

## 08.01.01.C1.05 Service and Assistance/Emotional Support Animals on Campus

Approved: February 3, 2017  
Next Scheduled Review: February 3, 2022



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### Procedure Statement

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Texas A&M University-Corpus Christi 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 assistance/emotional support animals on campus.

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### Reason for Procedure

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This procedure establishes the protocol for the presence of service and assistance animals on the Texas A&M University-Corpus Christi campus. This procedure has been developed to provide guidance and clear instructions for visitors, students, faculty, and staff members who use a service animal or assistance/emotional support animal 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 reputable and competent trainer and/or their handlers. Under certain circumstances, miniature horses may also be trained as a service animal.

#### Assistance/Emotional Support Animals

An animal that is necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling when there is an identifiable relationship or nexus between the person's disability and the assistance the animal provides.

#### Person 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.

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## **Procedures and Responsibilities**

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### **1. SERVICE ANIMALS**

- 1.1 A service animal is permitted on campus grounds and within Texas A&M University-Corpus Christi buildings with limited exceptions and restrictions. This practice follows Titles II and III of 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.
  - 1.1.2 The service animal shall be 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.
    - 1.1.2.1 Vaccination Records - The service animal must have updated vaccinations, including but not limited to, the general maintenance vaccine series and any vaccinations deemed necessary by a licensed veterinarian.
    - 1.1.2.2 Licensing - All City of Corpus Christi licensing laws and tag laws must be followed.
- 1.2 Texas A&M University-Corpus Christi may require an individual with a disability to remove his or her service animal from the premises under the following circumstances:
  - 1.2.1 The animal is out of control, and the animal's owner does not take effective action to control it.
  - 1.2.2 The animal is not housebroken.
  - 1.2.3 The animal poses a direct threat to the safety of others.
- 1.3 Some areas of campus and/or campus facilities may be prohibited to a service animal due to the presence of hazardous chemicals and/or organisms or other health and safety issues. These areas may be restricted due to possible danger/harm to the animal or people, or the potential to compromise research or project integrity. Some examples include, but are not limited to, research or science laboratories, custodial closets, or areas where protective clothing or equipment is required. The Office of Environmental Health & Safety, in coordination with the Office of Employee Development & Compliance Services/ADA Coordinator, will be responsible for addressing any of these requests.

- 1.4 If a service animal is prohibited according to this procedure, Texas A&M University-Corpus Christi shall give the owner the opportunity to obtain goods and services or perform tasks without having the service animal on the premises.
- 1.5 Under Sections II and III of the ADA (public access), when it is not obvious what work or task a service animal provides, only limited inquiries are allowed. 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 questions may be asked of the owner:
  - 1.5.1 Is this a service animal required because of a disability?
  - 1.5.2 What work or task has the service animal been trained to perform?
- 1.6 Under Section I of the ADA (employment), the Office of Employee Development & Compliance Services/ADA Coordinator may request reasonable documentation or demonstration of an employee's need for a service animal accommodation when the disability is not visible or apparent.
- 1.7 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).
- 1.8 The service animal shall be under the control of its owner at all times. The service animal shall have a harness, leash, or other tether, unless:
  - 1.8.1. The owner is unable to use harness, leash, or other tether because of a disability; or
  - 1.8.2. The use of a harness, leash, or other tether would interfere with the service animal's safety and/or effective performance of work or tasks.
  - 1.8.3. In either case, the service animal must be otherwise under the owner's control (e.g., voice control, signals, or other effective means).
- 1.9 The service animal must be in good health and care. The care and supervision of the animal is solely the responsibility of its owner. Service animals that are ill must not be taken into public areas. An owner with an ill service animal may be asked to remove the service animal from Texas A&M University-Corpus Christi premises.
- 1.10 Texas A&M University-Corpus Christi requires that the owner clean up after the service animal relieves itself. The owner shall take the service animal to the nearest grassy area outdoors for this purpose. An owner with a disability, who physically cannot clean up after their animal, shall make all necessary arrangements for assistance.
- 1.11 The owner of the animal is responsible for the care and supervision of the animal, as well as for loss of business 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-Corpus Christi buildings, furnishings, or grounds caused by the animal.

1.12 Students seeking approval for the use of a service animal within university housing may be required to submit an application and/or verification form to the appropriate management office for a determination of eligibility. The University Housing Officer will consult with the university's ADA Coordinator and Disability Services Office if the student's service animal eligibility is to be denied. No student request will be denied without prior concurrence of the ADA Coordinator. A student may file an appeal/complaint with the Office of Employee Development & Compliance Services/ADA Coordinator should their request for a service animal in university housing be denied.

## 2. ASSISTANCE/EMOTIONAL SUPPORT ANIMALS IN CAMPUS HOUSING

2.1 In accordance with federal law (Fair Housing Act), assistance animals are permitted within university housing for approved students with disabilities on a case-by-case basis. A student with a disability may obtain approval pursuant to the procedures outlined below.

2.2 Assistance animals are not permitted in other university buildings.

2.3 An individual may apply for an assistance animal as an accommodation in university housing if:

2.3.1 the individual has a disability;

2.3.2 the animal is necessary to afford the individual an equal opportunity to use and enjoy a dwelling; and

2.3.3 there is an identifiable relationship between the disability and the assistance the animal provides.

2.4. Students seeking approval for the use of an assistance animal within university housing may be required to submit an application and/or verification form to the appropriate management office for a determination of eligibility. The University Housing Officer will consult with the university's ADA Coordinator and Disability Services Office if the student's service animal eligibility is to be denied. No student request will be denied without prior concurrence of the ADA Coordinator. A student may file an appeal/complaint with the University's Housing Officer at 361-825-2612 should their request for an assistance animal in University housing be denied.

3. This procedure does not apply to the following animals:

3.1 Animals involved in authorized research;

3.2 K-9 animals (police dogs);

3.3 Fish and reptiles contained in aquariums under 20 gallons;

3.4 Animals used for performance on premises or involved in a Texas A&M University-Corpus Christi sponsored activity;

- 3.5 Non-research animals (i.e., wild, feral, and/or stray animals). These animals are covered by University Procedure 33.04.99.C0.01 Non-Research Animals on University Campus and Facilities; and
  - 3.6 Pets may be allowed on campus in accordance with University Procedure 33.04.99.C0.01 Non-Research Animals on University Campus and Facilities.
4. Requests for reasonable accommodations for students with disabilities should be made through the Office of Disability Services (361-825-5816). All other reasonable accommodation requests from faculty/staff or the public should be made through the Office of Employee Development & Compliance Services/ADA Coordinator (361-825-5826).

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

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

[Americans with Disabilities Act as Amended](#)

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

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

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

University Rule [08.01.C1 Civil Rights Compliance](#)

University Procedure [33.04.99.C0.01 Non-Research Animals on University Campus and Facilities](#)

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### **Contact Office**

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Contact for interpretation and clarification: Office of Employee Development & Compliance Services/ADA Coordinator  
(361-825-5826)