

## STANDARD ADMINISTRATIVE PROCEDURE

### 08.01.02.M0.02 Service Animals, Emotional Support Animals, and Other Animals on Campus

*Approved September 7, 2018*

*Next scheduled review September 7, 2023*

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#### Procedure Summary

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Texas A&M University will comply with applicable federal and state laws regarding the provision of reasonable accommodations for employees, students, and members of the public with disabilities with regard to the use of service or emotional support animals on campus.

This procedure establishes the protocol for the presence of service, emotional support animals, and other animals on the Texas A&M University campus. This procedure has been developed to provide guidance and instructions for those who bring or who come into contact with such animals on campus.

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#### Definitions

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**Service Animal** - a dog that is individually trained to do work or perform tasks for a person with a disability. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, and alerting/protecting a person who is having a seizure. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purposes of defining a service animal. Under certain circumstances, miniature horses may also be trained as a service animal and be permitted within university buildings, where reasonable.

**Service Animal in Training** - a dog undergoing training by a trainer and/or their handlers. Under certain circumstances, miniature horses may also be trained as a service animal. For purpose of this procedure, Service Animals in Training have the same rights and responsibilities as applicable to Service Animals.

**Emotional Support Animals** - any animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person's disability, as defined by the ADA.

**Individual with a Disability** – a person with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment.

Stray Animal - any domestic animal on campus that is not under physical restraint, i.e., leashed or caged, whether accompanied by a person or not.

Feral Animal - a non-domesticated animal that is in or has reverted to an untamed state.

Wild Animal - a non-domesticated animal living in its natural habitat.

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## Official Procedure

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### 1. SERVICE ANIMALS

- 1.1. A service animal is permitted on campus grounds and within Texas A&M University buildings with limited exceptions and restrictions. This practice follows the Americans with Disabilities Act (ADA), as amended.
  - 1.1.1. The service animal must have been trained as a service animal in the specific work or tasks directly related to the person's disability.
- 1.2. The Office of Environmental Health & Safety, in coordination with the ADA Coordinator, will review and address requests to prohibit service animal access due to health and/or safety concerns on a case-by-case basis.
- 1.3. If a service animal is prohibited according to this procedure, Texas A&M University shall give the owner the opportunity to obtain goods and services or perform tasks without having the service animal on the premises.
- 1.4. Employees are not allowed to request any documentation for the service animal, require that the service animal demonstrate its work or task, or inquire about the nature of the person's disability. Only the following two (2) questions may be asked of the owner:
  - (a) Is this a service animal required because of a disability?
  - (b) What work or task has the service animal been trained to perform?
- 1.5. The service animal is not required to wear any type of service animal identification symbol while in public (e.g., vest, collar, or other representative attire).
- 1.6. Students requiring the use of a service animal within university controlled on-campus housing are strongly encouraged to notify Residence Life of their intent to live with their service animal in on-campus housing.

- 1.7. Service animals must be able to perform their duties/tasks in the presence or within the vicinity of another animal. If a nonaggressive animal is in the vicinity of a service animal, this should not constitute interference with a service dog.

## 2. EMOTIONAL SUPPORT ANIMALS

- 2.1. In accordance with federal and state law (Fair Housing Act), emotional support animals (assistance animals) are permitted within university controlled on-campus housing and those areas immediately surrounding the residential facilities for approved students with disabilities on a case-by-case basis. Students seeking approval for the use of an emotional support animal within university controlled on-campus housing will be required to submit a written request to Residence Life and an application and/or verification form and other paperwork to Disability Services. Residence Life will work with Disability Services to determine eligibility.
- 2.2. Emotional support animals are not permitted in other university buildings without prior approval as a reasonable accommodation.
- 2.3. Emotional support animals are not considered to be service animals and improperly representing an emotional support animal as a service animal is in violation of State of Texas Human Resources Code Section 121.006(a), and may be a violation of the *Student Code of Conduct*.

## 3. OTHER ANIMALS

- 3.1 The owner or responsible party who wishes to bring a domesticated animal on campus is required to comply with this SAP and other applicable University procedures and department/unit rules.
- 3.2 Students follow [Student Rule 36. Pet Animals](#).
- 3.3 Animals brought to campus as part of a one-time display or a university sanctioned event or class are required to comply with university procedures and follow appropriate protocol for approval. This approval may require a certificate of insurance and animal health certificates.

## 4. OWNER RESPONSIBILITIES/ANIMAL BEHAVIOR

- 4.1. Owner must follow any departmental/unit rules and/or restrictions.
- 4.2. Animals must be under the control of its owner at all times (e.g., voice control, signals, or other effective means). The animal shall have a harness, leash, or other tether. Exemptions:
  - 4.2.1. when the owner is unable to use the harness, leash, or other tether because of a disability; or

- 4.2.2. the use of a harness, leash, or other tether would interfere with the animal's safety and/or effective performance of work or tasks for the disabled owner.
- 4.3 Individuals and animals must not impede or interfere with a service animal's performance of its duties or place a person with a disability who is using an assistance animal or a trainer who is training a service animal in danger of injury.
- 4.4 Owner is responsible to ensure the animal is licensed, registered, and immunized as applicable and in accordance with the laws, regulations, and ordinances of the State of Texas and county and city authorities. If the campus is located outside the State of Texas, the licenses, registration and immunization shall be in accordance with the laws applicable to that location.
- 4.5 Texas A&M University may require an individual to remove their animal from the premises under the following circumstances:
  - 4.5.1 The animal is out of control and the animal's owner does not take effective action to control it.
  - 4.5.2 The animal is not housebroken.
  - 4.5.3 The animal poses a direct threat to the safety of others.
- 4.6 The animal must be in good health and care. The care and supervision of the animal is solely the responsibility of its owner. Animals that are ill must not be taken into public areas. An owner with an ill animal may be asked to remove the animal from Texas A&M University premises.
- 4.7 Texas A&M University requires that the owner clean up after the animal relieves itself. An owner with a disability who physically cannot clean up after their animal shall make all necessary arrangements for assistance.
- 4.8 The owner of the animal is responsible for the care and supervision of the animal, as well as for loss of services or any damage or injury caused by the animal while on university property. The owner may be billed for the expense of any damage to Texas A&M University buildings, furnishings, and/or grounds caused by the animal.
- 4.9 An animal left unattended in a vehicle or other area and is perceived to be in distress is to be reported to the University Police Department (UPD) for appropriate response. A person who leaves an animal unattended may be reported to UPD. Any animal found unattended in, or on, any campus facility may be impounded. Owners of an impounded animal will be held responsible for payment of any impoundment and/or license fees required to secure the release of their animal.

## 5. WILD, FERAL, OR STRAY ANIMALS

- 5.1 Wild animals will be left alone if no immediate threat to human safety or property is evident. If an animal is exhibiting dangerous or destructive behavior or posing an immediate threat, UPD must be notified immediately. UPD will monitor the animal until another appropriate party is contacted and arrives on the scene. If the animal is deemed a threat and immediate intervention is required, UPD may elect to remove the threat.
- 5.2 Individuals are discouraged from feeding wild, feral, and stray animals. This includes domesticated or feral cats, raccoons, opossums, skunks, squirrels, and any/all of the fauna which occur either naturally or unnaturally on the TAMU campus. This shall not apply to food left out as bait for purposes of capturing or attracting animals for animal control or for educational purposes as approved and monitored for research purposes.
- 5.3 Any person who vandalizes, removes, or deactivates an animal trap that has been set by Animal Control will be in violation of this procedure and will be responsible for replacement costs and/or subject to disciplinary action.
- 5.4 For the removal of a dead animal, contact Environmental Health and Safety at 979-845-4311.

## 6 EXCLUDED ANIMALS

This procedure does not apply to the following animals:

- 6.1 Animals involved in authorized research;
- 6.2 K-9 animals (police dogs);
- 6.3 Fish for aquaria;
- 6.4 Official university mascot, Reveille; and
- 6.5 Horses as part of Parson's Mounted Calvary.

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### **Related Statutes, Policies or Requirements**

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[System Regulation 08.01.02, \*Civil Rights Protections for Individuals with Disabilities\*](#)

[System Regulation 08.01.01, \*Civil Rights Compliance\*](#)

[University Rule 08.01.01.M1.01, \*Civil Rights Compliance\*](#)

[University Rule 15.99.07.M1, \*Use of Vertebrate Animals in Research, Teaching and Testing\*](#)

[Student Rule 36, \*Pet Animals\*](#)

[Section 504 of the Rehabilitation Act of 1973](#)

[Americans with Disabilities Act as Amended](#)

[Fair Housing Act](#)

[Texas Commission on Human Rights Act \(Texas Labor Code, Title 2, Subtitle A, Chapter 21, Subchapter A\)](#)

[Texas Human Resources Code, Section 121.003-121.006](#)

[Health and Safety Code, Chapter 437, Section 437.023](#)

[Fair Housing Act](#)

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**Contact Office**

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[ADA Coordinator](#)

[Disability Services](#)