Service Animal Policy

This policy concerning service animals was developed to provide the fullest reasonable access to individuals with disabilities and their service animals and to ensure compliance with the Americans with Disabilities Act (ADA) and Texas state law. The ADA takes priority over state and local laws and regulations when it provides greater access or protection for individuals with disabilities.

Service Animals: The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. Most service animals are dogs, but other animals may also be trained. Service animals may also be called assistance animals. To determine if an animal is a service animal, you may ask questions about the training the animal has had and if it is a service animal required because of a disability. An animal may have tags or the handler may have papers certifying it as a service animal, but this cannot be required. (Remember that a disability may not be visible, and access cannot be denied to a person because he/she does not have documentation at the time.) The person handling the animal is expected to clean up its feces and dispose of them properly, unless physically unable to do so.

Access: In almost all cases, a service animal should be allowed to accompany a partner with a disability into any area of the University to which a person of the same status (e.g., student, staff member, or guest) would ordinarily have access. A service animal should be admitted to indoor areas even when not actively “working” or assisting a person with a disability, including dining facilities and residence halls. A service animal in training should be granted access when accompanied by an approved trainer (an agent of an organization which provides training for service animals). When in doubt, the animal should be admitted as a service animal. Follow-up questions may be addressed to the Associate Vice President for Fiscal Affairs.

A student requesting that a service animal live with him/her in a residence hall must submit documentation of a disability and his/her need for the animal to DSS before approval will be granted. The animal must have an annual certification of good health from a licensed veterinarian and be current on the appropriate vaccination series for that type of animal. A person living with a service animal will not be required to pay extra compensation for the animal, but is liable for damage done to the premises by the animal.

Exceptions: A person handling a service animal may be asked to remove it from University facilities if its behavior poses a direct threat to the health or safety of others or
if it is disruptive. The person with the disability should have full control of the animal, with a halter or a leash. If an animal repeatedly barks, growls, bites, or jumps on people, the handler may be asked to remove the animal from the facility. The person should be given a chance to return and use the facility without the animal.

The administrator in charge of an area potentially dangerous to a service animal (such as laboratories or workshops with certain chemicals, organisms, or equipment that might be hazardous to the animal) will make a decision on a case-by-case basis as to whether a specific animal will be admitted. An animal may be excluded by the administrator if its presence might contaminate or otherwise interfere with the work being done. If a service animal cannot be admitted to a laboratory or other facility for these reasons, the faculty/staff member in charge should make reasonable efforts to provide other accommodations which allow the person with a disability to participate in the program or activity.

**Enforcement:** A person or organization that fails to admit a service animal may be charged with a misdemeanor and/or with depriving the person with a disability of his/her civil rights. A person who uses a special harness or leash falsely to represent his or her animal as a service animal may be guilty of a misdemeanor, and a student who does so may be charged with violating the Standards of Conduct for Students.

This policy applies to students, employees, and visitors to the University. Employees and/or campus visitors should direct any questions or concerns regarding the need for service animals to the Associate Vice President for Fiscal Affairs, the ADA Compliance Officer for the University. Alternatively, such questions/concerns may be directed to Human Resources or the individual supervisor (for employees), and to University Communications (for visitors). Those offices, in turn, will forward the information to the Associate Vice President for Fiscal Affairs for handling and response.

Sources used to develop this statement include the ADA, Department of Justice regulations issued for implementing the ADA, and the Texas Human Services Code, Title 8, Sections 121.002-121.006.