

## **Superseded by F97-6**

# **S90-8 POLICY AND ASSURANCE FOR HUMANE CARE AND USE OF ANIMALS; ETHICS; RESEARCH**

### **Legislative History:**

**Document dated May 25, 1990.**

**At its meeting of May 7, 1990, the Academic Senate approved the attached Policy and Assurance for Humane Care and Use of Animals at San Jose State University presented by Sandra Kajiwara for the Curriculum and Research Committee.**

**Supersedes S 87-3**

### **ACTION BY THE UNIVERSITY PRESIDENT:**

**"Approved and Accepted as University Policy Effective Fall, 1990 and thereafter." Signed: Gail Fullerton, May 25, 1990.**

**POLICY AND ASSURANCE FOR HUMANE CARE AND USE OF ANIMALS**

**AT SAN JOSE STATE UNIVERSITY**

**S 90-8**

**Preamble: Ethics and the Care and Use of Animals**

**San Jose State University (SJSU) recognizes this statement as a common point of reference in addressing ethical concerns within discussions, evaluations and the implementation of all policies and procedures concerning the care and use of animals at SJSU by all SJSU personnel and students.**

**SJSU recognizes the legitimacy, importance and sensitivity of the public debate concerning the ethics of**



(Public Law 93-205, 1972), the Marine Mammal Protection Act (Public Law 92-522, 1972), and the State of California Departments of Health Services, Fish & Game, and Agriculture, and Title 9 of the California Administrative Code.

### Section III. Definitions

A. **Animal:** Any live vertebrate non-human creature which is being used or is intended for use in research, experimentation, testing, training, education, demonstration or related purpose which includes the in vivo acquisition of tissue.

B. **Animal Facility:** Any and all buildings, rooms, areas, enclosures, or vehicles, including satellite facilities under the administrative control of SJSU, used for animal confinement, transport, maintenance, breeding or experiments inclusive of surgical manipulation. A satellite facility is any containment outside of a core facility or centrally designated or managed area in which animals are housed for more than 24 hours.

C. **Animal User:** Any faculty member, professional researcher, staff member, or any graduate or undergraduate student who uses animals, as defined in III-A, in a SJSU facility.

D. **Campus:** Any facility under the administrative control of SJSU.

E. **Animal Care and Use Committee (ACUC).** A committee (hereinafter referred to as the Committee) appointed by the University President, composed of nine persons to assure complete and adequate review of animal facilities and procedures under jurisdiction of San Jose State University. The Committee shall include:

(1) one Doctor of Veterinary Medicine, with training and experience in laboratory animal science and medicine, who has direct or delegated program responsibility for activities involving animals at the university as Campus Veterinarian;

(2) one faculty member from each school where animal use in the classroom or in research is current or probable [3], at least one of whom is a practicing scientist experienced in research involving animals;

(3) one faculty member whose primary concerns are in a nonscientific area;

(4) one individual who is not currently affiliated with the university in any way other than as a member of the committee, and is not a member of the immediate family of a person who is affiliated with the university; and

(5) one academic dean who represents the administration of the schools using animals;

(6) the Associate Academic Vice President for Undergraduate Studies, to represent curricular concerns;

and

(7) the Associate Academic Vice President for Graduate Studies and Research, to represent research policy.

Faculty members shall receive three-year appointments. Community members shall serve one-year terms. University administrators and the Campus Veterinarian shall serve ex-officio with vote.

The University Animal Care Facility Manager shall serve as staff to the committee.

#### Section IV. Policy

Humane care, use, and treatment of animals for instruction, research, or related purpose is a university-wide responsibility. It is the policy of San Jose State University to comply with federal, state, university, and other regulatory requirements as they relate to the acquisition, care, and use and treatment of animals in the performance of authorized instruction and research. The Campus Veterinarian, in association with the Committee, must provide assurance to a number of agencies that animals in all projects and activities are receiving humane care, and are used and treated in accordance with professionally acceptable standards. Accordingly, the Committee has been charged with oversight and review of all university animal care and use facilities and procedures.

In order to provide for the adequate discharge of this responsibility, all proposed projects or activities in which animals are involved must be reviewed by the Committee. This policy is applicable regardless of whether extramural funds or intramural funds are used, and includes those cases where no reimbursement for such study is involved.

#### Section V. Implementation

In order to insure proper implementation of this policy, areas of responsibility are hereby designated for those persons engaged in activities involving animals as subjects and for those persons involved in the administration of this policy.

1. The University President is charged with the overall administrative responsibility for implementing and maintaining a university animal care and use program to assure that all humane, ethical, and legal requirements are met. The Animal Care and Use Committee will carry out this responsibility.

2. The Associate Academic Vice President for Graduate Studies and Research will serve as the institutional official who will maintain the institutional assurance approved by the Department of Health and Human Services and records of accrediting body determinations, and will make required reports to governmental agencies.

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for the health of all animals involved in teaching and research. The Campus Veterinarian will have unlimited access to all animal facilities with due respect for the demands of research in progress and will approve all training programs for animal users.

4. The Dean of the School of Science (serving as representative for each academic school using animals in the classroom or in research) is charged with maintaining the record-keeping of the Committee. Responsibilities shall include maintaining: (1) minutes of Committee meetings, including records of attendance; (2) records of applications, protocols, and proposed significant changes in the care and use of animals in protocols, including whether Committee approval was given or withheld; (3) records of any Committee reports and recommendations forwarded to the institutional official.

All records shall be maintained for at least three years. Records that relate directly to applications, protocols, and proposed significant changes in ongoing activities reviewed and approved by the Committee shall be maintained for the duration of the activity and for an additional three years after completion of the activity. All other records shall be accessible for inspection and copying by authorized government officials at reasonable times and in a reasonable manner.

5. The Animal Care and Use Committee is charged with developing, recommending and monitoring university policies and standards relating to animal acquisition, care and use. The Committee shall have the responsibility and authority to:

(1) review at least annually the university's program for humane care and use of animals;

(2) inspect at least semi-annually all of the university's animal facilities;

(3) make recommendations to the institutional official regarding any aspect of the university's animal program, facilities, or personnel training;

(4) review and approve, require modifications in (to secure approval) or withhold approval of proposed sections of applications or protocols related to care and use of animals, as specified in the Committee's Principles of Animal Use (Appendix A);

(5) review and approve, require modifications in (to secure approval), or withhold approval of proposed significant changes regarding the care and use of animals in ongoing activities; and

(6) suspend activities involving animals in accord with specifications set forth in the Animal Welfare Act and NIH Guide (see section II).

6. The University Animal Care Facility Manager is responsible for implementing professionally acceptable standards for the proper care and use of all animals within all animal facilities, and assuring that those standards are met. The University Animal Care Facility Manager shall report directly to the Dean of the School of Science. All animal users will coordinate their activities through the University

## Animal Care Facility Manager.

7. Animal users must follow the procedures and guidelines set forth by the Committee and accept the responsibility that all animal use will be in accordance with the above-referenced policies and regulations and carried out with deliberate consideration of the statement on ethics and the care and use of animals in the preamble to this policy.

## B. Procedures

### Protocols

1. All research projects and classroom exercises using animal subjects must be approved by the Committee before the study or exercise begins. Prior approval is mandatory, whether the project is funded or not. Animal users shall submit research protocols for review using the university form (Appendix B) not less than 30 days prior to the proposed start date. Animal users are encouraged to review the protocol with the University Animal Care Facility Manager and, if necessary, the Campus Veterinarian before submitting materials to the committee.
2. All animal protocols must be reviewed by all members of the committee. Animal users must provide a project description, including all scientific procedures, as attachments to the protocol to be reviewed. Animal users have the primary responsibility for submitting the appropriate materials to the University Animal Care Facility Manager, who shall submit the documents to the Committee for review.
3. Any project involving animals and seeking external support must be submitted to the Committee for approval before being submitted for external funding. Verification of the Committee's approval may be filed at a time not to exceed sixty (60) days after submission of applications or proposals to funding agencies.
4. Once approved, no changes in the project plan may be made without prior approval of the Committee. For their own protection, animal users will bring to the Committee's attention, for action, any emergent problems or proposed procedural changes which may affect the conditions of the project.
5. All projects and classroom exercises involving animals, regardless of prior approval, must be reviewed and reapproved by the Committee every three years. Reviews at shorter intervals may be required by the Committee for externally funded projects or for classroom projects where the curriculum has undergone significant modification.

### Committee Review

1. The Animal Care and Use Committee will meet each month for protocol review, as needed, and to conduct other appropriate business. Emergency meetings may be convened in the event that the

problems.

4. If a protocol is not approved, the animal user may appeal to the Committee by appearing at the next scheduled Committee meeting. The Committee will reconsider the protocol and re-vote, according to the rules in #3, above. The result of the postappeal vote will be final.

### University Museums/Collections

The Animal Care and Use Committee requires appropriate permits from state and/or federal authorities, as appropriate, for all vertebrate species collections. Proper documentation regarding date, time, and circumstances of collection is mandatory. Serendipitous contributions to collections (e.g., roadkills) are also subject to appropriate record-keeping regulations. Inventory of museums and other collection sites will be reviewed annually as part of the Committee's responsibility for animal care and use at the university.

### Facilities

The University Animal Care Facility presently occupies 6,240 sq. feet in Duncan Hall, Phase II. The seventh floor area takes up 4,440 sq feet, and includes three animal rooms, a feed storage area, a cage washing area, a cage storage area, and three research support areas. Animal support space includes 3,376 sq. feet (DH 740, 740A, 741A, 742, 743, and feed storage area); research support space includes 1,064 sq. feet (DH 739A, 739B, 741).

### Complaints

1. Complaints regarding animal use and care at San Jose State University may be filed at any time by contacting either the Chairperson of the Animal Care and Use Committee or the Associate Academic Vice President for Graduate Studies and Research in person or in writing. Identity of the complainant will be held in confidence as complaints are investigated by at least two members of the Committee.

2. Review of complaints shall be made a matter of record and shall be reported to the Committee in writing.

3. If the investigation reveals information that requires full Committee review, the complainant and the investigator may be asked to meet with the Committee. The Committee may consider a wide variety of actions following such a meeting, including termination of an approved protocol.

4. If an approved protocol is terminated, or if there is a serious violation of university principles for use of animals (Appendix A), the institutional official will notify appropriate federal authorities (notice is required by federal guidelines) in writing regarding the issues involved and their resolution.

### APPENDIX A





not be made solely for the purposes of teaching or demonstration.