

## **Policy III.3006.C, Animals on College Property**

### **Purpose**

This policy will inform students, employees, and community members about federal requirements of an institution related to animals and the rights of a service animal owner related to the use of service animals on College property. The policy will also inform students, employees, and community members of their rights and responsibilities related to requesting an accommodation for an emotional support animal or for bringing an animal on College property for an instructional purpose.

### **Policy**

San Jacinto College (College) has provisions related to service animals, emotional support animals, and animals for instruction on College property. The College seeks to promote safety, health, and hygiene in College buildings, College spaces, and the campus properties. Animals outside the scope of this policy are not allowed on College property without review and approval by the respective member of the Strategic Leadership Team. Procedure III.3006.C.a, Animals on College Property, provides additional guidance on service animals, emotional support animals, and animals for instruction on College property.

### **Service Animals**

San Jacinto College supports individuals with disabilities who are accompanied by a service animal or psychiatric service dog on College property. This policy refers to students and employees with disabilities as well as community members with disabilities who have business to conduct on College property. In compliance with Titles II and III of the Americans with Disabilities Act (ADA), only dogs are recognized as service animals. A separate provision of the ADA allows trained miniature horses as service animals. A service animal or psychiatric service dog is individually trained to do work or perform tasks for an individual with a disability; the work or task must be directly related to the person's disability. Dogs or miniature horses not trained to perform tasks that mitigate the effects of a disability, including dogs used purely for comfort or emotional support, are NOT service animals. The act also clarifies that individuals with mental disabilities who use service animals trained to perform a specific task are protected by the ADA. Procedure III.3006.C.a, Animals on College Property, provides information about the College's responsibilities as well as the service animal owner's responsibilities. Representing an untrained animal as a trained service animal is a misdemeanor and punishable under Texas law.

## **Emotional Support Animals**

Emotional support animals are not considered service animals unless they have been trained to perform a specific task for their masters. Dogs not trained to perform tasks that mitigate the effects of a disability, including dogs used purely for comfort or emotional support, are NOT service animals. Therefore, animals that do not meet the definition of a service animal are not allowed on College property without asking for and receiving an accommodation. Students may request an accommodation for an emotional support animal that has been trained to perform a task, and these requests are reviewed by an Accessibility Services Counselor. Employees may request an accommodation for an emotional support animal by contacting Human Resources, Benefits.

## **Animals on College Property for Instruction**

Animals (living and non-living) that are used specifically to further an instructional purpose as part of a College or district program or course may be permitted on College property if approved by the respective Instructional Dean. The use of animals for research or testing purposes is strictly prohibited. Performing any sort of invasive procedure on an animal is also prohibited. Procedure III.3006.C.a, Animals on College Property, provides additional guidance, requirements and restrictions.

## **Definitions**

**College Property:** Property, whether indoors or outdoors, located within the state of Texas that is owned, operated, leased, occupied, or controlled by the College. This includes, but is not limited to all buildings, classrooms, laboratories, auditoriums, library buildings, offices, athletic facilities, any other structures, grounds, sidewalks, parking lots, walkways, and attached parking structures owned or controlled by the College.

**Service Animal:** Per Title II and Title III of the Americans with Disabilities Act (ADA), *service animal* means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

**Psychiatric Service Dog:** A service dog trained to assist an individual with a psychiatric disability or mental disability including, but not limited to, post-traumatic stress disorder, schizophrenia, depression, anxiety, and bipolar disorder.

**Emotional Support Animal:** A companion animal that provides some benefit for an individual with a disability. An emotional support animal is not considered a service animal or a psychiatric service dog.

**Instructional Animal:** A living or non-living animal that is used specifically to further an instructional purpose as part of a College or district program.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

**Associated Procedures**

Procedure III.3006.C.a, Animals on College Property

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Effective Date	October 8, 2019
Primary Owner	Deputy Chancellor & President Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner	Associate Vice Chancellor, Student Services Vice President, Human Resources

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