

**Application Process for Approval of
Animal Control Officer Training Courses
Texas Department of State Health Services, Zoonosis Control Branch**

Mandated Animal Control Officer (ACO) Basic and Continuing Education (CE) Training

The following document pertains to entities outside of the Texas Department of State Health Services (DSHS) Zoonosis Control Branch (ZCB) seeking approval for conducting DSHS-approved ACO basic or CE courses. It does not pertain to courses being conducted by the DSHS ZCB, as these are pre-approved through statute.

To be in compliance with Texas Health and Safety Code, Chapter 829, Animal Control Officer Training,* a person may not perform the duties of an animal control officer unless

(1) the person:

(A) completes a basic animal control course under this chapter not later than the first anniversary of the date the person assumes animal control duties; or

(B) completed a personnel training course on or before June 30, 2008, under Section 823.004 as it existed on that date; and

(2) the person completes 30 hours of continuing education under this chapter during each three-year period following:

(A) the date the person completes the basic animal control course; or

(B) June 30, 2008, if the person completed a personnel training course under Subdivision (1)(B).

This statute defines an animal control officer as a person who is employed, appointed, or otherwise engaged primarily to enforce laws relating to animal control; it does not include peace officers.

To satisfactorily complete a DSHS-approved ACO basic course, the participant must attend the entire course and pass both parts (General and Legal) of the exam prepared and administered by the DSHS.

To satisfactorily complete a DSHS-approved continuing education course, the participant must attend the entire continuing education course, plus satisfactorily complete any testing if required by the course sponsor.

Training Waivers Issued by the Office of the Governor*

Background: On May 14, 2020, the Office of the Governor issued a waiver pertaining to the temporary suspension of Chapter 829 training requirements for animal control officers (ACOs) and a waiver pertaining to the temporary suspension of Chapter 821 (and associated Texas Administrative Code) training requirements for euthanasia technicians as a result of the March 13, 2020, coronavirus disease 2019 (COVID-19) disaster declaration. Extensions to these waivers were granted on August 10, 2020, and would be in effect until terminated by the Office of the Governor or until the March 13, 2020, disaster declaration was lifted or expired.

Update – below is the notice issued on July 19, 2021, pertaining to the withdrawal/termination of training waivers from the Office of the Governor:

- **Effective 12:01 AM on September 1, 2021 withdrawal of waivers (*These are the animal control officer and euthanasia technician trainings*)**
 - **25 TAC § 169.84(g), extension approved on August 10, 2020**
 - **Texas Health and Safety Code § 821.055(a) and (d), extension approved on August 10, 2020**
 - **Texas Health and Safety Code § 829.002(1)(A) and (2)(A), extension approved on August 10, 2020**
 - **Texas Health and Safety Code § 829.004(a) and (b), extension approved on August 10, 2020**

Update on Online Continuing Education (CE) Policy*

Background: Chapter 829 of the Texas Health and Safety Code mandates that 30 hours of required CE training for ACOs approved by the Department of State Health Services (DSHS) be completed every 3 years. Of these, DSHS policy has been that a maximum of 10 hours per 3-year period can be obtained via satisfactory completion of DSHS-approved online/virtual training. However, due to the number of course cancellations and the limitations on travel created by the COVID-19 pandemic, the following temporary exception to this limit was implemented: for ACOs whose 3-year period ends between March 15, 2020, and March 15, 2021 (inclusive), up to 30 of the required CE hours can be earned via satisfactory completion of DSHS-approved online/virtual training. With the continuance of this disaster, DSHS extended the CE exception period to coincide with the dates of the ACO training waiver issued by the Office of the Governor, as mentioned above. This CE exception period is effective from March 13, 2020, until the training waiver is terminated by the Office of the Governor or until the March 13, 2020, disaster declaration is lifted or expires. Please note that certificates of completion from sponsors of online/virtual courses may still include the statement about the 10-hour limit; that does not mean that this temporary exception does not apply.

Update: although the training waivers will be terminated by the Office of the Governor effective September 1, 2021, due to continued issues associated with COVID as described above, DSHS has temporarily extended for one year from the waiver effective date (September 1, 2021 - August 31, 2022) the policy that up to 30 hours of required CE can be earned via satisfactory completion of a DSHS-approved online/virtual training.

Requirements for ACO Training Course Implementation

According to Section 829.003, the training course curricula for the basic and continuing education courses must include the following topics:

- (1) state laws governing animal control and protection and animal cruelty;
- (2) animal health and disease recognition, control, and prevention;
- (3) the humane care and treatment of animals;
- (4) standards for care and control of animals in an animal shelter;
- (5) standards and procedures for the transportation of animals;
- (6) principles and procedures for capturing and handling stray domestic animals and wildlife, including principles and procedures to be followed with respect to an instrument used specifically for deterring the bite of an animal;
- (7) first aid for injured animals;
- (8) the documentation of animal cruelty evidence and courtroom procedures;
- (9) animal shelter operations and administration;
- (10) spaying and neutering, microchipping, and adoption;
- (11) communications and public relations; and
- (12) state and federal laws for possession of controlled substances and other medications.

Please note that it is the course sponsor's responsibility to be aware of law amendments and ensure that, in presentations referencing a law(s), the most recent version of the law(s) is being presented. Links to many of the laws pertinent to animal control can be accessed at <http://www.dshs.texas.gov/idcu/health/zoonosis/laws/rules/> (all of the Texas statutes are located at <http://www.statutes.legis.state.tx.us/> and all of the administrative codes are located at <http://www.sos.state.tx.us/tac/>).

Basic training courses approved by DSHS must cover all the mandated topics listed above. However, according to statute, these courses may include additional topics if they are

pertinent to animal control and animal shelter personnel. Course sponsors must provide a letter of documentation to each qualifying participant verifying that the participant attended the entire training and is eligible for testing (DSHS will provide a template letter to the sponsor). The participant must present this letter of attendance documentation, along with a photo ID, to DSHS personnel at the testing site to qualify to take the exam. The course sponsor will also be responsible for providing direct verification to the DSHS Regional Zoonosis Control (ZC) office where the participant applies to test that the participant attended a specific basic course (provide date/location) and qualifies for testing; this verification must be by email or fax. The sponsor letters cannot be re-used by the participants because if they fail the test, they need to re-take the entire course before they re-test; Regional ZC offices have the option to keep the letters.

It is the course sponsors' responsibility to advise their course participants that, although basic course sponsors may use other documents in teaching their courses, the DSHS will use information contained in the DSHS *Animal Control Officer Training Manual* to develop the test for all basic courses. Failure to study the DSHS manual could lessen the participant's likelihood of passing the exam. It is also the course sponsors' responsibility to inform participants **prior** to attending a DSHS-approved basic course that DSHS will test participants through a DSHS Regional ZC office at a later date when a Regional office has a scheduled testing session (the participant can test at any DSHS site whenever a testing session becomes available after attending a basic course, but the participant must contact the DSHS Regional ZC office to register for the testing).

It is the basic course sponsors' responsibility to retain exam results they receive from DSHS and attendance rosters for courses they conduct.** Additionally, course sponsors must inform participants that any participants who fail either part of the exam will need to re-take a DSHS or DSHS-approved basic course to be eligible to re-test. The DSHS will provide a contact list for the Regional ZC offices to the course sponsor for their information and to share with course participants.

Continuing education courses approved by the DSHS must pertain to one or more of the 12 topics listed above; however, according to statute, DSHS may approve other topics if they are pertinent to animal control and animal shelter personnel. **It is the CE course sponsors' responsibility to retain their exam results (if applicable) and attendance rosters for courses they conduct.****

It is the **basic or continuing education** course sponsors' responsibility to provide certificates of completion to participants; the certificate must contain, at minimum: the participant's name; whether the course is basic or CE; the length of the course in DSHS-approved hours; that the course was approved by the Department of State Health Services (the course must be pre-approved by DSHS); the course date and location ("virtual" or "online" may be substituted as applicable); and the sponsor's name and contact information. Failure to include the required information on a certificate of completion will result in the course sponsor issuing corrected certificates at their own expense. Basic course certificates need to also include the date that the participant satisfactorily passed the DSHS exam along with the following statement: "The exam

date will be used as the official course completion date for meeting training requirements per Chapter 829 of the Texas Health and Safety Code.” **For basic courses, course sponsors shall not issue any certificate of completion until they receive confirmation from DSHS that the participant has passed the required exam. It is the participants’ responsibility to retain this certificate as proof of their training.**

If a participant who does not pass the exam needs proof of attendance, a letter may be issued (since they cannot be issued a certificate) stating that the participant attended ___ hours of ACO Basic Training but did not satisfactorily complete the exam.

The ACO basic course is distinct from ACO CE courses; the basic course cannot be used to acquire CEs.

Euthanasia training courses approved by DSHS to meet training mandates set forth in Texas Health and Safety Code, Chapter 821, Treatment and Disposition of Animals, are also approved to meet CE requirements set forth in Chapter 829.

Basic or continuing education course sponsors must include the following statement in a legible format and visible location on course material:

“If a participant wants to provide feedback on this course and/or its sponsor, the participant can mail comments to the Texas Department of State Health Services, Training Course Coordinator, Zoonosis Control, MC 1956, P.O. Box 149347, Austin, Texas, 78714-9347 or email them to The.Vet@dshs.texas.gov.”

Requirements for and Approval of ACO Training Course Instructors

For the basic training course, course sponsors must provide DSHS with a summary document indicating each instructor’s relevant education, work, and training backgrounds, including dates. In this documentation, each instructor at each basic course must:

- 1) have satisfactorily completed a DSHS or DSHS-approved ACO basic training course and have at least 2 years full-time experience in animal control, animal shelter, and/or humane society work; or
- 2) have satisfactorily completed a DSHS ACO Advanced and/or Administrative training course prior to June 30, 2008; or
- 3) be a licensed veterinarian; or
- 4) be a bar-qualified lawyer; or
- 5) be a Licensed Veterinary Technician, Certified Veterinary Technician, Certified Veterinary Assistant, and/or have 3 years experience working as a veterinary technician; or
- 6) have an associate or higher college degree in a science- or education-related field from an accredited institution of post-high school education; or
- 7) have a college degree in teaching from an accredited institution of post-high school education and/or at least 3 years teaching experience for high school level or above; or
- 8) be a licensed or certified instructor through the Texas Commission on Law Enforcement (TCOLE) (formerly the Texas Commission on Law Enforcement Officer Standards and Education or TCLEOSE); or

- 9) have at least 3 years full-time experience in law enforcement; or
- 10) have at least 3 years full-time experience in animal control, animal shelter, and/or humane society work: or
- 11) have at least 3 years experience in city, county, state, and/or federal public health work.

For continuing education courses, course sponsors must provide DSHS with a summary document indicating each instructor's relevant education, work, and/or training backgrounds. The document must address the instructor's expertise and qualifications for effectively instructing participants on the topic(s) covered at the CE course.

Instructors subject to Ch. 829 who teach a CE course or provide a presentation at a basic course may apply that instruction time toward their Ch. 829 CE training requirement. However, they may only apply a maximum of 15 CE hours per 3-year CE period through either of these means, separate or combined:

- The topic must be different for each CE course taught for which they are applying toward CE credit per 3-year CE period. This does not apply to presenting at basic courses.
- For presentations at basic courses only, the same topic can be presented a maximum of 6 times per 3-year CE period for credit.

Virtual Courses

Virtual CE courses: In addition to meeting the requirements already described for in-person courses, the course sponsor of a virtual CE course must incorporate a mechanism for ensuring the ACO's actual attendance and describe it in their application for course approval. Examples of possible options include using a virtual program in which the course participant can be visually seen, using a virtual program that can electronically document actual participation, implementing quizzes/tests or sign-in sheets within the course, and/or issuing a Texas-specific certificate of attendance in which there is a space for the participant's supervisor to sign verifying the participant's attendance. Include a statement on the certificate that a maximum of 10 hours per 3-year period can be obtained via satisfactory completion of DSHS-approved online training (see *Update on Online Continuing Education (CE) Policy* section).*

Virtual ACO Basic Training Courses: Course sponsors of virtual Basic courses need to meet the requirements already described for in-person courses. That includes being responsible for meeting all the course requirements per Texas Health and Safety Code, Ch. 829:

- All topics listed in Section 829.003(a) must be covered.
- An instructor should be reasonably qualified to instruct on his/her assigned topic.
- The course must be at least 12 hours in length per Sec. 829.003(c).
- Attendance at all sessions of the course is required per Sec. 829.003(b)(3). **Therefore, verification and documentation of each participant's attendance at every topic session must be possible. A participant simply registering for a course or doing an initial check in does not suffice to meet this requirement. The course sponsor must use a virtual program that allows them to visually and/or electronically monitor each participant's**

actual attendance at each session. In the application for course approval, the course sponsor needs to describe what process will be used to verify each participant's attendance at every topic session.

Note: Only in-person testing is available. Testing sessions for DSHS and for non-DSHS (test-only) participants are scheduled after each DSHS *ACO Basic Training* course.

Application for Approval of ACO Training Course Sponsors and Curricula

The DSHS is the approval authority of course sponsors and curricula for ACO training. Course sponsors desiring approval must apply to DSHS at least 8 weeks prior to the course date. Sponsors must submit the date, times, duration (number of actual classroom hours not including time spent for lunch, breaks, or testing), and location of the course; a course agenda/outline; the name and credentials of the instructor(s); and a course contact name, mailing address, phone number, plus email address and fax number if available, to:

Texas Department of State Health Services
Training Course Coordinator
Zoonosis Control, MC 1956
P.O. Box 149347
Austin, Texas 78714-9347
or
The.Vet@dshs.texas.gov

Within 6 weeks, the DSHS will respond as to whether the course has been approved and/or to inform the sponsor of additional documentation or information that must be provided to DSHS in order to have the course approved.

Once DSHS has approved a course, the course sponsor may present subsequent sessions of the identical course using the same instructors without re-submitting a course agenda, name and credentials of the instructor(s), and course contact information; however, the course sponsor must notify DSHS of the date, duration, and location of additional course sessions at least 2 weeks prior to the course date in order for them to be approved. If there are changes to the agenda or the instructors for a previously approved course, the sponsor must submit those changes to DSHS for approval at least 4 weeks prior to conducting a course in order for them to be approved.

If a course sponsor wants a course posted at <http://www.dshs.texas.gov/idcu/health/zoonosis/education/training/nonaco/> (which is part of the DSHS website), they must submit a written request and provide the following required information for posting on the internet: date, type (continuing education or Basic), title, location, contact name, contact's email address, and contact's phone number. To expedite posting, provide this information in the order presented here.

Course sponsors who are interested in obtaining Texas Commission on Law Enforcement (TCOLE) credits for their participants should contact TCOLE at 512-936-7700.

* **For information on temporary training policy modifications and suspensions/waivers due to COVID-19, go to:**
<https://dshs.texas.gov/IDCU/health/zoonosis/education/training/ACO.aspx>
<https://dshs.texas.gov/IDCU/health/zoonosis/animal/control/shelters/Euthanasia.aspx>
<https://dshs.texas.gov/IDCU/health/zoonosis/education/training/ACO-Courses-By-Outside-Sources.aspx>

** The advised retention period for ACO basic and continuing education course exam results and attendance rosters is a minimum of 3 years beyond the end of the calendar year in which the course was given; the results can be retained either in hard copy or database format.

Disclaimer: The approval of an animal control course by the Department of State Health Services pertains only to the approval of the course curriculum, instructors, length, date, and location as provided by the course sponsor. During the current COVID disaster declaration, it is the responsibility of the course sponsor to determine if there are any applicable restrictions in place to which they must adhere, including those associated with an emergency declaration(s) or a local order condition(s).

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