

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

Associated Policy

Policy III.3006.C, Animals on College Property

Procedures

San Jacinto College supports an individual's right to bring and to request to bring an animal on College property. The College seeks to promote safety, health, and hygiene on College property. The College has procedures related to service animals, emotional support animals, and animals for instruction on College property. Students who have questions about bringing an animal or pet on College property, that is not considered a service animal, must discuss their interest with any College leader or an Accessibility Services Counselor. Employees who have questions about bringing an animal or pet on College property, that is not considered a service or instructional animal, must contact Human Resources, Benefits. Special events involving animals on College property must be submitted for approval to the Student Engagement and Activities offices on each campus at least two or more months in advance of the event. Requests for bringing an animal for instructional purposes on College property must be submitted for approval to the respective Instructional Dean. Requests outside the scope of this procedure for bringing an animal on College property must be submitted for approval to the respective member of the Strategic Leadership Team.

San Jacinto College has the right to remove from College property any animal causing a disturbance, without any prior approval. Problems include, but are not limited to: incessant noise, harassing or intimidating behavior towards people, or damage of College property or the property of other students or employees while on College property. If a stray animal is on College property for longer than a brief period, a request should be submitted to the Facilities Department [email: Maintenance.Request@sjcd.edu] who will contact the city or the appropriate agency to have the animal safely removed. Domestic animals, such as dogs, are allowed outdoors on College property for walks or a scheduled event. The animal must be leashed, and the owner must be in control of the domestic animal at all times.

Individuals found in violation of this procedure and the associated policy may be subject to investigation by either the Campus Police department, the Compliance & Judicial Affairs office, or Human Resources.

Service Animals

San Jacinto College supports individuals with disabilities who are accompanied by a service animal at any of the College's locations. In compliance with Titles II and III of the Americans with Disabilities Act (ADA), only dogs are recognized as service animals. Miniature horses are recognized as service animals per a separate ADA provision. 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. Per the ADA, only the following questions are permitted to be asked regarding service animals:

1. Is the animal necessary to assist with the individual's disability? Note: College employees cannot ask the person what the individual's disability is or ask for documentation of the disability.
2. What work and/or task is the service animal trained to perform? Note: College employees cannot request that the service animal perform the task and cannot ask for documentation for the service animal.

In compliance with ADA, the service animal must be permitted to accompany the individual with a disability in all areas of the College where students, employees, and the public are normally allowed to go. Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals per ADA law. In addition, ADA law does not require service animals to wear a vest, ID tag, or specific harness.

If a particular service animal is out of control and the handler does not take effective action to control it, or if it is not housebroken, that animal may be excluded or asked to be removed from the premises. Also, if admitting service animals would fundamentally alter the nature of the service or program or there is a legitimate safety requirement, the service animal may be prohibited. If a service animal is excluded, the individual with a disability must be given the opportunity to participate in the service, program, or activity without having the service animal on the premises.

The College encourages students to inform Accessibility Services on their respective campus, center, or location about their service animal including, but not limited to, discussing additional support services. The College encourages employees who require the support of a service animal to contact Human Resources, Benefits.

Service Animals In-Training

An individual with a service animal in-training may bring the service animal to College locations only under the following conditions:

- Service animal is accompanied by an approved trainer who is an agent of an organization recognized as reputable and competent to provide such training.
- An individual submits proof to Accessibility Services or Human Resources that the individual is an approved trainer as required in Texas Human Resources Code Sec. 121.003.
- Service animal is adequately under the control of the trainer.

Representing an untrained animal as a trained service animal is a misdemeanor and punishable under Texas law.

Emotional Support Animals

Emotional support animals generally are not considered service animals. Animals not trained to perform tasks that mitigate the effects of a disability, including animals 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 or receiving an accommodation. Students may request an accommodation for an emotional support animal, 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.

Responsibilities of the Service or Emotional Support Animal Owner

The following are a list of responsibilities for owners of service or emotional support animals and service animals in-training. These apply regardless of whether students inform or do not inform Accessibility Services or whether employees inform or do not inform Human Resources that they have a service or emotional support animal on College property. Owners must:

- Ensure the animal has all required vaccinations (including the rabies vaccine) and provide the required documentation upon request.
- Ensure the animal has its required license from the city or state in which it is registered.
- Assume personal responsibility for damage to any College property and/or harm to others caused by the animal while at a College location or attending College-sponsored events. San Jacinto College, its employees, agents, and officers will not be held liable for any claims or costs.
- Ensure care, control, and supervision of the animal are the sole responsibility of the owner. San Jacinto College will not provide care, food, or special location for the animal.
- Ensure the animal is clean and curbed at all times while at College locations.
- Ensure the animal is harnessed, leashed, or tethered, unless these devices interfere with the animal's work or the individual's disability prevents using these devices. In this case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- Ensure the animal is housebroken, and recognize that the owner is responsible for *immediate* cleanup of animal waste from any College building or grounds, which must be disposed of in a closed plastic bag in an exterior trash receptacle.
- Remove the animal from the premises/classroom if unacceptable behavior is exhibited that cannot be effectively controlled, e.g., continuous barking, growling, jumping on people, or posing a threat or nuisance.
- Understand that a violation of this procedure by students may result in disciplinary action pending an investigation coordinated by the Compliance & Judicial Affairs office and/or possibly other College offices. Violation of this procedure by employees may result in disciplinary action pending an investigation by the employee's leader in conjunction with Human Resources.

Service and Emotional Support Animals in Laboratories and Clinical Settings:

Service and emotional support animals may be excluded from certain areas such as operating rooms or laboratories where the animal's presence may compromise a sterile environment. In teaching labs where hazardous materials may harm a service or emotional support animal, the faculty member should conduct an individualized risk assessment to determine any potential safety risks. If admitting service or emotional support animals would fundamentally alter the nature of the service or program or there is a legitimate safety requirement, the service or emotional support animal may be prohibited. If a service or emotional support animal is excluded, the individual with a disability must be given the opportunity to participate in the service, program, or activity without having the service or emotional support animal on the premises.

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.

The faculty member or responsible party who wishes to bring an animal on College property for a one-time display as part of a class is required to comply with College procedures and follow the appropriate protocol for approval prior to bringing the animal on College property. This approval may require a certificate of insurance, proof of current animal vaccinations, and animal health certificates. The College prohibits animals from being housed overnight on College property (including in faculty or staff offices and labs).

Instructional Animal Requests

Requests to allow an animal to participate in instruction must be made in writing to the respective Instructional Dean and include:

- The name of the faculty member and/or responsible party;
- The course name, rubric, and number;
- The type of animal being requested to be on College property;
- The instructional purpose and justification;
- The student learning outcome(s) the faculty member is attempting to attain;
- The number of students in the class; and
- The duration of time the animal will be on College property.

Responsibilities of the Instructional Animal Owner or Responsible Party:

- Ensure the instructional animal has all required vaccinations (including the rabies vaccine) and provide the required documentation upon request.
- Ensure the instructional animal has its required license from the city or state in which it is registered.

- Assume personal responsibility for damage to any College property and/or harm to others caused by the instructional animal while at a College location or attending College-sponsored events. San Jacinto College, its employees, agents, and officers will not be held liable for any claims or costs.
- Ensure care, control, and supervision of the instructional animal are the sole responsibility of the owner. The College prohibits the use of San Jacinto College funds to provide care, food, transportation, or special location for the instructional animal .
- Ensure the instructional animal is clean and curbed at all times while at College locations.
- Ensure the instructional animal is harnessed, leashed, tethered, or in a caged enclosure.
- Ensure the instructional animal is housebroken, and recognize that the owner is responsible for *immediate* cleanup of animal waste from any College building or grounds, which must be disposed of in a closed plastic bag in an exterior trash receptacle.
- Remove the instructional animal from the premises/classroom if unacceptable behavior is exhibited that cannot be effectively controlled, e.g., continuous barking, growling, jumping on people, or posing a threat or nuisance.
- Understand that a violation of this procedure by employees may result in disciplinary action pending an investigation by the employee's leader in conjunction with Human Resources.

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.

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Associated Policy	Policy III.3006.C, Animals on College Property
Primary Owner of Policy Associated with the Procedure	Deputy Chancellor and President Vice Chancellor, Human Resources and Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Associate Vice Chancellor, Student Services Vice President, Human Resources