



University Policy for Animals on Campus

Responsible Department: Institutional Compliance & Risk Management

Responsible Administrator: Director of ICRM

Effective Date: May 1, 2018

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I. PURPOSE

To ensure the health and safety of faculty, staff, students, and visitors regarding animals on campus. Abilene Christian University (ACU) complies with the Americans with Disabilities Act (ADA) and related regulations in allowing the use of service animals for students, employees, and visitors. ACU complies with the Fair Housing Act (FHA) in allowing residents the use of emotional support animals that are approved as an accommodation. Employees may not bring emotional support animals to work. Exceptions may be made to this policy on a case-by-case basis as required by applicable law. This policy does not apply to animals related to instructional or research activity. Violations of this policy may result in disciplinary action.

II. SCOPE

This policy applies to all members of the ACU community, including faculty, staff, students, volunteers, vendors, visitors, and residents of university owned property.

III. DEFINITIONS

“Control” – the animal must be properly housed and restrained or otherwise under the dominion and control of the Owner at all times. No Owner shall permit the animal to go loose or run at large. If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from the University. Control also means that the animal should not be allowed to bark repeatedly. However, if a dog barks just once, or barks because someone has provoked it, this would not mean that the dog is out of control.

“Disability” - with respect to a person per ADA: (A) a physical or mental impairment that substantially limits one or more major life activities of such individual; (B) a record of such an impairment; or (C) being regarded as having such an impairment.

“Emotional Support Animals” (ESA’s) – per FHA is defined as any animal that provides emotional support, well-being, or companionship that alleviates or mitigates symptoms of the disability; the animal is not individually trained for work tasks. Emotional support animals are not limited to dogs and can be other species of animal. Emotional support animals are not considered service animals. ESA’s should not be brought to ACU property prior to approval being granted. The University’s Alpha Scholars department will make an individualized assessment of each proposed ESA based on ACU’s [ESA policy and procedures](#).

“Feral Animals” - A once-domesticated animal that has reverted back to an untamed or wild state.

“Owner” - the actual owner of an animal and/or the person who has the care, custody or control of such animal.

“Pets” - an animal sufficiently tame to live with a family and are kept and cared for as companions.

“Service Animals” (SA’s) – per ADA is defined as animals (dogs only) that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, and alerting and protecting a person who is having a seizure, among others. Service animals are working animals, not pets.

“Stray Animals” - For the purposes of this policy, a stray animal is any domesticated animal on campus that is not under a physical restraint (i.e., leashed or caged), whether accompanied by a person or not. Service animals, including emotional support animals, are not included in this definition.

“Wild Animals” - An untamed, non-domesticated animal.

IV. PROCEDURE

A. Pets

Members of the University community and visitors to the campus are generally permitted to bring their pets to public outdoor areas of the Abilene campus. Pets are only allowed outdoors; they are prohibited from all University buildings. Athletic venues are subject to a different policy (Please obey posted signs or contact the athletic office for venue specific rules). Pets are permitted at the Intramural Field while in accordance with this policy. Students, employees, and guests are not permitted to have pets in the residence halls or university housing. All pets must be controlled by a leash, tether, or harness that does not exceed six feet in length. Pets may not be tethered to a tree or structure or left unattended for any period of time. Unless otherwise permitted by this policy, pets are prohibited from all outdoor University events. Owners must immediately clean up after their animals and ensure the animals' behavior does not cause a nuisance or harm to individuals or University property. Owners are responsible for any damage or injury caused by their pets, as well as appropriately caring for their pets. The University is not liable for harm to pets while on campus. Excluding the Rhoden Field Lab manager and Residence Directors (with supervisor permission), pets are not allowed at any other university locations, including the Dallas campus, or any international campuses.

Further questions, assistance in enforcing this policy, or reports of an animal that poses a threat or is otherwise disruptive may be directed to the ACU Police Department (ACUPD) at (325) 674-2911 or the Office of Institutional Compliance & Risk Management at (325) 674-6142 or risk@acu.edu. Any individual bitten or harmed by an animal on campus should immediately contact ACUPD.

B. Service Animals

The University provides equal access and reasonable accommodation for individuals with disabilities to participate in any program, service, or opportunity provided by the University, and complies with applicable laws related to service animals.

For an individual to qualify for having a service animal on University property:

- The individual must have a disability as defined by the ADA; and
- The accompanying animal must be fully trained to do specific tasks for the qualified individual.

General Rules

- ADA does not require service animals to wear a vest or ID tag.
- ADA does not restrict the number of service animals or the type of dog breeds that can be service animals.
- SA's must be trained even though a license or certification is not required.
- Specific questions about the individual's disability may not be asked.
- The appropriate way to ascertain that an animal is a service animal is to ask (only if it is not apparent):
 - (1) Is the animal required because of a disability; and
 - (2) What work or tasks it has been trained to perform

Concerns of whether an animal is a pet or service animal should be reported to the Office of Institutional Compliance & Risk Management at (325) 674-6142 or risk@acu.edu. Faculty may consult with the University Access Programs by email at alpha@acu.edu or by phone at (325) 674-2667 to determine whether (1) the animal is a pet or service animal, and (2) the environment of the classroom warrants the exclusion of an SA.

Students can be required to provide documentation to the ADA Compliance Officer to demonstrate that an animal is individually trained to perform tasks for a student with disabilities, and faculty may request notification provided by the ADA Compliance Officer for the classroom/lab setting. SA's should not be excluded without consultation with the ADA Compliance Officer to ensure that these settings are as accessible as possible.

Allergy or Fear

Allergies or fear of dogs are not valid reasons for denying access or refusing service to individuals using service animals. If students have an allergy to or fear of service animals on campus, they are encouraged to contact University Access Programs at (325) 674-2667 or alpha@acu.edu to assist in resolving the issue. If employees have an allergy to or fear of to service animals on campus, they are encouraged to contact their supervisor and the Office of Human Resources to assist in resolving the issue. The University will attempt to reasonably accommodate all parties.

Reasonable Accommodation

Students who require the use of a service animal on campus are encouraged to contact the University Access Programs at (325) 674-2667 or alpha@acu.edu to voluntarily register as a student with a disability. Information provided to University Access Programs is confidential and specific information about the disability will not be released without the consent of the student.

Employees may request the assistance of a service animal as a reasonable accommodation for their disability; such requests must be handled through the Office of Human Resources and according to the [Americans with Disabilities Act Policy No. 041](#).

C. Emotional Support Animals

Emotional Support Animals are not considered service animals under this policy or applicable law. ESA's are not permitted in University buildings or other settings and must follow the guidelines for pets on campus. ESA's may be allowed in on-campus and off-campus ACU residences when approved by the Office of Residence Life or the Director of Off-Campus Properties, respectively. Employees may not bring emotional support animals to work. Please see ACU's [ESA policy and procedures](#) for requirements related to ESA's.

D. Exclusion or Removal of Animals

Exclusion or removal of animals are determined on an individualized basis and when one or more of the following conditions exists:

- The animal is disruptive and not effectively controlled;
- The animal is not housebroken;
- The presence of the animal would fundamentally alter the nature of the job, service, or activity (e.g. labs that require a sterile environment);
- The animal's presence, behavior, or actions pose an unreasonable or direct threat to property and/or the health and safety of others (including inappropriate hygiene and cleanliness);
- The animal is physically ill;
- The animal may be in danger; or
- The animal's presence may compromise the integrity of certain research

E. Owner Responsibilities

The University is not responsible for the care or supervision of service animals.

Requirements of Service Animals and their Owners:

- The animal cannot pose a direct threat to the health and safety of persons while on the University's premises.
- Local ordinances regarding animals apply to service animals, including requirements for immunization, licensing, noise, restraint, and at-large animals.
- The owner must be in full control of the animal at all times. Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- The owner is responsible for cleaning up the animal's waste and fluids and disposing of such in outside trash containers only. Waste disposal via University plumbing is prohibited. The owner should always carry equipment sufficient to clean up and properly dispose of the animal's waste and fluids. Owners who are not physically able to pick up and dispose of the animal's waste and fluids are responsible for making all necessary arrangements for assistance. The University is not responsible for these services. Additionally, the animal is not to be bathed or its cage/crate, or bedding cleaned using University Housing or University facilities.
- The owner is liable for damage caused by the animal.
- The owner is responsible for instructing others on appropriate interactions with the animal and setting clear expectations.

Exclusions:

A service animal may be excluded from any authorized area and its owner may be subject to disciplinary action if, including, but not limited to:

- The service animal displays aggressive or disruptive behavior or noises and effective action is not taken to control it; unless said noise/behavior(s) are part of the needed disability service to the owner;
- The service animal is not housebroken;

- The service animal poses a direct threat to the health and safety of others;
- The service animal is not in good health, well-groomed, or cared for;
- The service animal infringes inappropriately into other's personal space;
- The owner intentionally uses the service animal to block identified fire/emergency exits.

NOTE: In the event that restriction or removal of a service animal is determined to be necessary, every effort will be made to assure that the individual still has access to the programs, services, or activities of the University without the animal.

F. Restricted Areas

Service animals are permitted to accompany individuals with disabilities in all areas of campus where community members and visitors are allowed to go. SA's should be permitted in as many instances as possible. The University may prohibit the use of Service Animals in certain locations due to health or safety restrictions. Restricted areas for SA's may include but are not limited to food preparation areas (except communal food preparation areas in residence halls), research laboratories or classrooms that contain research animals, areas that require protective clothing, and other areas as required by federal, state or local laws. The ADA does not override public health rules that prohibit dogs in swimming pools. However, service animals must be allowed on the pool deck and in other areas where the public is permitted.

Exceptions to these restrictions may be requested and will be considered on a case by case basis.

Approved ESA's are permitted only in residence halls or off-campus ACU residence unless approved as mentioned by ACU policy.

G. Etiquette Around Service Animals and Their Owners:

- Do not pet, touch or otherwise distract a service animal when it is working. Doing so may interfere with its ability to perform its duties.
- Do not feed a service animal. Their work depends on a regular and consistent feeding regimen that the owner is responsible to maintain.
- Do not attempt to separate the owner from the service animal.
- Do not harass or deliberately startle a service animal.
- Avoid initiating conversations about the person's disability. Some people do not wish to discuss their disability.

H. **Special Situations or Exceptions**

Students and employees should contact the Office of Institutional Compliance & Risk Management at (325) 674-6142 or risk@acu.edu to discuss any special situations regarding service animals or emotional support animals that are not covered by this policy, as well as any exceptions to this policy that might be requested by other ACU community members. All exceptions must be approved in writing.

I. **Wild, Feral, or Stray Animals**

Wild and feral animals are to be left alone if there is no indication of an immediate threat to human safety or property damage. If any animal is showing signs of dangerous or destructive behavior, the animal must be reported immediately to [ACUPD](#). ACUPD will monitor the animal and determine what type of intervention is required. ACUPD will remain at the location until the appropriate party has arrived, or the scene has been deemed safe.

Wild, feral, or stray animals must not be touched or handled. An unknown animal may be infected with contagious diseases. Some of these diseases can include rabies, ringworm, external parasites, tularemia, pathogenic E. coli, and others. Any animal that appears to be sick or acting strange must be reported immediately to [ACUPD](#).

Feeding or interacting with wild, feral, and stray animals is discouraged. These types of animals may include, but are not limited to, domesticated or feral cats, raccoons, opossums, skunks, squirrels, bats, foxes, and any other natural or unnatural fauna found on the ACU campus. This does not include food that is intended as bait to capture or attract an animal(s) for animal control or for educational purposes as approved and monitored for research purposes.

Any person who removes, deactivates, or vandalizes an animal trap that has been set by the City of Abilene Animal Services will be in violation of this policy and will be responsible for replacement costs and may be subject to disciplinary action.

For the removal of a dead animal, please contact City of Abilene Animal Services, 325-698-0085.

J. **Legal Compliance**

All animal owners are responsible for abiding by applicable federal, state, and local regulations and ordinances. In example, the City of Abilene's Animal Ordinance (Chapter 6, Article IV) requires all dogs and cats (four months of age or older) within the city limits to have a current rabies vaccination. An owner shall provide proof of current vaccination for the dog or cat upon request by city officials or ACUPD. It is a Class C Misdemeanor offense to own or keep an animal within the city limits in violation of the section referenced above.

K. **Grievances**

In the event of a dispute about an accommodation related to a service or emotional animal or an animal restriction, students are encouraged to attempt to resolve the issue with University Access Programs and/or the Office of Residence Life. Students may also file a complaint in accordance with the University's Student Handbook. Employees are encouraged to attempt to resolve disputes with their immediate supervisor and the Office of Human Resources. Employees may also file a complaint in accordance with [Complaint Procedures Policy No. 530](#).

G. Contact Information

ACU Police Department	Emergency Calls: 911		325-674-2911 acupolice@acu.edu
Off-Campus Properties	Terry Bowman	Director	(325) 674-6817 bowmant@acu.edu
Office of Human Resources	Wendy Jones	Chief Human Resources Officer	(325) 674-2359 humanresources@acu.edu
Office of Institutional Compliance & Risk Management	Kris Sutton	Director	(325) 674-6142 risk@acu.edu
Office of Residential Life	McGlothlin Campus Center, Rm. 43		(325) 674-6321 reslife@acu.edu
University Access Programs	ADA Compliance Officer		(325) 674-2667 alpha@acu.edu