

## **Service Animals Policy**

*KDLA provides this example policy to assist a library in developing and adopting their own policy. The example policy should be modified to meet the needs of your library and community and should be reviewed by the library's attorney prior to adoption.*

The \_\_\_\_\_ Public Library recognizes that service animals assist people with disabilities to cope with the effects of their disabilities. The Americans with Disabilities Act (ADA) requires that organizations that serve the public, including public libraries, allow patrons and employees with disabilities to bring their service animals into all areas of the facility where they are normally allowed to go. The protections provided by the ADA take priority over local and state laws and regulations.

### **What is a Service Animal?**

The ADA generally defines service animals as dogs. Dogs employed as service animals may be any breed, size, or weight. Some, but not all, service animals wear special collars or harnesses. Service animals are not required to have special licenses, to be certified, or to have any visible identification.

In addition to the provisions about service dogs, ADA regulations allow for miniature horses that have been individually trained to do work or perform tasks for people with disabilities. Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.

Service animals perform various tasks and provide services for people with disabilities. Here are some examples: Guide, Hearing or Signal, Mobility Assistance, Seizure Response, Therapeutic Assistance, Psychiatric or Neurological Assistance.

In some situations, a person with a disability may require more than one service animal, where each animal provides a different type of assistance. For example, an individual may need both a hearing dog and a seizure alert dog.

Dogs or other animals whose sole function is "the provision of emotional support, well-being, comfort, or companionship" are not considered service animals under the ADA regulations.

### **Rules for Service Animals**

The library will ensure that staff members are properly trained in treating patrons and employees who require the assistance of service animals with sensitivity and respect.

Library staff cannot require patrons accompanied by service animals to provide documentation, such as special ID cards or proof of certification. Nor can they ask about the specific nature of a person's disability – e.g. "Are you blind?" or "Are you under a physician's care?"

In order to determine if an animal is covered under the ADA, library staff may only ask:

1. Is your animal a service or assistance animal required because of a disability?
2. What tasks has your animal been trained to perform?

The library will not require someone to provide details about their disability.

The library cannot place limitations on the size, weight, and breed of service animals. They can, however, require service animals to meet reasonable behavior rules that ensure the safety of all library patrons, and require that service animals have current appropriate vaccinations.

The patron or employee has the responsibility to supervise, control, and care for the service animal. The patron or employee should always retain full control of the animal.

This generally means that while the animal is in the library, it must be on leash, in a carrier, or otherwise in the direct control of its owner. When around other people or animals, the service animal should be well behaved (no jumping, snarling, nipping, excessive barking). The patron or employee is responsible for the safe removal of animal waste products.

### **Removal of a Service Animal**

If a service animal is unruly, disruptive (aggressively jumping, nipping, etc.) or not house trained, the patron or employee may be asked to remove the animal. If the animal's inappropriate behavior happens repeatedly, the patron or employee may be asked not to bring the animal into common areas of the library until steps have been taken to mitigate the behavior (such as refresher training). If the behavior poses a significant threat to patrons or employees, the patron or employee may be required to remove the animal from the library altogether. Even if it is determined that the animal may not enter the library, the owner is still welcome to use the library and its services.

A fear of or minor allergy to dogs or other animals is not considered a disability under the ADA, so the library does not need to accommodate in those situations. In rare cases, a person's allergy may be so severe that animal contact may cause respiratory distress. In those situations, the allergic person may also request an accommodation, such as keeping the animal and the allergic person separate, as much as is possible.

Any complaints about service animals in the library should be forwarded to the director or person in charge.

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