

**PRAIRIE VIEW A&M UNIVERSITY  
UNIVERSITY ADMINISTRATIVE PROCEDURE**



**08.01.02.P0.01 Service, Emotional Support, and Other Animals on Campus**

Approved November 16, 2021

Revised: April 28, 2024 (SB 17 Modifications)

Next Scheduled Review: April 1, 2029

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**UAP Purpose**

Prairie View A&M University (PVAMU) will comply with applicable federal and state laws regarding the provision of reasonable accommodations for employees, students, and members of the public with disabilities with regard to the use of service or emotional support animals on campus.

This University Administrative Procedure (UAP) establishes the protocol for the presence of service animals or emotional support animals on the PVAMU campus. This UAP has been developed to provide guidance and instruction for those who bring or who come into contact with such animals on campus.

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**Definitions**

**Service Animals** - A dog that has been individually trained to do work or perform tasks for an individual with a disability as defined by the [Americans with Disabilities Act](#) (ADA). The work or task is to benefit those individuals with physical, sensory, psychiatric, intellectual, and other disabilities. Under certain circumstances, miniature horses may also be trained as a service animal and be permitted within university buildings, where reasonable. Examples of such work or tasks service animals do include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, and alerting/protecting a person who is having a seizure. An example of the duties performed by a psychiatric service animal would a dog which has been trained to sense when an anxiety attack is about to occur or perform a specific action to help the person avoid the attack or lessen the impact of the attack and does not include merely providing comfort.

**Service Animal in Training** - A dog or miniature horse undergoing individualized training by a professional trainer or their handler. For purposes of this UAP, Service Animals in Training have the same rights and responsibilities as applicable to Service Animals.

**Emotional Support Animals** - Any animal whose sole function is to provide emotional, support, comfort, therapy, companionship, therapeutic benefits to its owner as defined by the [Americans with Disabilities Act](#) (ADA). Moreover, an emotional support animal assists through its presence alone and are not service animals. Any animal can serve as an emotional support animal except for those animals specified as excluded in the university housing agreement.

**Person with a Disability** - A person with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment.

**Authorized University Employee** – An authorized university employee is someone who comes in contact with the service or emotional support animal and is acting in an official capacity at the

university. This may include an instructor, an administrator, or an employee from the university police department. Authorized employees can request a copy of the registration for any animal on campus in a reasonable situation. For example, if a student has an animal in one of the main buildings of the university, an authorized university employee is reasonably allowed to ask the student if it is a service animal and request the animal's registration as a service animal. Only service animals are allowed into university buildings.

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## Official Procedures and Responsibilities

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### 1. SERVICE ANIMALS

- 1.1 A service animal is permitted on campus grounds and within PVAMU buildings with limited exceptions and restrictions. This practice follows the ADA as amended.
  - 1.1.1 The service animal must have been trained as a service animal in the specific work or tasks directly related to the person's disability.
  - 1.1.2 The service animal shall be licensed, registered, and immunized as applicable and in accordance with laws, regulations, and ordinances of the State of Texas and county and city authorities.
  - 1.1.3 The service animal must have updated vaccinations, including but not limited to the general maintenance vaccine series and any vaccinations deemed necessary by a licensed veterinarian.
  - 1.1.4 All of the Waller County and City of Prairie View licensing laws and tag laws must be followed.
  - 1.1.5 Miniature horses will be assessed using the four factors set forth by the federal regulation to determine whether the facility can accommodate the request. The assessment factors are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.
- 1.2 Students requiring the use of a service animal on campus grounds and property or in campus housing must first register and be approved with the Office of Disability Services. Students may be required to show proof of registration upon request to an authorized university employee.

Students requiring the use of a service animal within on campus housing are to notify the appropriate management office of their intent to live with their service animal in on campus housing. Students must provide their documentation from their health care provider and submit it to the Office of Disability Services for review and approval, must complete all housing animal registration forms and agree to all animal rules and regulations.

- 1.3 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 university property. The owner may be billed for the expenses of any damage to PVAMU buildings, furnishings, and/or grounds caused by the animal.
- 1.4 Prairie View A&M University may require an individual with a disability to remove their service animal from the premises under the following circumstances:
  - 1.5.1 The animal is out of control and the animal's owner does not take effective action to control it.
  - 1.5.2 The animal is not housebroken.
  - 1.5.3 The animal poses a threat to the safety of others.
- 1.5 The Office of Risk Management and Safety, in coordination with the Office of Disability Services and/or the Office of Equal Opportunity will review and address requests to prohibit service animals due to health and/or safety concerns on a case-by-case basis.
- 1.6 If a service animal is prohibited according to the UAP, the Office of Disability Services shall give the owner the opportunity to obtain goods and services or perform tasks without having the service animal on the premises.
- 1.7 Most university employees are not allowed to request any documentation for the service animal, require that the service animal demonstrate its work or task, or inquire about the nature of the person's disability. Only the following two (2) questions may be asked of the owner:
  - 1.8.1 Is this a service animal required because of a disability; and,
  - 1.8.2 What work or task has the service animal been trained to perform?
- 1.8 The service animal is not required to wear any type of service animal identification symbol while in public (e.g. vest, collar), but it is strongly recommended.
- 1.10 Individuals wishing to file a complaint about a service animal on campus housing should contact the appropriate housing management office. Individuals wishing to file a complaint about a service animal on the PVAMU campus should contact the Office of Equal Opportunity. The complaint process follows [University Rule 08.01.01. P1 Civil Rights Compliance](#).

## **2. EMOTIONAL SUPPORT ANIMALS**

- 2.1 In accordance with federal and state law (Fair Housing Act), emotional support animals (assistance animals) are permitted within the confines of campus housing and designated areas (Emotional Support & Service Animal Parks) in the residential facilities for approved students with disabilities on a case-by-case basis. Students seeking approval for the use of an emotional support animal within on campus housing will be required to submit an application and/or verification form and other documents to the appropriate management office for a determination of eligibility.

- 2.2 Students seeking approval for the use of an emotional support animal within on campus housing will be required to register with the Office of Disability Services. They are expected to complete and provide all application documents. Students are to have their health care provider complete an Emotional Support Animal Documentation Form which is located in the Resource Library within the Accommodate System. The Office of Disability Services may contact the healthcare provider regarding your forms. Students may be required to show proof of registration upon request to an authorized university employee.
- 2.3 Individuals with a disability may be entitled to keep an emotional support animal as a reasonable accommodation in housing facilities that otherwise impose restrictions or prohibitions on animals. To qualify for such an accommodation, the emotional support animal must be necessary to afford the individual an equal opportunity to use and enjoy a dwelling or to participate in the housing service or program. Furthermore, there must be a relationship, or nexus between the individual's disability and the assistance the animal provides.
- 2.4 Emotional support animals are not permitted in university buildings.
- 2.5 Emotional support animals are not considered to be service animals and improperly representing an emotional support animal as a service animal is in violation of the State of Texas [Human Resource Code Title 8, Chapter 121, Section 121.006\(a\)](#) and may be a violation of the Student Code of Conduct.
- 2.6 Individuals wishing to file a complaint about an emotional support animal in on campus housing should contact the appropriate housing management office. Individuals wishing to file a complaint about an emotional support animal on the PVAMU campus should contact the Office of Equal Opportunity.
- 2.7 An emotional support animal requires no training. All that is needed is a letter from a mental health care professional/service provider and/or the designated information form from the host completed by the mental health care professional/service provider regarding the need for an emotional support as it relates to a person's DSM disability diagnosis and functional limitations.

### **3. OWNER'S RESPONSIBILITIES COMMON TO BOTH SERVICE ANIMALS AND EMOTIONAL SUPPORT ANIMALS**

- 3.1 The service and/or emotional support animal shall be under the control of its owner at all times (i.e. voice control, signals or other effective means.) The animal shall have a harness, leash, or other tether, unless:
  - 3.1.1 The owner is unable to use the harness, leash, or other tether because of a disability; or
  - 3.1.2 The use of a harness, leash, or other tether would interfere with the animal's safety and/or effective performance of work tasks.
- 3.2 The service and/or emotional support 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 PVAMU premises.

- 3.3 Prairie View A & M University requires that the owner clean up after the service animal and/or emotional support animal relieves itself. The owner shall take the animal to the designated areas (Emotional Support & Service Animal Parks) for this purpose. An owner with a disability who physically is unable to clean up after their animal shall make all the necessary arrangements for assistance.
- 3.4 After each student has been registered in the Office of Disability Services for possession of either a Service Animal or an Emotional Support Animal, the student must obtain a Service Emotional Support Animal Authorization Identification Card from the Prairie View A&M University Police Department. The identification card is good only for one semester and shall contain the following:
  - 3.4.1 Name and photo of the service or emotional support animal owner;
  - 3.4.2 Name and photo of the service or emotional support animal;
  - 3.4.3 Identification card expiration date; and,
  - 3.4.4 Current campus housing address. Card address must be updated if relocation occurs.
- 3.5 Identification cards must be presented to any authorized university employee upon request. Failure to comply may result in a fine being assessed and/or eviction.
- 3.6 Each student who is in possession of a Service Animal or Emotional Support Animal on PVAMU premises is fully responsible for care and actions of the animal. The Office of Disability Services will assume no responsibility for the care or actions of the student's Service Animal or Emotional Support Animal.
- 3.7 If a student misrepresents their emotional support animal as a service animal, the employee may request the student's information to report a violation to the Office of Disability Services and the Office of Student Code of Conduct. They can also request that the student remove the animal from the university building at that time. It is a crime (misdemeanor) in the state of Texas to misrepresent your emotional support animal as a service animal. [Texas Human Resources Code Section 121.006\(a\)](#).

#### **4. EXCLUDED ANIMALS**

- 4.1 This procedure does not apply to the following animals:
  - 4.1.1 Animals involved in authorized research;
  - 4.1.2 K-9 animals (police dogs);
  - 4.1.3 Fish and reptiles contained in aquariums under 20 gallons;
  - 4.1.4 Animals used for performance, education or display on the PVAMU premises or involved in a PVAMU sponsored or hosted activity; and
  - 4.1.5 Animals identified within the "Pet Agreement" section of the university housing rules and university housing leases.

## 5. ACCOMMODATIONS

- 5.1 Requests for reasonable accommodations for students with disabilities should be made through the Office of Disability Services. All other reasonable accommodations request from faculty, and staff or the public should be made through the Office of Equal Opportunity.
- 5.2 The Office of Disability Services shall furnish an updated list at the beginning of each semester, as well as when new registrations are completed, to the University Police Department to facilitate the issuance of the Service and Emotional Support Animal Authorization Identification Card. This list shall be sent via email to the UPD designated Physical Security Coordinator and the Chief of Police.

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### Related Statutes, Policies, Regulations and Rules

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[System Regulation 08.01.01 Civil Rights Compliance](#)

[System Regulation 08.01.02 Civil Rights Protections for Individuals with Disabilities](#)

[System Offices Rule 08.01.02.S1., Civil Rights Protections for Individuals with Service Animals](#)

[University Rule 08.01.01.P1 Civil Rights Compliance](#)

[University Rule 15.99.07.P1 Use of Vertebrate Animals](#)

[State of Texas Human Resource Code Title 8, Chapter 121, Section 121.006\(a\)](#)

[Section 504 of the Rehabilitation Act of 1973](#)

[Americans with Disabilities Act as Amended](#)

[Fair Housing Act](#)

[Student Code of Conduct](#)

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### Forms

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Log into the PVAMU [Accommodate System](#) to start the process to register your animal.

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### Contact Office

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Office of Disability Services	(936) 261-3583
Office of Equal Employment Opportunity	(936) 261-1744

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