

## Southwestern University Service Animal Policy

Southwestern University is committed to providing an inclusive and supportive environment for students with disabilities as well as to complying with all applicable provisions of federal, state, and local laws, including, but not limited to, the Americans with Disabilities Act Amendments Act (ADAAA), Section 504 of the Rehabilitation Act, and the Fair Housing Act (FHA).

Service animals are specifically trained to assist people with disabilities in the activities of daily living. By law, a service animal is a dog 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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. Other than dogs, the only type of animal that can be considered a service animal under the ADAAA is a miniature horse, though miniature horses may be subject to somewhat greater restrictions than service dogs ([http://www.ada.gov/service\\_animals\\_2010.htm](http://www.ada.gov/service_animals_2010.htm)). Given the rarity of the use of miniature horses as service animals, for the remainder of this policy, “service dogs” will be used when referring to service animals. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADAAA; these animals are addressed in Southwestern’s [Assistance \(Emotional Support\) Animal Policy for University Housing](#).

Individuals with disabilities may be accompanied by their service dogs in all Southwestern University buildings where members of the public or participants in services, programs, or activities are allowed to go, except in rare situations where safety may be compromised or where a service dog may interfere with the fundamental nature of the activities being conducted. Per Texas statute, service dogs in training are afforded the same rights, provided the dog is accompanied and controlled by an approved trainer (Texas Human Resources Code § 8.121.003).

If an individual’s need for a service dog and the qualifications of the animal are not obvious, the individual may be asked (a) whether the dog is required because of a disability; and (b) what work or task(s) the dog has been trained to perform. The work or tasks performed by a service dog must be directly related to the individual’s disability. Examples of such tasks include, but are not limited to, assisting an individual with low vision with navigation; alerting individuals who are hard of hearing to the presence of people or objects; pulling a person’s wheelchair; or providing assistance with stability or balance to an individual with a mobility disability.

Students with disabilities who require a service dog on campus are requested to self-identify as a person with a disability to the Assistant Director of Academic Success. The Assistant Director will provide the student with information on expectations for the service dog and communicate with other University community members to ease the transition of the student, including other students who may be housed with or near the service dog. Given the unique nature of University housing, including the mandatory assignment of roommates for many individuals and the mandate that individuals must share a room or suite in certain residence halls,

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Southwestern University reserves the right to assign an individual with a service dog to a single room without a roommate. The University will not limit room assignments for individuals with service dogs to any particular building or buildings, with the exception of Kurth Hall. If a student assigned to Kurth Hall obtains a service dog mid-year, she will be reassigned to a different class-appropriate residence hall as soon as a spot is available. If a spot is not immediately available, the student will work with the Assistant Director of Academic Success to determine appropriate interim accommodations.

The care and supervision of the service dog is solely the responsibility of the handler. Service dogs may not pose a direct threat to the health and safety of persons on the University campus, cause physical damage to property, or fundamentally alter the nature of University services and programs. The service dog must be maintained (kept clean, free from fleas or ticks, etc.). Local and state ordinances and laws regarding animals apply to service dogs, including requirements for immunizations, licensing, noise and restraint. Any suspected or observed issues related to animal abuse or neglect will be reported to the proper investigative authorities and may subject the handler to University disciplinary action as well.

A service dog shall be under the control of its handler. A service dog shall have a harness, leash, or other tether unless the handler is unable, because of a disability, to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks. In either of those cases, the service dog must be under the handler's control by voice control, signals, or other effective means.

The service dog's behavior, noise, odor and waste must not exceed reasonable standards for a well-behaved animal. Service dogs may be excluded from the University campus if the dog is not housebroken, or if the dog behaves in an unacceptable way and the handler does not take effective action to control it. Uncontrolled barking, jumping on other people, or running away for the handler are some examples of unacceptable behavior for a service dog.

If a service dog is properly excluded under the foregoing provision, the individual with a disability shall be given the opportunity to participate in the service, program, or activity without having the service dog on the premises. If a person with a disability remains on the premises after his or her service dog is properly excluded, it is that person's responsibility to arrange for the dog's care and supervision.

The handler, not the University, is responsible for the actions of the service dog, including bodily injury or property damage. The handler will be charged if additional cleaning or damage, beyond normal wear and tear, occurs as a result of having the service dog on campus. The handler is expected to pay these costs upon repair or cleaning. In addition, the University retains the right to remove a service dog, at the handler's expense, should the service dog become a direct threat to the health and safety of others or violates these requirements in any way.

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