PROCEDURE FOR SERVICE OR ASSISTANCE ANIMALS

Texas State University wants to provide an update for faculty and staff on what the current regulations are and what we as an institution of higher education are required and not required to do.

Service Animals:

Service Animals are regulated under the Americans with Disabilities Act (ADA) because they are considered an accommodation needed by a person with a disability to perform specific tasks needed to mitigate the effects of their disability. The regulations state the following:

1. A service animal is defined as a dog (and in some very limited cases a miniature horse).
2. Trained to perform a specific task that the person with a disability cannot otherwise perform themselves.

No other animals are considered service animals. Federal regulations also do not require the person with a disability to provide documented proof of training of the dog, nor do they have to provide documentation of their disability. Should a person with a service animal want to take the animal into a building or area that is open and accessible to the general public, they may do so. In situations where it is not obvious that the dog is a service animal, students with service animals may only be asked the following two questions:

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

No other questions can be asked and no proof can be required of training. Currently, service animals are trained for a variety of disabilities, including visual impairments, hearing impairments, physical impairments, and mental health issues.

While we make every effort to allow service animals access to all public areas, the people with the disabilities have certain responsibilities as well. The service animal is considered an extension of the person and therefore, must be compliant with the same public rules and regulations that the disabled person must comply with. So, just as a person cannot yell out loud and run around being disruptive in a restaurant or store, neither may a service animal. Management can ask the person to remove any service animal that is being disruptive or exhibiting threatening behavior just as they would ask any person to leave for the same reasons. Once the service animal has been removed, the person may reenter the establishment without the animal if they so choose. This same situation applies to all academic buildings on the Texas State University campuses. Service animals are under the same Student Code of Conduct as the
students. Faculty members may not refuse students with service animals entrance into their classroom, but they can require the owner to control the behavior of the service animal. Additionally, service animals must be tethered at all times (unless the leash interferes with the task the animal performs) and meet all local health requirements, including vaccinations.

**Emotional Support Animals:**

If a student with a disability needs an emotional support animal in university housing, the student must submit a written request to the Office of Disability Services. The request must include:

1. Up to date health records, including vaccinations
2. Documentation of a disability, and the relationship between the emotional support animal and the student's disability.

If you have questions, please contact the Office of Disability Services at (512) 245-3451.

Office of Disability Services  
Texas State University  
Suite 5-5.1, LBJ Student Center  
601 University Drive  
San Marcos, TX 78666  
512.245.3451 (Voice/TTY)