



Quarterly Update

Service Animals

When thinking about service animals, most people usually envision dogs. Yet, other animals, such as Capuchin monkeys and miniature horses, have been used as service animals. Effective March 15, 2011, the Americans with Disabilities Amendments Act (ADAA, 2008) revised definition of a service animal means “any 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.” Thus, now only dogs are considered service animals according to the ADAA.

To be considered a service animal, the work or tasks performed by the animal must be directly related to the individual’s disability. Work or tasks include, but are not limited to:

- Assisting individuals who are blind or have low vision with navigation and other tasks,
- Alerting individuals who are deaf or hard of hearing to the presences of people or sounds,
- Providing non-violent protection of rescue work,
- Pulling a wheelchair,
- Assisting an individual during a seizure,
- Alerting individuals to the presences of allergens,
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities, and
- Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Companion animals, including dogs, that provide emotional support, comfort, or companionship are not considered service animals. Similarly, therapy animals that are often used in hospitals or nursing homes to provide contact are not service animals. Although companion and therapy animals may serve a therapeutic purpose, they are not usually trained to assist a person or to perform specific tasks and are thus not service animals.

In a higher education setting, qualified students have the right to be accompanied by a service animal on campus. An instructor may not insist on knowing what disability the

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individual has, but may inquire how the animal assists the person. There are not any dog breeds that are banned from being service animals, and there are not any size or weight limitations.

Responsibilities of Individuals Using Service Animals

The care and supervision of a service animal is the responsibility of the student using the animal's services. The student must ensure that the animal is in good health and has been vaccinated against diseases as recommended by the American Veterinary Medical Association. If the service animal causes any damages, the student is responsible for the costs of repair if other students would be financially responsible for similar damages. The service animal must at all times be under the control of the student. This may or may not mean that the service animal must be leashed. For example, if leashing a service animal would impair its abilities to complete its tasks, then it is not appropriate for the service animal to be leashed. However, in this situation, the individual must be able to control (verbally or non-verbally) the service animal.

If a student plans to live on campus, the Disability Services Office and the Student Housing Office need to be notified that the student uses a service animal. The Disability Services Office assists in determining if the student has a disability and whether or not the animal is a service animal. A Student Housing office cannot prohibit the service animal from residing with the student. However, the definition of a service animal must be met. That is, the service animal must be a dog that is trained to do work or perform tasks for the individual with a disability. Again, therapeutic, companion, or guard animals are not considered service animals.

Responsibilities of the University Community

If the student is a qualified student with a disability who uses a service animal, then the university must allow the service animal to accompany the student at all times. The only exception would be in situations in which there may be a danger to the student, service animal, or others. Individuals who interact with the student should not touch or feed the service animal unless invited by the student.

Resources

Aggie Guide-Dogs and Service-Dogs, <http://ags.tamu.edu>

Service Dog Central, <http://www.servicedogcentral.org>

U.S. Department of Justice, Americans with Disabilities Act, <http://www.ada.gov>

