

# Texas A&M AgriLife Research Procedures

08.01.02.A0.01 | Service Animals on AgriLife Research Property

Approved: February 1, 2019

Next Scheduled Review: February 1, 2024



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## PROCEDURE SUMMARY

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Texas A&M AgriLife Research (AgriLife Research) complies with applicable federal and state laws regarding the provision of reasonable accommodations and the use of service animals on AgriLife Research property for employees and members of the public with disabilities.

This procedure provides guidance and instructions for visitors and employees who use a service animal or for those encountering service animals on AgriLife Research property.

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## PROCEDURES AND RESPONSIBILITIES

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### 1.0 SERVICE ANIMALS

- 1.1 Service animals are permitted on AgriLife Research property and within agency buildings with limited exceptions and restrictions, in accordance with the Americans with Disabilities Act (ADA), as amended.
  - A. Service animals must have been trained as a service animal in the specific work or tasks directly related to the person's disability.
  - B. Service animals must be licensed and immunized as applicable, in accordance with the laws, regulations, and ordinances of the State of Texas and with county and city authorities.
- 1.2 AgriLife Research employees are not allowed to request any documentation for the service animal, require that the service animal demonstrate its work or tasks, or inquire about the nature of the person's disability.
  - A. When it is not obvious what service the animal provides, only limited inquiries are allowed. Employees may ask (2) two questions of the owner:
    - (1) Is the dog a service animal required because of a disability?
    - (2) What work or task has the dog been trained to perform?
  - B. AgriLife Research employees cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- 1.3 AgriLife Research may require an individual with a disability to remove their service animal from the premises under the following circumstances:
  - A. The service animal is out of control and the animal's owner does not take effective action to control it.
  - B. The service animal is not housebroken.
  - C. The service animal poses a direct threat to the safety of others or the service animal's presence threatens research integrity.

- 1.4. AgriLife Human Resources is responsible for reviewing and coordinating requests for disability-related accommodations for employees and applicants for employment. AgriLife Risk and Compliance will review and address requests to prohibit service animal access due to health and/or safety concerns on a case-by-case basis.
- 1.5. If a service animal is prohibited according to this procedure, AgriLife Research must give the owner an opportunity to obtain goods and services or perform tasks without having the service animal on the premises.
- 1.6. The service animal is not required to wear any type of service animal identification symbol while in public (e.g., vest, collar, or other representative attire).
- 1.7. The owner of the animal is responsible for the care and supervision of the animal, as well as for loss of services or any damage or injury caused by the animal while on AgriLife property. The owner may be billed for the expense of any damage to AgriLife buildings, furnishings, and/or grounds caused by the animal.
- 1.8. Individuals wishing to file a complaint about a service animal on AgriLife Research property should contact AgriLife Risk and Compliance.

## 2.0 GUIDANCE COMMON TO SERVICE ANIMALS

- 2.1 The service animal should be under the control of its owner at all times (e.g., voice control, signals, or other effective means). The animal shall have a harness, leash, or tether, unless:
  - A. The owner is unable to use the harness, leash, or tether because of a disability; or
  - B. The use of a harness, leash, or tether interferes with the service animal's work.
- 2.2. The service animal must be in good health and care. The care and supervision of the animal is solely the responsibility of its owner. Animals that are ill must not be taken into public areas. An owner with an ill animal may be asked to remove the animal from AgriLife Research premises.
- 2.3. AgriLife Research requires that the owner clean up and dispose of excrement after the service animal relieves itself. The owner should take the animal to the nearest grassy area outdoors for this purpose. An owner with a disability who physically cannot clean up after their animal will make all necessary arrangements for assistance.

## 3.0 EXCLUDED ANIMALS

This procedure does not apply to the following animals:

- 3.1. Animals involved in authorized AgriLife research;
- 3.2. Law enforcement K-9 and equestrian units (e.g., police dogs);
- 3.3. Fish and reptiles contained in aquariums under 20 gallons;
- 3.4. Animals used for performance, education, or display on AgriLife Research premises, or that are involved in an AgriLife Research sponsored or hosted activity;
- 3.5. Non-research animals (i.e., wild, feral, and/or stray animals and pets).

## 4.0 ACCOMMODATION REQUESTS

Requests for disability accommodations should be made through AgriLife Human Resources at 979-845-2423.

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## DEFINITIONS

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**Individual with a Disability:** A person with a physical or mental impairment that substantially limits one or more major life activities, who has a record of a disability, or who is regarded as having a disability.

**Service Animal:** Under the Americans with Disabilities Act (ADA), a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The work or tasks performed by the dog must be directly related to the person's disability. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, and alerting/protecting a person who is having a seizure. Service animals are working animals, not pets. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. Under certain circumstances, miniature horses may also be trained as service animals and be permitted in AgriLife Research buildings, where reasonable.

**Service Animals in Training:** When accompanied by a trainer, service animals in training are afforded the same access rights as trained service animals that are with a person with a disability.

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## RELATED STATUTES, POLICIES, OR REQUIREMENTS

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[AgriLife Research Procedure 08.01.01.A1](#), *Civil Rights Compliance*

[AgriLife Research Procedure 08.01.01.A1.01](#), *Reasonable Workplace Accommodations*

[A&M System Regulation 08.01.01](#), *Civil Rights Compliance*

[A&M System Regulation 08.01.02](#), *Civil Rights Protections for Individuals with Disabilities*

Section 504 of the Rehabilitation Act of 1973

Americans with Disabilities Act, as Amended

Texas Commission on Human Rights Act (Texas Labor Code, Title 2, Subtitle A, Chapter 21, Subchapter A)

Texas Human Resources Code, Section 121.003-121.006

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## CONTACT OFFICE

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Questions regarding this procedure should be referred to Texas A&M AgriLife Risk and Compliance at 979-845-7879.

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## REVISION HISTORY

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Approved: February 1, 2019

Next Scheduled Review: February 1, 2024