilities.~~

Enactment & Revision History:

Technical revisions enacted by the University Secretary on September 4, 2015.

Became a University of Oregon Policy by operation of law on July 1, 2014.

Former Oregon Administrative Rule Chapter 571 Division 50 Section 0025.

Policy:

~~(1) To protect public health and safety:~~

~~(a) The University does not permit animals in its buildings, except as provided for in the Exceptions Section of this policy.~~

~~(b) No person shall bring an animal onto campus unless the animal is leashed, caged, or under direct physical control of its owner or other responsible person. An exception to this requirement will be made when an individual with a disability is unable to use a harness, leash or tether to restrain a service animal or if such restraint would interfere with their service animal's work. Under these limited circumstances, the individual must still maintain control of the animal through voice, signal or other effective controls.~~

~~(c) Feeding of wildlife on University of Oregon owned and leased locations is prohibited.~~

~~the University does not permit animals in its buildings.~~

~~(2) Unattended or unleashed domestic animals are not permitted on the property of the University.~~

Definitions:

For purposes of this policy, the following definitions apply:

(a) "Leashed" is defined as being restrained on a cord, chain, or other similar restraint, not to exceed 8 feet in length, controlled by the owner of the animal or other responsible person.

(b) "Caged" is defined as being restrained in an enclosed pen, box, or other similar container controlled by the owner or other responsible person who prevents the animal from escaping.

(c) "Direct physical control" means that the owner or other responsible person is physically holding the animal in such a way that it is not likely to escape.

(d) "Wildlife" means animals that live independently of people, usually in natural conditions.

Responsibility and Restrictions:

(a) The owner or other responsible person who brings an animal on to campus must ensure that the animal is vaccinated and licensed as required by federal, state and local laws.

(b) The owner and/or other responsible person are required to exercise reasonable control over the animal at all times in order to minimize risk to others and property. The owner and other responsible person is responsible and liable for all damage or injury caused by the animal, whether to persons or property.

(c) The owner or person responsible for an animal's presence on campus shall be responsible for the immediate removal and sanitary disposal of any excrement deposited by the animal. The owner or responsible person shall have on their person appropriate means for removal of such excrement when bringing the animal on campus.

(d) Except as provided for in **Exceptions Section** below, animals may not be brought into any campus building or controlled facility. Each administrator, chair, dean and employee is responsible for the administration of this policy and is expected to comply with its provisions. To help ensure compliance with applicable federal and state law, including limiting inquiries about the permissibility of a service or assistance animal's presence on campus, the aforementioned are encouraged to periodically review the Guidelines for Service Animals and Assistance Animals at the University of Oregon which is maintained and updated as necessary, by the Office of Affirmative Action and Equal Opportunity.

(e) No animal shall be left unattended in any motor vehicle parked on university property.

(f) Except as provided for in **Exceptions Section** below, no animal shall be brought onto or permitted on any athletic field.

(g) Any animal discovered on university property in violation of these regulations may be impounded and turned over to the appropriate animal control/animal services authority.

(h) The University of Oregon Police Department will call an appropriate -control agency/animal services authority to remove and impound unattended or at-large animals.

(i) The University retains the right to take action to remove any animal from campus if the safety of others, destruction of property, or disturbance warrants such removal. Such removal and any necessary cleaning, repairs, and/or pest control will be done at the expense of the owner and/or other responsible person. The owner and/or other responsible person may also be subject to corrective action, as described below.

(3)

Exceptions:

(a) The University's Vice President for Finance and Administration and/or their -designee can make exceptions to this policy for special circumstances and/or events including, but not limited, to, -pet shows, circus performances, etc.

(b) This policy does not apply to animals the University may be required to allow under state and/or federal law, such as service animals-

(c) This policy does not apply to assistance animals (also known as, emotional support, therapy and companion animals) authorized to be in limited, specifically identified campus locations as a disability-related housing or employment accommodation approved by the Accessible Education Center or Office of Affirmative Action and Equal opportunity.

(d) This policy does not apply to animals used by law enforcement or emergency personnel in the exercise of their official duties.

(ed) This policy does not apply to animals used in authorized academic programs, teaching or research at the University.

(fe) Residents of the University's East Campus Housing and University Housing full-time live-in staff and Faculty In Residence only may keep authorized pets within their residence hall apartment or rented property.

- ~~(a) Dogs trained to assist the handicapped;~~
- ~~(b) Dogs authorized by permit issued by the Office of Public Safety;~~
- ~~(c) Animals used for authorized research projects or experiments;~~
- ~~(d) Residents of the University's East Campus Housing only may keep authorized pets within their rented property.~~
- ~~(4) The Office of Public Safety will call a control agency to remove and impound unattended or at-large animals.~~

Corrective Action:

If the university finds that an employee, contractor, volunteer, student, guests, or member of the public has violated this policy, the University will take immediate and appropriate corrective action. This means that employees will be subject to corrective action up to and including termination pursuant to applicable UO policies and CBAs, students will be subject to the Student Conduct Code and may face sanctions up to and including suspension or expulsion. Campus community members (including but not limited to guests, volunteers, and other members of the public) who violate this policy may be trespassed from campus and may otherwise lose their right to use university property and/or to participate in university-sponsored programs and activities. All individuals are subject to the consequences resulting from the violation of federal, state, and local laws, which may include civil or criminal liability.

Appeals:

Anyone aggrieved by the application of this policy may appeal in writing within 10 days of a denial to the Vice President for Finance and Administration or their designee. If the Vice President for Finance and Administration or their designee does not respond to the appeal in writing within 10 days of receiving the appeal, the appeal is deemed denied.

Chapter/Volume:

Responsible Office:

For questions about this policy, please contact the ~~Office of Affirmative Action and Equal Opportunity at 541-346-3123 or Campus Operations at 541-346-2270.~~ Department of Environmental Health and Safety at 541-346-3192.

Original Source: Oregon Administrative Rule

Clean copy of revised text:

Animal Control

Reason for Policy:

This policy outlines the University of Oregon's approach to animals on University-owned or controlled property.

Entities Affected by this Policy:

This policy applies to all faculty, staff, students, volunteers, visitors, guests, and University contractors at all University-owned or controlled property.

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