SUL ROSS STATE UNIVERSITY

A Member of the Texas State University System

SRSU Policy: Animals on Campus Policy
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Policy Reviewed by: University Department of Public Safety
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1. PURPOSE

The purpose of this policy is to establish requirements governing the presence of animals on University property while ensuring compliance with applicable federal and state law, including the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act (FHA), and applicable state law. This policy is intended to promote an accessible, safe, healthy and productive learning, living and working environment for all members of the University community.

2. SCOPE

This policy applies to all students, employees, applicants, volunteers, visitors, contractors, and guests who bring or seek to bring an animal onto University-owned or University-controlled property, including residence halls and other University housing.

3. DEFINITIONS

A. University-owned or University-controlled property –Property that is owned, leased, operated, and/or maintained by SRSU.

B. Service Animal-Service animal means a dog that is individually trained to perform work or tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability, as defined by the ADA. In limited circumstances, a miniature horse may qualify as a service animal under applicable law. For purposes of this policy, police K-9s are considered a service animal as well as other animals that work for emergency personnel.

C. Research and Teaching Animals-Approved animals used directly in support of SRSU's mission of teaching, research, and or clinical programs.

D. Emotional Support Animal (ESA) – means an animal that provides emotional support or other assistance that alleviates one or more identified symptoms or effects of an individual's documented disability but is not individually trained to perform work or tasks. An ESA is not a service animal under the ADA. An emotional support animal is a common household animal, such as a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes. For the purposes of this definition, reptiles (other than turtles), barnyard animals, monkeys, kangaroos, and other non-domesticated animals are not considered common household animals. Emotional support animals may be permitted as an accommodation only for student residents in university residence halls and in accordance with the Emotional Support Animal Procedure in paragraph 4 below. Emotional support animals are not permitted in any other university facility.

Pet means an animal kept for ordinary companionship that is not a servicer animal or an approved emotional support animal.

Handler means the individual responsible for the care, custody, and control of an animal.

4. General Policy

Except as provided in this policy or otherwise authorized by the University, animals are prohibited in University buildings, facilities, classrooms, laboratories, libraries, dining facilities, athletic facilities, and other indoor spaces.

5. Service Animals

a. The University permits service animals in areas where members of the public, students, employees, or participants are permitted to be, consistent with the ADA.

University personnel may ask only the questions permitted by applicable law when the need for the service animal is not readily apparent:

1. Is the animal required because of a disability?
2. What work or task has the animal been trained to perform?

b. Notification Regarding Service Animals

Students or employees with disabilities who use a service animal are encouraged to notify the Director of Counseling & Accessibility Services as soon as possible

Early communication allows the University to facilitate access, coordinate appropriate accommodations, address housing or classroom logistics when applicable, and respond effectively to any health, safety, or emergency planning considerations.

The Director of Counseling & Accessibility Services is available to answer questions regarding the University's service animal policy, coordinate disability-related accommodations, and assist in resolving any issues that may arise concerning the presence of a service animal on campus.

6. Emotional Support Animals

a. Emotional support animals are not service animals under the ADA.

An ESA may be approved only as a reasonable accommodation in University housing after the University determines that:

- the individual has a disability;
- the individual has a disability-related need for the animal; and
- permitting the animal is a reasonable accommodation under applicable law.

b. An approved ESA is generally permitted only within the student's assigned residential unit. ESAs are not permitted in classrooms, laboratories, dining facilities, offices, libraries, athletic facilities, or other areas open to the public unless otherwise required by law.

c. Requests for Emotional Support Animals in University Housing

Students seeking to keep an emotional support animal (ESA) in University housing must submit a request for a reasonable accommodation through Residential Living before bringing the animal into University housing, unless exceptional circumstances prevent advance submission.

The request must include the documentation required by the University to evaluate whether the student has a disability and whether there is a disability-related need for the requested emotional support animal.

The Director of Residential Living and Office of Accessibility Services will review each request on an individualized basis in accordance with applicable federal and state law.

No emotional support animal may reside in University housing until the University has approved the request and the student has completed all required housing documentation, including any animal health and vaccination records, licensing information required by law, emergency contact information, and any housing agreement or acknowledgment forms required by the University.

Questions regarding the ESA accommodation process should be directed _ Counseling Center & Office of Accessibility Services.

7. Other Animals

Pets and other animals not otherwise authorized under this policy are prohibited in University buildings and housing unless specifically approved by the University for educational, research, agricultural, law enforcement, or other institutional purposes.

Animals may not be tethered to University buildings, structures, motor vehicles, trees, railings, light poles, benches, posts, or other structures.

8. Handler Responsibilities

Individuals bringing animals onto campus are responsible for ensuring that the animal:

- remains under the handler's control at all times;
- is housebroken, where applicable;
- is vaccinated and licensed as required by law;
- does not create excessive noise or disruption;
- does not threaten the health or safety of others;
- does not damage University property; and
- is properly cleaned up after.

Handlers are responsible for any damage caused by the animal beyond ordinary wear and tear.

9. Removal of an Animal

The University may require the removal of an animal when:

- the animal is out of control and the handler does not take effective action to control it;
- the animal is not housebroken;
- the animal poses a direct threat to the health or safety of others that cannot be eliminated through reasonable modifications;
- the animal causes substantial property damage;
- the animal's presence fundamentally alters the nature of a University program or activity; or
- the handler fails to comply with this policy.

If a service animal is properly excluded, the individual with the disability will be afforded the opportunity to participate in the University's programs or services without the animal whenever reasonably possible.

The Vice President for Student Affairs and Dean of Students has final say in the revocation of permitted animals on campus privileges.

10. Conflicting Disabilities

The University recognizes that some individuals may have allergies, asthma, or other medical conditions affected by animals. When competing disability-related needs arise, the University will engage in an individualized interactive process with all affected individuals to determine appropriate reasonable accommodations.

12. Retaliation

The University prohibits retaliation against any individual for requesting or receiving a reasonable accommodation or for participating in the accommodation process.

13. Administration

The Office of Counseling & Accessibility Services shall administer requests for disability-related accommodations involving service animals and emotional support animals.

Residential Living shall administer housing-related requirements applicable to approved emotional support animals.

The University reserves the right to adopt procedures and forms necessary to implement this policy.

PROHIBITED ANIMALS ON UNIVERSITY-CONTROLLED PROPERTY

- Undomesticated and/or dangerous animals in the wild: Animals such as but not limited to poisonous reptiles, constricting snakes, wolves, and any other potentially dangerous or aggressive animals are prohibited from all University-controlled property (inside and outside) at all times, except research and teaching animals.

- Aggressive Dogs: Dogs with a history of aggressiveness or an observed display of aggressive behavior are prohibited from all University-owned property. Any University Department of Public Safety officer has the authority to make a determination as to whether or not such a dog on campus falls under this category.

- Stray animals: It is the desire of the University for stray animals to be treated humanely. Due to the potential danger of rabies, and in compliance with municipal and state laws regarding licensing and the care and control of animals, feeding of stray animals is not permitted. This allows for greater control of the animal population, including but not limited to skunks, bats, raccoons, foxes, javelinas, wild pigs, or stray dogs and cats, and will better provide for the health and safety of the SRSU community. Stray animals should be reported to the University Department of Public Safety at 432-837-8100 for removal of the animal with the assistance of the City of Alpine Animal Control.

FAILURE TO COMPLY

- Prohibited Animals: Prohibited animals on university-controlled property must be removed immediately. If a prohibited animal is observed on university-controlled property, the owner may face disciplinary measures by appropriate authorities or departments which include Campus Police, Human Resources, and the Vice President for Student Affairs and Dean of Students.
- Unattended or Unrestrained Animals: If an unrestrained/unattended animal is observed, a reasonable attempt will be made to locate the animal's owner. If the owner is located, he/she may face disciplinary measures by the appropriate office which includes Campus Police, the Human Resource Department, and the Vice President for Student Affairs and Dean of Students. If attempts to find the animal's owner are unsuccessful, the City of Alpine Animal Control will be contacted for removal of the animal from University-controlled property.
- Property Damage or Personal Injury: The University will seek restitution for any animal-related damage to University-controlled property, facilities, or grounds, or injury to any person. The repair or replacement cost of damaged property or expenses in connection with a personal injury is the sole responsibility of the owner of the animal that caused the damage. Additionally, owners must remove and dispose of pet waste in a sanitary manner in accordance with City of Alpine Ordinance No. 2008-11-01§ 1, 1-6-09 Sec.10-42.

REPORTING

To report a violation of this policy or for general questions (report a problem with an animal on campus, such as unattended animal, an injury or property damage in connection with an animal on campus), please contact the University Department of Public Safety at 432-837-8100.