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Man's Best Friend? A Review of the University's Policies Regarding Animals on Campus



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Companion or research animal? Service animal or family pet? When it comes to animals in campus buildings, these distinctions have important legal and policy consequences. As we start the new academic year, we encourage administrators and supervisors to review the University's policies and responsibilities for handling animals on campus.

The Policy

The University policy governing control of animals on campus ([PPM 7840.100](#)) recognizes that the uncontrolled and unsupervised presence of animals on campus can compromise a safe, healthy, positive learning environment.

Some Key Rules Include:

- Animals are not allowed in any buildings on campus except in very limited circumstances: service animals, animals under the care and treatment in the College of Veterinary Medicine, research animals housed in University buildings

or animals used as part of an academic program. Assistance animals, or emotional support animals, are allowed in University housing under certain circumstances.

- All dogs and cats on campus must be licensed with the city in which the campus is located and must have current vaccinations evidenced by a tag on the animal or the vaccination certificate in the immediate possession of the owner.
- All animals at Kansas State University are expected to behave appropriately at all times, are not allowed to run free, and may not be left unattended.
- Owners must clean up after their animals.

Service Animals Versus Emotional Support Animals

Under the Americans with Disabilities Act, service animals have certain legal protections. A service animal is defined as a dog or miniature horse (in certain circumstances)



Featured FAQ

Q: If an employee in our unit will be traveling to and working in a foreign country on behalf of the University, what do I need to consider?

A: Employment relationships often are governed by the law where the employee is located. Foreign employment laws, and whether someone is even an employee (versus an independent contractor, for example), are not always intuitive based on U.S. or Kansas law. Tax, immigration, leave, benefits, termination rights, and other legal effects can vary depending on the employee's location and can have significant consequences if the arrangement is not in compliance with local laws. Safety risks particular to a foreign location also warrant consideration.

Please allow up to six weeks for counsel licensed in the country involved to review the arrangement and provide advice, which the Office of General Counsel facilitates. The unit is responsible for the cost of outside counsel. There also may be additional administrative costs related to foreign tax withholdings, registrations, and other necessary processing. The unit should also contact HCS/Payroll and the Division of Financial Services to discuss tax and other payment considerations.

individually trained to do work or perform tasks for an individual with a disability. The work or task(s) performed must be directly related to the individual's disability. Service animals are welcome in all buildings on campus and may attend any class, meeting or other events. Students who use a service animal are encouraged to notify the Student Access Center.

Emotional support animals, sometimes called therapy, comfort, assistance, or companion animals, are not the same as service animals and do not have legal protection under the ADA. Emotional support animals have not been trained to perform a specific job or task, but their presence provides comfort to an individual.

Employees are not entitled to have emotional support animals with them at work, and students are allowed these animals in University housing only if an accommodation is required under the [University Housing Reasonable Accommodation Policy](#). Students seeking this accommodation should contact the Student Access Center.

What Can I Ask About an Animal?

The ADA limits what the University, including its administrators and supervisors, can ask

employees, students, and visitors to determine whether an animal is a service animal. These two questions are allowed:

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

Importantly, the University cannot request documentation for the dog, ask that the dog demonstrate the task, or inquire about the nature of the individual's disability.

Enforce the Policy and Know the Available Resources

All University stakeholders have a responsibility to follow the policies. This ensures compliance with the ADA and provides for the safety and security of campus. If you have questions about animals on campus, contact the [Division of Facilities](#) for general information or for inquiries specific to accommodations, contact the [Student Access Center](#) for students, or the [ADA Coordinator](#) for employees and visitors on campus.

New Associate General Counsel

Aaron Good, an experienced litigation attorney, has joined the Kansas State University legal team as an associate general counsel. Prior to coming to K-State, Good was a partner in the civil litigation department of a Wichita law firm, where he practiced for the last eight years. Good earned his J.D. with Dean's Honors from

Washburn University School of Law in 2011 and his B.S. in History from Kansas State University in 2007.



Resource Reminder

The Office of General Counsel's website offers helpful information and resources designed to provide easy access to policies and legal requirements applicable to University operations. Visit our [Home Page](#) and be sure to check out our recently updated [FAQs](#) and [Educational Programs!](#)

Visit our website:

k-state.edu/generalcounsel

Our website gives an introduction to the services we provide and addresses frequently asked questions. It also houses a list of resources for easy access to laws and policies applicable to University operations.

About this Publication:

This newsletter is designed to serve as a practical informational tool, bringing you topics of interest and practical tips. It should not be relied on as a substitute for legal advice. Laws, regulations and policies change frequently, and legal advice requires careful consideration and application of all relevant facts. If you have legal questions or need legal advice concerning any University matter, please contact the Office of General Counsel directly at 785-532-5730 or attys@k-state.edu.