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## Animals on University Property Policy

Brigham Young University generally does not permit animals on university property. However, assistance animals, including service animals, play an important role in enhancing accessibility for people with disabilities. BYU supports the use of assistance animals in compliance with this policy and state and federal laws and regulations.

### Definitions

For purposes of this policy, key terms are defined as follows:

*Assistance Animal* means an Emotional Support Animal or a Service Animal.

*Disability* means a physical or mental condition or impairment that substantially limits one or more of a person's major life activities. These limitations may include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning.

*Emotional Support Animal* means an animal that provides emotional support to alleviate one or more identified symptoms or effects of an individual's disability and plays an integral part of an individual's treatment process. An Emotional Support Animal does not need to have any specialized training and is not a Pet. For the purposes of this policy, the term Emotional Support Animal encompasses comfort, therapy, and companion animals.

*Handler* means a person with a disability who is directly served by an Assistance Animal or a person who is a Service Animal's trainer.

*Pet* means an animal kept for personal enjoyment that does not meet the definition of Assistance Animal.

*Service Animal* means a dog or miniature horse individually trained to do work or perform tasks for the benefit of an individual with a Disability. Examples of work or tasks that a Service Animal may perform include, but are not limited to, the following:

- assisting individuals who are vision impaired with navigation
- alerting individuals who are deaf or hard of hearing to the presence of people or sounds
- pulling a wheelchair
- assisting an individual during a seizure
- alerting individuals to the presences of allergens
- retrieving items such as cell phones or medicine
- providing physical support and assistance with balance and stability
- assisting individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors



*Service Animal in Training* means a dog or miniature horse that is being trained to do work or perform tasks for the benefit of an individual with a disability.

*University Property* means all real property, buildings, and facilities owned or controlled by the university.

### **Animals on University Property**

Animals are not allowed on University Property, except for the following when handled in compliance with this policy:

- Service Animals
- Emotional Support Animals

This prohibition does not apply to animals that, under the direction and with the approval of the appropriate responsible vice president, are used for university purposes in approved protocols and in designated areas.

BYU does not permit Pets on University Property, including on-campus housing. Pets are not allowed to be walked anywhere on University Property, other than a leashed pet accompanying individuals on the Y Mountain trail.

### **Service Animals in BYU Programs and Activities**

Subject to the limitations set forth in this section, a Service Animal is permitted on University Property, in on-campus housing, and in university vehicles (see [University Vehicle Policy](#)) to accompany a student or individual with disabilities who participates in a university program or activity.

Federal laws prohibit asking about the nature or extent of a person's disability to determine if an animal is a Service Animal. When it is not readily apparent that an individual has a disability or that a particular dog or miniature horse is trained to perform a task to support a person with a disability, a university employee is permitted to ask the following questions to determine if that animal qualifies as a Service Animal:

- Is the dog or miniature horse required due to a disability?
- What task(s) has the dog or miniature horse been trained to perform?

If a Handler reports that a dog or miniature horse is required due to the Handler's disability and has been trained to perform tasks to assist the Handler, then the animal qualifies as a Service Animal. If the animal is not required due to a disability or has not been trained to perform a task to support the person with a disability, then it may be excluded from campus programs and activities.



University employees may not ask persons using a Service Animal to demonstrate the task the Service Animal has been trained to perform or to document that the Service Animal has been certified, trained, or licensed as a Service Animal. Service Animals are not required to display any visible markings, including wearing vests or tags, to establish status as a Service Animal.

Due to health and safety concerns, a Service Animal is not permitted in restricted areas on campus, including research laboratories, boiler rooms, custodial closets, facility equipment rooms, classrooms with research/demonstration animals, areas where protective clothing is required, wood and metal shops, motor pools, rooms with heavy machinery, food preparation areas, pools, and areas outlined in state law as being inaccessible to animals. Exceptions may be granted on a case-by-case basis by contacting the University Accessibility Center (UAC) and the appropriate campus unit.

A student with a Service Animal may voluntarily work with the UAC, which may provide the student with a letter that can be shown to campus employees to establish that an animal is a Service Animal (see [Animals on University Property Procedures](#)). A Service Animal may not be excluded from University Property because its Handler does not have such a letter.

### **Emotional Support Animals in BYU Programs and Activities**

An Emotional Support Animal is allowed on University Property only under the following circumstances:

- in on-campus housing,
- under the supervision of an on-campus housing resident who has requested and been granted an accommodation (see below), and
- otherwise in accordance with this policy.

An Emotional Support Animal is limited to the apartment (or, in Helaman Halls, the room) of the student with the accommodation, to designated relief areas, and to hallways connecting the apartment (or room) to the designated relief areas. An Emotional Support animal is not allowed in other University Property locations, including classroom settings.

An Emotional Support Animal needing to be walked must be walked off of University Property.

An Emotional Support Animal left unattended by the Handler in on-campus housing for an unreasonable amount of time may be considered abandoned and may be released by Residence Life to animal control or boarded at the Handler's expense.

Requests for accommodation involving an Emotional Support Animal may be denied where the presence of an Emotional Support Animal imposes an undue financial or administrative burden, fundamentally alters the nature of the housing program or services, or constitutes a direct



threat to others. Requests for accommodations may also be denied if an Emotional Support Animal causes or may cause significant property damage. Residence Life does not accept requests for Emotional Support Animal accommodations for short-term stays in on-campus housing. Residence Life implements an approved request for accommodation involving an Assistance Animal in on-campus housing.

### **Care and Responsibility for Assistance Animals**

An Assistance Animal's Handler is solely responsible for the Assistance Animal, including the following:

- caring for, supervising, and maintaining control of the Assistance Animal at all times through the use of a leash, voice, signal, or other effective control
- ensuring the Assistance Animal does not pose a direct threat to the health or safety of people or animals
- ensuring the Assistance Animal is housebroken, relieves itself in appropriate areas, and is immediately cleaned up after
- ensuring the Assistance Animal does not damage University Property or personal property of members of the university community
- complying with all local licensing requirements, including registration, vaccinations, and applicable tags
- providing to the university upon request vaccination records and documentation regarding the health and safety of the animal

If a Handler does not meet the above-listed responsibilities, the Assistance Animal may be excluded from University Property or a particular portion of University Property. On a case-by-case basis, the Student Life Vice President, or designee, may place reasonable conditions or restrictions on an Assistance Animal.

Handlers of Assistance Animals are solely responsible for any cleaning necessitated by their Assistance Animals and for paying for any damage to property or any injury to persons or animals caused by their Assistance Animals.

### **Assistance Animals for On-Campus Residents**

Service Animals are allowed in on-campus housing, subject to the conditions stated in this policy.

Emotional Support Animals are allowed in on-campus housing upon university approval as detailed below and subject to the conditions stated in this policy. On-campus residents may be approved for only one Emotional Support Animal.



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### ***Requests for Accommodation***

An individual who is under contract for or is living in on-campus housing must submit a request to the UAC to be accompanied by an Assistance Animal in on-campus housing (see [Animals on University Property Procedures](#)). The individual should meet with the UAC and provide appropriate documentation, as determined by the UAC. The determination process may take up to thirty days from the time the UAC has received all required documentation. Representatives from the UAC review the requested accommodation to determine if the request for an Assistance Animal is reasonable.

### ***Notice to Tenants***

Residence Life employees make reasonable efforts to notify tenants in the residence where an Assistance Animal will be located. Students with medical conditions that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) should contact the UAC if they have a health or safety concern about exposure to an Assistance Animal. The UAC and Residence Life will attempt to resolve these concerns, which may include relocating tenants. The UAC and Residence Life may use the University Student Health Center as a resource to provide information on medical issues relating to exposure to Assistance Animals.

### ***Requirements***

The Handler must maintain a safety plan by filling out a safety plan form and filing a copy with Residence Life.

### ***Other Animals***

If Residence Life discovers an animal in on-campus housing that is not a Service Animal, or has not been approved as an Emotional Support Animal, the animal is, under this policy, a Pet. There is a \$50 per animal per day charge for Pets discovered in on-campus housing. If after discovery of a Pet, the student requests to keep the Pet as an Emotional Support Animal, at Residence Life's discretion, the student will continue to incur the \$50 per animal per day charge until the student removes the Pet from on-campus housing or until the animal has been approved as an Emotional Support Animal. A student with a Pet is solely responsible for any cleaning necessitated by the Pet and for paying for any damage to property or any injury to persons or animals caused by the Pet.

A student who needs to keep fish as required by a class must receive prior approval from the hall advisor and may keep the fish only until the assignment is complete.

### ***Assistance Animals for Employees***

An employee with a disability who requires the use of an Assistance Animal to perform the essential functions of his or her job should contact the Equal Opportunity Office in Human



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Resource Services to request an accommodation. Faculty members seeking the use of an Assistance Animal should contact the Office of Faculty Relations.

### **Treatment of Assistance Animals**

When interacting with Assistance Animals and their Handlers, members of the university community should not do any of the following:

- touch an Assistance Animal unless invited to do so
- feed an Assistance Animal
- deliberately startle an Assistance Animal
- separate or attempt to separate a Handler from his or her Assistance Animal
- ask for details about the Handler's disability

### **Service Animals in Training**

An animal being trained as a Service Animal has all the same rights as a fully trained Service Animal when accompanied by a trainer on University Property and in on-campus housing. The Handlers of Service Animals in Training must comply with the portions of this policy applicable to Service Animals.

### **Reporting Concerns about Animals on University Property**

Members of the university community concerned about animals on University Property or in on-campus housing may contact the following entities as appropriate:

- Residence Life administration (for animal concerns in on-campus housing)
- Office of Faculty Relations (for animal concerns in the classroom)
- building coordinator or other unit manager/supervisor (for animal concerns in buildings and other parts of University Property)
- Equal Opportunity Office in Human Resource Services (for animal concerns in the workplace)
- BYU Police (if an animal is presenting an immediate safety risk or if a person who has been asked by a university employee to remove a disruptive animal refuses to do so)
- UAC (for any other issue)

When a concern is raised about a Service Animal on University Property, the UAC consults with the relevant campus unit and determines whether to (1) take no action, (2) temporarily exclude the Service Animal (and for how long), or (3) permanently exclude the Service Animal.

### **Misrepresentation of an Animal's Status**

The State of Utah prohibits individuals from misrepresenting an animal as an Assistance Animal. Individuals who misrepresent their animals as Assistance Animals may be subject to discipline



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under the [Church Educational System Honor Code](#), the [Personnel Conduct Policy](#), and applicable law.

### **Feral or Wild Animals**

Feral or wild animals may inhabit University Property grounds if they do not pose an undue risk or hazard, cause property damage, create a public nuisance, or require human intervention. No person may take actions to attract feral or wild animals to University Property or engage in any other human intervention for feral or wild animals on University Property. Feral or wild animals may be regulated, controlled, or humanely relocated in accordance with all applicable laws and regulations.

**APPROVED:** 11 Nov 2024

**PRIOR VERSION:** 6 Jan 2020

**APPLICABILITY:** This policy applies to all university employees, students, on-campus residents, and visitors to University Property.

**POLICY OWNER:** Student Life Vice President

**RESPONSIBLE OFFICE:** University Accessibility Center

### **IMPLEMENTING PROCEDURES:**

- [Animals at Short-Term CE Programs](#)
- [Animals on University Property Procedures](#)

### **RELATED POLICIES:**

- [Accommodation of Persons with Disabilities at BYU Procedures](#)
- [Physical Facilities Policy](#)
- [Risk Management and Safety Policy](#)
- [Student Disruptive Behavior Procedures](#)
- [Use of Vertebrate Animals as Subjects in Teaching, Testing, or Research Policy](#)
- [Web Accessibility Policy](#)