

08.01.02.R0.01 Service and Emotional Support Animals on Campus

Approved May 29, 2024
Next Scheduled Review: May 29, 2029



Procedure Summary

Texas A&M University-Commerce will comply with applicable federal and state laws regarding the provision of reasonable accommodations for employees, students, and members of the public with disabilities regarding 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 A&M-Commerce's campus and at off-site locations in accordance with A&M System Regulation *08.01.02 Civil Rights Protections for Individuals with Disabilities and Certain Other Employees*.

Procedures and Responsibilities

1 SERVICE ANIMALS

1.1 A service animal is permitted on campus grounds and within A&M-Commerce 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 as well as 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 Commerce licensing laws and tag laws must be followed.

1.2 While on campus, 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. In such cases, the individual must maintain control of the animal through voice, signal, or other effective controls.

- 1.3 In all cases, the partner/handler of the animal is responsible for the animal's behavior and associated cost for cleaning, repairs and/or pest control. The exclusion of a service animal from campus shall be based on at least one of the following reasons:
 - 1.3.1 The animal is not under the control of the partner/handler and the partner/handler does not take effective action to control it.
 - 1.3.2 The animal is not housebroken.
 - 1.3.3 The animal poses a direct threat to the health and safety of others.
 - 1.3.4 The animal's presence fundamentally alters the nature of a program or activity.
 - 1.3.5 The partner/handler fails to comply with any of their responsibilities under this procedure.
- 1.4 Student Disability Services shall develop a process for service animals for students to supplement the requirements identified within this procedure.
- 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.
- 1.6 When it is not obvious what service an animal provides, only limited inquiries are allowed. Specifically, the partner/handler may only be asked if the service animal is required because of a disability and what work or task has the animal been trained to perform.

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 Student Disability Services 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. 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 house service or program. Further, there must be a relationship between the individual's disability and the assistance the animal provides.
- 2.3 Emotional support animals are not permitted in other university buildings or facilities.
- 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.

3 GUIDANCE COMMON TO BOTH SERVICE ANIMALS AND EMOTIONAL SUPPORT ANIMALS

- 3.1 The service/emotional support animal shall be licensed and immunized in accordance with the laws, regulations and ordinances of the State of Texas, county and city authorities, if applicable.
- 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 partner/handler. Animals that are ill must not be taken into public areas. A partner/handler with an ill animal may be asked to remove the animal from university premises.
- 3.3 The University requires the partner/handler to clean up after their service/emotional support animal relieves itself. A partner/handler with a disability, who physically cannot clean up after their animal, shall make all necessary arrangements for assistance.
- 3.4 Service animals must wear some type of commonly recognized service animal identification symbol while in public.

4 ACCOMMODATIONS

Requests for reasonable accommodations for students with disabilities should be made through Student Disability Services (903) 886-5150. All other reasonable requests from faculty/staff/student-employees or the public should be made through the Human Resources office.

Related Statutes, Policies, or Requirements

[Fair Housing Act \(FHAct\)](#)

[Section 504 of the Rehabilitation Act of 1973, as amended \(Section 504\)](#)

[Americans with Disabilities Act, as amended \(ADA\)](#)

System Regulation [08.01.01 Civil Rights Compliance](#)

Suspends University Procedure [08.01.01.R0.02 Service and Assistance Animals](#)

Definitions

Emotional Support Animal (ESA): An animal that works, performs tasks, or provides assistance to an individual with a disability upon the recommendation of a healthcare or mental health professional; its role is to alleviate the symptoms of an individual's disability, but not to assist an individual with a disability with activities of daily living.

Service Animal: A dog (or a miniature horse, provided it meets the same work and safety requirements as a dog) trained to assist people with disabilities in the activities of daily living. As defined by the Americans with Disabilities Act (ADA), only dogs and miniature horses qualify as Service Animals; “other species of animals, whether wild or domestic, trained or untrained, are not service animals...”

Service Animal in Training: A dog or miniature horse that is being trained as a Service Animal. For the purposes of this policy, all statements that pertain to Service Animals apply equally to Service Animals in Training who are accompanied by an approved trainer.

Approved Trainer: An individual who has been certified by an organization whose primary mission is to train service animals for people with disabilities.

Contact Office

Employees and Third Parties

Human Resources
903-886-5881
hr@tamuc.edu

Students

Student Disability Services
903-886-5150
StudentDisabilityServices@tamuc.edu