



Animals on Campus

Purpose

The University supports the use of service animals and emotional support animals on campus in compliance with applicable federal and state laws. At the same time, it recognizes the health and safety risks potentially created by animals on campus. This policy sets forth the roles and responsibilities of individuals bringing animals onto campus.

Persons Affected

This policy applies to students, employees, University affiliates, visitors, contractors and applicants for admission to or employment with the University as well as all University-controlled properties, including all athletics facilities. This policy does not grant an individual access to University property beyond what the individual would normally have.

Definitions

Approved Trainer: A representative of an organization generally recognized by agencies involved in the rehabilitation of persons who are disabled as reputable and competent to provide training for service animals, and/or their handlers.

Campus: All land and buildings owned or controlled by the University. This term does not include land leased to a third party that is not intended to be used to directly support the University's mission.

Campus Grounds: All external areas of campus.

Emotional Support Animal: An animal that is necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling when there is a relationship between the person's disability and the assistance the animal provides. While emotional support animals are often used as part of a medical treatment plan as therapy animals, they are not considered service animals under the ADA.

Person With A Disability: An individual with a disability is a person with a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment.

Service Animal: Federal regulations define service animals as dogs, or in some cases, miniature horses, that are individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Tasks performed can include, among other things, pulling a wheelchair, retrieving dropped items, alerting a person to a sound, reminding a person to take medication and pressing an elevator button. An animal that meets this definition, is considered a service animal regardless of whether or not the animal has received formal training through an agency. A service animal is a working animal, not a pet. Other species of animals, whether wild or domestic, trained or untrained, are not service



animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the disability of the person who needs the service animal's assistance. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort and companionship do not constitute work or tasks for the purposes of defining a service animal.

Service Animal in Training: An animal undergoing training by an approved trainer and/or the animal's handler to become a service animal. In the state of Texas, a service animal in training shall not be denied admittance to any public facility when accompanied by an approved trainer.

University Buildings: All on-campus buildings, including academic buildings in which classes are held, administrative-only buildings, student centers, libraries, dining halls, performing arts venues, museums, recreational facilities, and athletics facilities.

University Housing: All on-campus residence facilities.

Policy

Stephen F. Austin State University allows individuals to bring animals on University property in accordance with federal and state laws and in other situations subject to the rules outlined in this policy.

A service animal is permitted on campus grounds and within University buildings and housing. This practice follows Titles II and III of the Americans with Disabilities Act, as amended (ADA) and the Fair Housing Act (FHA).

An emotional support animal is permitted on campus grounds and to accompany an individual with a disability into his or her University housing assignment in accordance with the FHA. However, an emotional support animal is not allowed to accompany the individual into his or her residential dining center or into any other University building.

A service animal in training is permitted on campus grounds and within University buildings. The individual accompanying the service animal in training should carry documentation indicating that the individual is an approved trainer as defined by this policy.

This policy does not apply to:

1. Animals used in approved University research.
2. Animals used in classes on campus based on requests by faculty for such use. Non-research animals used in classes require prior permission from the academic department.
3. Animals used in police, search and rescue operations on University property.
4. Animals trained for and used in a clinical therapeutic setting on campus, such as the counseling center.
5. Fish contained in aquariums or small birds in cages in University housing.

Procedures

A. Service Animals on Campus



The University permits service animals in University buildings and housing where other animals are normally excluded. Guidance outlining the use of service animals by students, employees, University affiliates, visitors and other participants in services, programs or activities, including any required pre-approval or registration, can be found on the Disability Services website.

B. Emotional Support Animals on Campus

The University permits emotional support animals into University housing where other animals are normally excluded. Individuals are not permitted to bring emotional support animals inside University buildings (other than University housing) or to University events and functions, including, but not limited to, lectures, performing arts venues and athletics facilities/events. Guidance outlining the use of emotional support animals by students, employees, University affiliates, visitors and other participants in services, programs and activities, including any required pre-approval or registration, can be found on the Disability Services website.

C. Service Animals in Training on Campus

The University permits service animals in training in University buildings and housing where other animals are normally excluded. The service animal in training must be accompanied by an approved trainer and be undergoing training in the work or tasks directly related to the disability of a person who needs the animal's assistance. As with members of the general public, service animals in training may be asked to leave if they disrupt University business.

D. Responsibilities

Animals are permitted on campus grounds and, in some cases, are permitted into University buildings, provided the animal's handler follows federal, state and local laws and the rules covered in this policy. An individual bringing an animal to campus is expected to be mindful that the animal may constitute a hazard to others, especially in confined or closed spaces. Such hazards may include allergies and bites. In addition, the presence of an animal in certain areas may distract or interrupt activities or may create a nuisance, including the nuisance caused by animal waste, noise and damage to property.

An individual bringing an animal to campus is required to exercise reasonable control over their animal in order to minimize the risk to others and to property. The animal handler is responsible and liable for the animal at all times while the animal is on campus. Any injury to a member of the University community or damages to University property caused by an animal will be the responsibility of the animal handler. Additionally, the following rules apply to animals on campus:



1. Animals must comply with any and all county and state laws including, but not limited to, animal license requirements, vaccination and identification tags.
2. An animal's handler must keep the animal under control and take effective action when it is out of control.
3. An animal's handler must secure the animal to a leash, cord, chain or similar direct physical control of a maximum length of six (6) feet, the other end of which is restrained by a person. If this constraint interferes with the animal's work or if the individual's disability prevents using these devices, the individual must maintain control of the animal through voice, signal or other effective means. Physical constraint of the animal does not apply to a service animal or emotional support animal kept within an individual's University housing assignment.
4. Animals must not be tethered to a stationary fixture or tree, or left unattended on campus.
5. Animals must not be abandoned on campus. Abandonment of an animal may be considered a cruel and illegal act under Texas' anti-cruelty statutes.
6. An animal's handler is responsible for feeding and exercising the animal.
7. An animal's handler is responsible for cleaning up after the animal and disposing of its waste.
8. An animal's handler is responsible for paying for the costs associated with repair or replacement for any damage caused by the animal.
9. The University may take reasonable efforts to remove an animal confined in a vehicle when there appears to be imminent danger to the animal due to inadequate ventilation or temperature conditions. The University is not liable for any associated repair/damage costs to the vehicle for this action and the animal's owner assumes full responsibility.
10. Individuals must not falsely claim that an animal is a service animal or emotional support animal when it is not. Such an action is in violation of state and federal law.

E. Removal of an Animal

1. In all cases, the handler of the animal is responsible for the animal's behavior. In the event that removal of a service animal or emotional support animal is determined to be necessary, the person with a disability will still have the opportunity to participate in the service, program or activity without having the animal present. The University may remove or require an individual to remove an animal from campus if:
2. The animal is out of control and the handler fails to control it.
3. The animal's waste is not being properly disposed of or the animal is damaging campus property.
4. The animal poses a threat to the health or safety of others.
5. The animal's handler does not provide the standard of care required by state law, including, but not limited to, the failure to provide the necessary food, water, care or



- shelter for an animal in the person's custody.
6. The animal does not have the licenses, vaccinations and identification required by state law.

Related Statutes or Regulations, Rules, Policies, or Standards

Americans with Disabilities Act, as amended, 42 U.S.C. § 12101, et seq
Fair Housing Act, 42 U.S.C. § 3601, et seq.

Tex. Human Res. Code §§ 121.002-.006

Responsible Executive

Vice President of Student Affairs

Forms

Verification Form for Students Requesting Emotional Support Animals available through The Office of Disability Services

Revision History

September 1, 2023 (original)
December 20, 2023