

KDLA TRUSTEE TIP: FAQs About Service Animals in Public Libraries

Public libraries serve all members of the public, including those with disabilities who may require the assistance of service animals. The Americans with Disabilities Act (ADA) requires organizations that serve the public, including public libraries, to allow those with disabilities to bring their service animals into all areas of the facility where patrons are normally allowed to go, and for employees who require service animals, in any area of the library where it is safe for the service animal to go.

How Do We Know If It's Really a Service Animal?

Many library trustees and staff members have questions about how to determine whether an animal is truly a service animal. The ADA generally defines service animals as dogs, but does allow for miniature ponies under specific conditions. Library staff can ask if dogs or miniature ponies brought into the library are service animals. If the answer is yes, then the animal must be allowed into all areas of the facility where the patrons is allowed.

What Proof Can Libraries Require That an Animal Really Is a Service Animal?

In a word, none. Libraries cannot require patrons accompanied by service animals to provide documentation, such as special ID cards or proof of certification. Nor can libraries ask about the specific nature of a patron or employee's disability which require assistance. 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?

What About Patrons/Employees Who Are Afraid Of/Allergic To Dogs or Horses?

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" these patrons or employees. However, in cases in which a person's allergy is so severe that respiratory distress results from contact, the allergic person may also request an accommodation, such as keeping the animal and the allergic person in separate areas of the library inasmuch as is possible.

...But the Service Animal Is Behaving Aggressively!

Patrons/employees accompanied by service animals should retain full control of the animal. This generally means that the animal is on leash, in a carrier, or otherwise in the direct control of its owner and is well-behaved (e.g., no jumping, snarling, nipping, excessive barking). If a service animal behaves inappropriately repeatedly, the patron/employee may be asked not bring the animal into common areas of the library until steps have been taken to mitigate the behavior (such as refresher training). In instances where the animal's behavior poses a significant threat to patrons or employees, the patron/employee may be required to remove the animal from the library altogether.

Do We Need a Service Animals Policy?

The protections provided by the ADA take priority over local and state laws and regulations, including any policies that libraries may enact about animals in the library. However, adopting a policy that acknowledges the library's legal obligation to the ADA and explains to staff and patrons how and why the library accommodates those who require service animals can make the library more welcoming to those with disabilities and their service animals. A sample Service Animals policy, along with many other library policies, is [available on the KDLA website](#).

This Trustee Tip Is Not Legal Advice. If You Feel You Need Legal Advice, Please Consult an Attorney.