

ENVIRONMENTAL HEALTH AND SAFETY STANDARD OPERATING PROCEDURES

SOP No.24.01.99.W1.51AR WTAMU Service Animals

Approved: October 15, 2015

Last Revised: October 26, 2018

Next Scheduled Review: October 26, 2023

Environmental Health and Safety at WTAMU is composed of three distinct but integrated environmental safety departments that report to the Vice President of Research and Compliance. Academic and Research Environmental Health and Safety (AR-EHS) is responsible for research and academic related compliance, which includes laboratory and academic research and the associated compliance committees. Fire and Life Safety (FLS-EHS) is responsible for fire related compliance and conducts fire and life safety inspections of campus buildings and assists with the testing all fire detection and suppression systems.

Contents

1. Purpose.....	1
2. Scope	2
3. Responsibility.....	2
4. Definitions	2
5. General Procedure.....	2
5.1. Request for Evaluation	2
6. Complaints	4
7. Investigation	4
8. Record Retention	4
9. Training	5
10. References	5

1. Purpose

The purpose of this procedure is to provide guidance for West Texas A&M University (WTAMU) faculty, staff, and students regarding facility access for service animals. WTAMU is committed to providing all students with equal access to a quality education. WTAMU seeks to provide reasonable accommodations for all qualified persons with disabilities. As, such, the university will adhere to all applicable federal, state, and local

laws, regulations, and guidelines with respect to providing reasonable accommodations as required.

2. Scope

This procedure applies to all facilities owned or operated by WTAMU. All departments are required to follow the service animals procedures described in this document.

3. Responsibility

This document applies to all persons accessing facilities owned or operated by WTAMU. All faculty, staff, students, and university visitors and guests must adhere to the procedures outlined in this document.

4. Definitions

The words and terms in this document shall have the meanings described in Title II of the American with Disabilities Act (ADA) unless the context clearly indicates otherwise.

5. General Procedure

In accordance with Title II of the ADA, a service animal is allowed to accompany its handler into WTAMU facilities. However, WTAMU is committed to providing a safe learning and working environment that is free from recognized hazards which are likely to cause harm. As such, WTAMU may exclude service animals from certain facilities based upon known and expected health and safety hazards. In the event that a service animal is excluded from a facility, WTAMU will make reasonable accommodations so that the individual with a disability has the opportunity to access the facility without the service animal. Service animal exclusions are reviewed on a case by case basis as outlined in Section 5.1 of this procedure.

5.1. Request for Evaluation

All WTAMU teaching and research laboratories require an evaluation prior to allowing service animal access. Any WTAMU faculty, staff, or student may initiate a facility evaluation for a service animal or a service animal in training.

- a. To initiate a facility evaluation, contact Environmental Health and Safety (EHS) at 651-2270 or 651-2740.
- b. EHS may ask two questions.
 1. Is the service animal required because of a disability?
 2. What task(s) or work related to the disability has the service animal been trained to carry out?
- c. EHS will schedule a meeting that must include at a minimum:
 1. The person with a disability.
 2. The primary investigator or lab manager of the facility being evaluated.
 3. EHS.
- d. During the meeting required under 5.1.c, the following items must be identified and discussed with the person with a disability:

1. The known and expected health and safety hazards of the facility being evaluated. Personnel must consider all students and instructors who will simultaneously occupy the facility, as well as the person with a disability and the service animal.

(a) Factors to consider include:

- i. Chemical hazards.
 - a. Heavier than air gasses and vapors.
 - b. Corrosives.
 - c. Flammables.
 - d. Explosives.
 - e. Poisons.

Remember, animals bathe with their mouths. The risk of chemical ingestion is greater than that of a human.

- ii. Physical hazards.
 - a. Mechanical.
 - i. Broken glass on floor.
 - ii. High speed equipment.
 - iii. Falling objects.
 - b. Thermal.
 - c. Electrical.
 - d. Vibration.
 - e. Noise.
 - f. Heights.
 - g. Pressure.
- iii. Radiological hazards.
- iv. Biological hazards.
- v. Facility design.
- vi. Emergency procedures.
 - a. Building evacuation.
 - b. Shelter in place.
 - c. Actions to take in the event the person with a disability becomes incapacitated or unresponsive.
 - i. It is recommended (not required) that the person with a disability registers with Student Disability Services so that emergency contact information is readily accessible. Employees may contact HR.

2. Reasonable accommodations that could be made to allow service animal access.

(a) Responsible parties, typically the student or employee with the disability, for providing necessary items.

- i. Personal protective Equipment for the service animal.
 - a. Paw protection.
 - b. Skin protection.
 - c. Eye protection.
 - ii. Physical barriers.
 - a. Mats.
 - b. Shields.
 - e. If the health and safety hazards can be reduced to acceptable levels through reasonable accommodations and the person with a disability accepts both the accommodations and the remaining level of risk, a formal letter shall be drafted which outlines the items discussed under 5.1.d. of this procedure.
 - 1. The letter must be signed by the person with a disability, the PI, and EHS.
 - 2. See Appendix A for letter template.

6. Complaints

Individuals who wish to file a complaint regarding a department or member of the WTAMU community regarding service animal access should make every effort to resolve the issue. Students should attempt an informal resolution by interacting directly with the individual(s) involved or with the first-line supervisor of the individual, department, or office. If satisfactory resolutions are not reached through this informal interaction, students should go to disability services and employees to HR for resolution.

7. Investigation

This SOP is effective upon the date of approval and is subject to periodic review and revision.

8. Record Retention

No official state records may be destroyed without permission from the Texas State Library as outlined in [Texas Government Code, Section 441.187](#) and [13 Texas Administrative Code, Title 13, Part 1, Chapter 6, Subchapter A, Rule 6.7](#). The Texas State Library certifies Agency retention schedules as a means of granting permission to destroy official state records.

West Texas A&M University Records Retention Schedule is certified by the Texas State Library and Archives Commission. West Texas A&M University Environmental

Health and Safety will follow [Texas A&M University Records Retention Schedule](#) as stated in the Standard Operating Procedure [61.99.01.W0.01 Records Management](#). All official state records (paper, microform, electronic, or any other media) must be retained for the minimum period designated.

9. Training

West Texas A&M University Environmental Health and Safety will follow the Texas A&M University System Policy [33.05.02 Required Employee Training](#). Staff and faculty whose required training is delinquent more than 90 days will have their access to the Internet terminated until all trainings are completed. Only Blackboard and Single Sign-on will be accessible. Internet access will be restored once training has been completed. Student workers whose required training is delinquent more than 90 days will need to be terminated by their manager through Student Employment.

10. References

28 CFR Part 35, Subpart A

Contact Office

WTAMU Environmental Health and Safety
(806) 651-2270

Appendix

Waiver for (Service Animal Name), Regarding Entry into (Facility Name, Ex: Chemistry Laboratory) for (Semester, Ex: Fall 2015).

West Texas A&M University (WTAMU) is committed to providing all students with equal access to a quality education. WTAMU seeks to provide reasonable accommodations for all qualified persons with disabilities. This University will adhere to all applicable federal, state and local laws, regulations and guidelines with respect to providing reasonable accommodations as required to afford equal educational opportunity. It is the student's responsibility to register with Student Disability Services (SDS) and to contact faculty members in a timely fashion to arrange for suitable accommodations. The SDS Office is located in the Student Success Center, CC 106 and their phone number is 806-651-2335.

On (Date), a meeting was held with (Name of person with a disability) regarding authorization of a service animal, (Animal Name), into (facility). The following university personnel attended the meeting:

(Name) – Title, Ex: Primary Investigator

(Name) – Title

Etc.

The purpose of the meeting was to discuss the potential safety concerns related to a service animal in (facility) and to provide suitable accommodations for (facility) entry for (Animal Name). During this meeting, it was determined that the following measures will be followed:

- Outline specific procedures and accommodations agreed upon during the meeting and the hazards mitigated by each procedure and accommodation.
- Include responsible parties for each procedure and accommodation.
- Example 1: Name is to provide paw protection for Animal Name which must be worn immediately prior to laboratory entry and removed immediately upon exit.
- Example 2: PI Name is to provide a mat at the location where the service animal will be positioned to act as a barrier between the floor and the service animal.
- All parties are encouraged to contact EHS with any questions or concerns that may arise.

- Animal Name's safety is (Name of person with a disability)'s responsibility. By signing this waiver (he/she) accepts the risks associated with (facility) and agrees with the terms outlined within this document.

Student Signature

Date

Primary Investigator

Date

EHS

Date