

08.01.01.C1.05 Service and Emotional Support Animals on Campus



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Procedure Summary

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 emotional support animals on campus.

This procedure establishes the protocol for the presence of service and emotional support 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 emotional support animal or who come into contact with such animals on campus.

Definitions

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 competent trainer and/or their handlers. Under certain circumstances, miniature horses may also be trained as a service animal.

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.

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.

Procedure

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 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 their 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. The Office of Environmental Health & Safety, in coordination with the Office of Employee Development & Compliance Services/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.

- 1.4. 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. 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?
- 1.6. 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).
- 1.7. 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-Corpus Christi buildings, furnishings, and/or grounds caused by the animal.
- 1.8. Students requiring the use of a service animal within on-campus housing are strongly encouraged to notify the appropriate management office of their intent to live with their service animal in on-campus housing.
- 1.9. Individuals wishing to file a complaint about a service animal in on-campus housing should contact the appropriate management office. Individuals wishing to file a complaint about a service animal on the Texas A&M University-Corpus Christi campus should contact the Office of Employee Development & Compliance Services/ADA Coordinator. The complaint process will follow university rule *08.01.01.C1, Civil Rights Compliance*.

2. EMOTIONAL SUPPORT ANIMALS

- 2.1. In accordance with federal and state law (Fair Housing Act), emotional support animals (assistance animals) are permitted within on-campus housing and 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 on-campus housing will be required to submit an application and/or verification form and other paperwork to the appropriate management office for a determination of eligibility.
- 2.2. Individuals with a disability may be entitled to keep an emotional support animal as a reasonable accommodation in housing facilities that otherwise impose

restrictions or prohibitions on animals. In order to qualify for such an accommodation, the emotional support animal must be necessary to afford the individual an equal opportunity to use and enjoy a dwelling or to participate in the housing service or program. Further, there must be a relationship, or nexus, between the individual's disability and the assistance the animal provides.

- 2.3. Emotional support animals are not permitted in other university buildings without prior approval. An emotional support animal may be approved as a reasonable accommodation in exceptional cases in accordance with university procedure *08.01.01.C1.01, Reasonable Accommodation Request for Employees and Applicants Under the Americans with Disabilities Act, as amended.*
- 2.4. 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*.
- 2.5. Individuals wishing to file a complaint about an emotional support animal in on-campus housing should contact the appropriate management office. Individuals wishing to file a complaint about an emotional support animal on the Texas A&M University-Corpus Christi campus should contact the Office of Employee Development & Compliance Services/ADA Coordinator.

3. GUIDANCE COMMON TO BOTH SERVICE ANIMALS AND EMOTIONAL SUPPORT ANIMALS

- 3.1. The service/emotional support animal shall 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, unless:
 - 3.1.1. The owner is unable to use the harness, leash, or other tether because of a disability; or
 - 3.1.2. The use of a harness, leash, or other tether would interfere with the animal's safety and/or effective performance of work or tasks.
- 3.2. The service/emotional support 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-Corpus Christi premises.
- 3.3. Texas A&M University-Corpus Christi requires that the owner clean up after the service/emotional support animal relieves itself. The owner shall take the 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.

4. EXCLUDED ANIMALS

This procedure does not apply to the following animals:

- 4.1. Animals involved in authorized research;
- 4.2. K-9 animals (police dogs);
- 4.3. Fish and reptiles contained in aquariums under 20 gallons;
- 4.4. Animals used for performance, education, or display on the Texas A&M University-Corpus Christi premises or involved in a Texas A&M University-Corpus Christi sponsored or hosted activity;
- 4.5. 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
- 4.6. Pets that may be allowed on campus in accordance with university procedure *33.04.99.C0.01, Non-Research Animals on University Campus and Facilities*.

5. ACCOMODATIONS

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).

Related Statutes, Policies or Requirements

[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](#)

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

[University Rule *08.01.01.C1, Civil Rights Compliance*](#)

[University Procedure *08.01.01.C1.01, Reasonable Accommodation Request for Employees and Applicants Under the Americans with Disabilities Act, as amended*](#)

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

Contact Office

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