Florida Gulf Coast University Board of Trustees
January 15, 2013

SUBJECT: Regulation: FGCU-PR9.003 Animal Control

PROPOSED BOARD ACTION

Approve amendments to FGCU-PR9.003 Animal Control.

BACKGROUND INFORMATION

This action is an update of the existing FGCU Regulation to address the ability for staff living in university housing to have pets with approval from supervisors. A university policy will be developed to govern the activity and behavior of those persons permitted to bring and/or keep pets on campus under this regulation.

Supporting Documentation Included: Notice and Text of Regulation FGCU-9.003

Prepared by: Director of Housing and Residence Life Brian Fisher

Legal Review by: General Counsel Vee Leonard (December 6, 2012)

Submitted by: Vice President for Student Affairs Mike Rollo
REGULATION TITLE:
Animal Control

REGULATION NO:
FGCU-PR9.003

SUMMARY:
This regulation updates the current regulation Animal Control to allow for pets of employees required to live on campus.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

AUTHORITY:
Board of Governors Regulation 1.001

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Chief Steven Moore, University Police

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Steve Magiera, Vice President for Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
Diane St. John, Executive Assistant, Office of the General Counsel, dstjohn@fgcu.edu; 239.590.7466 (Phone), 239.590.7470 (Facsimile); 10501 FGCU Blvd. S, Fort Myers, FL 33965-6565.

ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE JANUARY 2, 2013 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: DECEMBER 6, 2012
REGULATION: FGCU-PR9.003

Animal Control

A. GENERAL

Florida Gulf Coast University is located in an area which is inhabited by many species of wildlife. The University endeavors to protect all wildlife, but in particular the wildlife species that are designated as endangered or protected by federal and state law and regulations. Warning notices of protected species shall be posted at various locations throughout campus.

B. ANIMAL CONTROL

1. Accept Except for approved educational or research activities, no person shall disturb, harm or molest any wildlife which is found on campus.

2. The keeping or bringing of pets on campus, except under for an approved University program or activity, and for certified guide or service animals, is prohibited. And pets owned by employees living on campus, the bringing or keeping of pets on campus is prohibited.

C. ANIMAL RELOCATION AND REMOVAL

1. The relocation or removal of wildlife from the University shall be accomplished by officers of the Florida Game and Fresh Water Fish Commission or persons who are licensed or authorized by the University to handle the relocation or removal of wildlife from campus.

2. The removal of stray or abandoned domestic animals shall be accomplished by the Lee County Humane Society's Animal Control Unit or any other entity with authority over stray or abandoned domestic animals.

D. VIOLATION OF REGULATION

A student found to be in violation of this regulation shall be subject to discipline under the Student Code of Conduct and may be subject to arrest and prosecution. An employee found to be in violation of this regulation shall be subject to discipline under Regulation FGCU–PR5.016 or the Collective Bargaining Agreement, as applicable, and may be subject to arrest and prosecution. Any other person found to be in violation of this regulation may be subject to arrest and prosecution.

Specific Authority:
FS Board of Governors’ Regulation 1.001

Law Implemented:
Board of Governors Regulation 1.001

Action by Florida Gulf Coast University Board of Trustees:
Approved: 9/21/10

History of Regulation:
New 08/02/98, Amended 09/21/10,

Effective Date of Regulation:
09/21/10