

## WSR 24-20-143

## PROPOSED RULES

## WASHINGTON STATE UNIVERSITY

[Filed October 2, 2024, 9:32 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-15-151.

Title of Rule and Other Identifying Information: Health and safety regulations, chapter 504-36 WAC.

Hearing Location(s): On November 5, 2024, at 4:00 p.m., via Zoom meeting, join from [wsu.zoom.us/](https://wsu.zoom.us/j/98436009198) or the Zoom app, Meeting ID 984 3600 9198, Passcode 997113; or join by phone 253-215-8782 (enter meeting ID and passcode when prompted). For help connecting to a Washington State University (university) Zoom meeting see <https://tinyurl.com/2kbrhrjt>. No in-person meeting is being scheduled.

Date of Intended Adoption: January 24, 2024.

Submit Written Comments to: Deborah Bartlett, Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, email [prf.forms@wsu.edu](mailto:prf.forms@wsu.edu), beginning October 16, 2024, by November 4, 2024, 5:00 p.m.

Assistance for Persons with Disabilities: Contact Joy Faerber, phone 509-335-2005, email [prf.forms@wsu.edu](mailto:prf.forms@wsu.edu), by October 31, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The university is updating the health and safety rules.

Reasons Supporting Proposal: The university administration is updating the control of animals section (WAC 504-36-020) in accordance with recent revisions in RCW 49.60.040, 49.60.214, and 49.60.215.

Statutory Authority for Adoption: RCW 28B.30.150.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington State University, public.

Name of Agency Personnel Responsible for Drafting: Kiara Drake, Assistant Director, Compliance and Civil Rights, French Administration Room 225B, Pullman, WA 99164-1023, 509-335-6893; Implementation: Leslie Brunelli, Executive Vice President, Finance and Administration, French Administration 442, Pullman, WA 99164-1048, 509-335-5524; and Enforcement: Vicky Murray, Associate Vice President, WSU Police, Public Safety, French Administration 442, Pullman, WA 99164-1048, 509-335-5524.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. The university does not consider this rule to be a significant legislative rule.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rule content is explicitly and specifically dictated by statute.

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

October 2, 2024  
Deborah L. Bartlett  
Policies, Records, and Forms  
and University Rules Coordinator

OTS-5753.1

AMENDATORY SECTION (Amending WSR 24-07-031, filed 3/12/24, effective 4/12/24)

**WAC 504-36-020 Control of animals.** This section governs the control of animals and pets on property owned or controlled by Washington State University.

(1) This section does not apply to animals owned by the university or under its care, custody, and/or control.

(2) Subsections (3) and (8) of this section do not apply to trained guide dogs or service animals that are being used by persons with disability or service animals in training permitted on property owned or controlled by the university under RCW 49.60.040, 49.60.214, and 49.60.215.

(3) Animals are not permitted in university buildings, except in facilities that are the site of university-authorized events, such as stock shows, horse shows, parades, or demonstrations at sporting events, where the animals are participants in said events, or as allowed by university housing policies.

The executive vice president for finance and administration, the president, chancellor, or such other person as the president may designate, may waive this subsection (~~for guide dogs in training or~~), allowing university employees to bring service animals in training to their university workplaces, provided that such animals are present on campus with trainers or handlers who have a demonstrated history of training such animals.

(4) Animals are not permitted on university property unless under immediate control of their keeper, except as otherwise allowed under this rule.

(a) "Keeper" includes an owner, handler, trainer, or any person responsible for the control of an animal.

(b) "Under control" means the restraint of an animal by means of a leash or other device that physically restrains the animal to the keeper's immediate proximity. An animal which is otherwise securely confined while in or upon any motor vehicle, including a trailer, is deemed to be under control.

Trained guide dogs or service animals and service animals in training must be harnessed, leashed, or tethered, unless these devices interfere with the animal's ability to do the work or perform the tasks for which the animal is trained or in training or the individual's disability prevents use of these devices. In that case, the keeper must maintain control of the animal through voice, signal, or use of other effective controls.

(5) The requirement that animals be under immediate control of their keeper does not apply to:

(a) A dog being exercised in any area designated by the university as leash optional;

(b) A dog undergoing training at a certified dog obedience class on the university campus and authorized by the dean of the college of veterinary medicine, the executive vice president for finance and administration, the president, chancellor, or their designee;

(c) A dog while being exhibited in an organized dog show on university property;

(d) A dog trained to aid law enforcement officers while being used for law enforcement purposes or during demonstrations to illustrate the dog's capabilities;

(e) A dog trained and under the control of a university farm manager to aid farm managers while moving or handling livestock; and

(f) An animal participating in a university-authorized event, such as a stock show, horse show, parade, extension or outreach event, or demonstrations at a sporting, teaching, or agricultural event.

(6) Any stray dog or other animal that is running loose on university property is subject to impound by local authorities in accordance with the municipal or county ordinances that apply to each campus.

(7) The keeper of any animal must remove for disposal any fecal matter deposited by the animal on university premises before the keeper leaves the area where the matter was deposited. This requirement does not apply to an individual who, by reason of disability, is unable to comply, or to individuals bringing animals to university-authorized events where arrangements have been made for the removal of fecal matter.

(8) The executive vice president for finance and administration, the president, a chancellor, a service animal administrator, or such other person as designated by the president, may designate areas on a campus otherwise open to the public as restricted from access by dogs or other animals even when under the control of their keepers for safety reasons or where the presence of dogs or other animals conflicts with the educational or research missions of the university.