

University of California, Berkeley
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Dogs/Animals on Campus Property

Responsible Executive: Vice Chancellor-Administration & Finance

Responsible Office: Disability Access and Compliance
Be Well at Work - Disability Management
Residential Housing Administration
UCPD Crime Prevention Unit

Contact: Disability Access and Compliance: access@berkeley.edu,
510.643.6453
Disability Management: dms@berkeley.edu, 510.643.7921
UCPD Safety Programs Officer: police@berkeley.edu,
510.642.3722

I. Purpose & Scope

To protect public health and safety, UC Berkeley regulates the types of animals allowed on University property. State and local regulations provide the basis for University policies intended to protect the campus community from potential health and safety hazards posed by animals brought to campus. The Berkeley campus is intensively developed. At peak times, more than 45,000 people are visiting, working, and studying within its 180-acre central area. Because campus property is used by a multi-purpose community and by a wide variety of people, policy is needed to describe when and how animals may be appropriately integrated in a way that does not disrupt or interfere with the University of California's mission as an institution of academic learning and research. Also, Berkeley numbers thousands of disabled people among students, staff and faculty. It is imperative that we prevent the interruption, harassment or harm of Service Dogs or Emotional Support Animals which disabled community members rely on to live, work and learn on our campus.

The purpose of this policy is to maintain campus health, safety and security standards relative to animals allowed on University Property; outline services for members of the campus community seeking accommodations involving Service Dogs and Emotional Support Animals; and identify the distinction between those animals, and those animals and pets.

This Policy does not apply to police dogs or animals in research, teaching and testing.

This policy affects all members of the campus community, including administrators, faculty, staff, and students, and all non-affiliates, including but not limited to contractors, tenants, guests,

and visitors. UC property is a public trust per the California Constitution, therefore private property laws apply. Individuals not affiliated with the University must abide by the [Regulations Governing Conduct of Non-Affiliates in the Buildings and on the Grounds of the University of California](#).

II. Definitions

For the purposes of this Policy:

A. **Emotional Support Animal (ESA)** is a category of animals that may work, provide assistance, or perform physical tasks, for an individual with a disability. ESAs are 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 companionship and 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 can also be identified as a companion animal, therapy animal, assistance or support animal. ESAs are allowed on campus as an accommodation for a person with a disability. They must be approved by campus to live in campus housing or enter campus work areas.

B. **Service Dog (SD)** means any dog¹ 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. This does not include: 1) non-dog animals, except miniature horses; 2) animals that solely serve to deter crime; or 3) Emotional Support Animals. Service Dogs do not need to be approved by campus.

1. Service Dogs in Training handled by disabled people or professional trainers may access the same spaces as Service Dogs. They must be leashed and wearing a state issued identification tag.²

C. **Pet** means a domestic animal, sufficiently tamed to live with an individual(s) and is kept and cared for as a companion.

D. **University Property** includes the grounds and buildings of the UC Berkeley campus (the area defined by Hearst Avenue on the North, Oxford Street/Fulton Avenue on the west, Bancroft Way on the south, and Gayley Road/Piedmont Avenue on the east) and off-campus buildings owned, leased or operated by the University, including the University Village³ location, as well

¹ Miniature horses are also allowed as a service animal, however, it is exceedingly rare and requests to bring miniature horses onto campus will be addressed on a case-by-case basis.

² California Civil Code S 54(c): identification tag can be "issued by the county clerk, animal control department, or other agency, as authorized by Chapter 3.5 (commencing with Section 30850) of Division 14 of the Food and Agricultural Code. In addition, the person shall be liable for any provable damage done to the premises or facilities by his or her dog.

³ Also referred to as Albany Village and UC Village.

as our fleet of vehicles.

III. Policy Statement

A. Only Service Dogs and authorized Emotional Support Animals are allowed in campus buildings and on campus transportation vehicles (including any campus shuttle, bus, Loop cart, or other fleet vehicle).

B. Pets are allowed on campus open spaces, green spaces, plazas, and pathways if they are kept in compliance with this policy.

C. Leashing on campus open spaces, green spaces, plazas, and pathways: All animals shall be on a leash that does not exceed six feet in length. Owners/guardians of leashed animals may not tether the leash to an object except in special circumstances such as for a mother breast-feeding a child or for a person operating a wheelchair when accompanied by a Service Dog.

D. General Requirements for Pets, Service Dogs and Emotional Support Animals on Campus

Pets, ESAs and SDs on campus property must conform to the following requirements prior to being present on campus:

1. Must be free from offensive odors and infectious diseases.
2. Must conduct itself in a manner appropriate to a campus environment (for example, must be housebroken).
3. Must not engage in behavior that disrupts or interferes with campus purposes (for example, by barking).
4. Must not show signs of endangering the health or safety of others (for example, by biting).
5. Must be six months or older.
6. Must have all current vaccinations.

E. Approval of ESAs

1. Employees requesting approval of an ESA must submit to Disability Management Services (DMS) the required documentation of their need for an ESA and documentation of the ESA's fitness for approval. Residents wishing to keep an ESA in residential housing must submit to the Housing Disability Specialist the required documentation of their need for an ESA and documentation of the ESA's fitness for approval. These offices provide the forms and information for making requests for approval of ESAs.
2. DMS and the Housing Disability Specialist 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 III D of this policy.
3. Point of Clarification: Service Dogs do not require campus approval. The Housing Disability Specialist requires certain information, however, in order to acknowledge and note the dog in housing records, facilitate its integration into housing, and document who is to take possession of the dog if the user is unable to care for it in some circumstance.

F. Protection of Service Dogs

1. In order for disabled people to have equal access to campus, they must be free from interference with, or attacks on, their SDs. It is therefore a violation of this policy:
 - a) For any person to harass or obstruct a SD, or allow their animal to attack or interfere with a SD.

- b) For a person to fraudulently and knowingly represent themselves to be the owner or trainer of any canine qualifying as a SD, or to fraudulently represent an animal as a SD when that animal attacks a person or animal on campus.

IV. Procedures

- A. Individuals may contact DAC at access@berkeley.edu:
 - i. with questions regarding those portions of the policy pertaining to Service Dogs and Emotional Support Animals;
 - ii. to appeal a denial of approval of an ESA to DAC and residents may appeal to the Director of Cal Housing Administration; or
 - iii. to file a grievance related to alleged violation of Service Dog or ESA user rights.
- B. Where a person or animal has interfered with or attacked a Service Dog, the dog user may contact [UCPD](#) at 510-642-6760 to report the incident.
- C. Employees who want to bring an ESA into their campus work space must notify their supervisor/manager, contact [Disability Management Services](#) at 510-643-7921 and submit the proper forms and information to seek approval.
- D. Residents who want to bring an ESA into campus residential housing must contact the [Housing Disability Specialist](#) at 510-642-4108 and submit the proper forms and information to seek approval.

V. Responsibilities

- A. Campus responsibility:
 - 1. Provide and facilitate a process to request approval of ESAs, a grievance process where there are alleged violations of ESA or SD user rights under this policy, and a reporting mechanism for alleged violations of this policy or California state law on protection of SDs.
 - 2. Residential Housing, Disability Management Services, Disability Access & Compliance, and the UC Police Department shall collaborate as needed to identify and address any threat or disruption to the campus environment related to this policy.
 - 3. UCPD, DAC, DM, and Housing Disability Specialist collaboration may include contacting SD or ESA users, their suite-mates, immediate or adjacent co-workers, supervisors, building managers, and others where appropriate.
- B. Animal owners are responsible for complying with this policy and all applicable laws relating to their animal(s), including:
 - 1. Controls animal at all times.
 - 2. Appropriately disposes of animal waste.

3. Compensates the damaged party for any damage to campus property caused by the animal.
4. Refrains from bringing ESAs into campus buildings without following the procedures outlined by Residential Housing, and/or Disability Management Services.

VI. Consequences of Violating This Policy

University affiliates may be disciplined under appropriate policies, including but not limited to the [Faculty Code of Conduct](#), the [Student Code of Conduct](#), the [University of California's Standards of Ethical Conduct](#), [Personnel Policies for Staff Members](#), or an applicable [collective bargaining agreement](#).

Non-affiliates and Affiliates may be disciplined per criminal statutes, such as California Penal Codes, California Health & Safety Codes, or the California Code of Regulations.

Any person who, without legal justification, intentionally interferes with the use of a SD by harassing or obstructing the SD, is in violation of California law⁴ punishable by fines or imprisonment. They may also be barred from campus property and subject to the consequences outlined in section VI of this policy.

Any person whose dog attacks or interferes with a Service Dog may be barred from campus property and subject to the consequences outlined in section VI of this policy. Their animal may also be barred from campus property.

Any person found to have fraudulently and knowingly represented themselves, through verbal or written notice, to be the owner or trainer of any canine licensed as a Service Dog, is in violation of this policy and of California law and will be reported to the proper authority.⁵

⁴ California PC § 365.6 (a) “Any person who, with no legal justification, intentionally interferes with the use of a guide dog by harassing or obstructing the guide dog user or his or her guide dog, is guilty of a misdemeanor, punishable by imprisonment in the county jail not exceeding six months, or by a fine of not less than one thousand five hundred dollars (\$1,500) nor more than two thousand five hundred dollars (\$2,500), or both.” California PC § 600.2 “(a) It is unlawful and constitutes an infraction for any person to permit any dog which is owned, harbored, or controlled by him or her to cause injury to or the death of any guide, signal, or service dog, as defined by Section 54.1 of the Civil Code, while the guide, signal, or service dog is in discharge of its duties.

(b) In any case in which a defendant is convicted of a violation of this section, the defendant shall be ordered to make restitution to the disabled person who has custody or ownership of the guide, signal, or service dog for any veterinary bills and replacement costs of the dog if it is disabled or killed.

California PC § 600.5 “(a) Any person who intentionally causes injury to or the death of any guide, signal, or service dog, as defined by Section 54.1 of the Civil Code, while the dog is in discharge of its duties, is guilty of a misdemeanor, punishable by imprisonment in the county jail not exceeding one year, or by a fine not exceeding five thousand dollars (\$5,000), or by both a fine and imprisonment.

(b) In any case in which a defendant is convicted of a violation of this section, the defendant shall be ordered to make restitution to the disabled person who has custody or ownership of the dog for any veterinary bills and replacement costs of the dog if it is disabled or killed.”

⁵ California PC § 365.7 “ (a) Any person who knowingly and fraudulently represents himself or herself, through verbal or written notice, to be the owner or trainer of any canine licensed as, to be qualified as, or identified as, a guide, signal, or service dog, as defined in subdivisions (d), (e), and (f) of Section 365.5 and paragraph (6) of subdivision (b) of Section 54.1 of the Civil Code, shall be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six months, by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

Any person who fraudulently represents an animal as a Service Dog, where that animal attacks a person or animal, may be barred from campus property. The misidentified animal may also be barred from campus.

V. Web Site Address for This Policy

https://campuspol.berkeley.edu/Policies/Dogs_Animals_on_Campus_Policy.pdf

(b) As used in this section, “owner” means any person who owns a guide, signal, or service dog, or who is authorized by the owner to use the guide, signal, or service dog.”