

## *Texas A&M University-San Antonio*

### **15.99.99.O0.01 Animals on University-Controlled Property**

Approved: July 2, 2014

Next Scheduled Review: July, 2019

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#### **Procedure Statement**

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This Procedure establishes when and where animals are allowed on property owned or controlled by Texas A&M University-San Antonio (A&M-San Antonio).

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#### **Official Procedure**

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##### **1. SERVICE ANIMALS**

- 1.1 Texas A&M University-San Antonio strictly adheres to the Americans with Disabilities Act (ADA) for title II (State and local government services) and title III (public accommodations and commercial facilities) in regards to service animals.
- 1.2 A service animal is defined as “any dog [or miniature horse] that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability.”
- 1.3 Service animals may accompany people with disabilities in all areas of the facility where the public is normally allowed to go.
- 1.4 Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal’s work or the individual’s disability prevents using these devices. Service animals are not required to wear any distinctive symbols, harnesses or collars. In addition, the law does not dictate the breed or size of dog that may be utilized
- 1.5 If it is apparent that an animal is a service animal, university staff and faculty should not ask the individual any questions about the animal’s status. When it is not obvious what service an animal provides, only limited inquiries are allowed. University faculty/staff may ask only two questions: (1) is the service animal required because of a disability, and (2) what task or service has the service animal been trained to perform. If the individual answers that the animal is

required because of a disability and has been trained to perform at least one task, the animal is a service animal and no other question may be asked. Faculty/staff should never ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

- 1.6 A person with a disability cannot be asked to remove his/her service animal from the premises unless: (1) the animal is out of control and the handler does not take effective action to control it or (2) the animal is not housebroken.
- 1.7 When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

## 2. COMFORT / EMOTIONAL SUPPORT ANIMALS AND PETS

- 2.1 Comfort/emotional support animals and pets are not permitted on University-controlled property unless an exception has been granted by the Office of the President.
  - 2.1.1 The exception must be approved in writing before the animal(s) will be permitted to enter University property.
- 2.2 Comfort/emotional support animals and pets that have been approved by the President are permitted on University-controlled property provided:
  - 2.2.1 The animal is harnessed, leashed, or tethered
  - 2.2.2 The animal is under control of the handler and does not display behavior that threatens the safety of other animals, people, or property
  - 2.2.3 The handler immediately picks up after their pet and disposes of waste properly
- 2.3 The handler of animals on university-controlled property must ensure that the animal is up-to-date with all vaccinations and registrations. The handler assumes all responsibility for any incidents related to the animal's presence on university-controlled property.
- 2.4 If University faculty/staff observe non-compliance with this Procedure, they have the right to ask the handler to promptly remove the animal from the University property.

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

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Americans with Disabilities Act Title II Regulations [§ 35.136 Service animals](#)

[Americans with Disabilities Act Title III Regulations](#)

Department of Justice revised [FAQ](#) on Service Animals

[National ADA Network \(DBTAC\) Fact Sheet #5](#)

[Human Resources Code](#) for the State of Texas

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## **Contact Office**

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Office of the President (210) 784-1600

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