

## **Service Animal Policy**

The Homer Township Public Library strives to provide a safe and welcoming environment for our Library patrons. In compliance for the Federal Americans with Disabilities Act (ADA), the Library welcomes service animals accompanied by their handlers. The Library prohibits all other pets and other animals from entering the Library, with the exception of service dogs, service miniature horses, or animals featured in programs sponsored by the Homer Township Public Library.

### **Definition**

The legal definition of a service animal as provided by the United States Department of Justice is as follows:

#### **Service Animals/Dogs**

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

#### **Miniature Horses**

In addition to the provisions about service dogs, the Department's ADA regulations have a separate provision about 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.) Entities covered by the ADA must modify their policies to permit miniature horses where reasonable. The regulations set out four assessment factors to assist entities in determining whether miniature horses can be accommodated in their facility. The assessment factors are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

#### **Service Animals – in – Training**

Under the ADA, the service animal must already be trained before it can be taken into public places.

#### **Emotional Support Animals**

The ADA does not consider animals whose sole function is to provide comfort or emotional support to be qualified service animals. Comfort and emotional support animals are not allowed in the Library.

#### **Guidelines**

- Handlers may bring their service animals into areas of the library where the public are normally allowed.
- A service animal must be under the control of its handler. Under the ADA, service animals must be harnessed, leashed, or tethered, unless the individual's disability prevents using these devices or these devices interfere with the service animal's safe, effective performance of tasks. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
- Allergies and fear of dogs/animals are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog/animal dander and a person who uses a service animal must spend time in the same location, they both should be accommodated by assigning them, if possible, to different locations within the library.
- A person with a disability cannot be asked to remove his service animal from the premises unless:
  - (1) the animal is out of control and the handler does not take effective action to control it or
  - (2) the animal is not housebroken.

When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

- People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals.
- Staff are not required to provide care for or supervision of a service animal. The handler is responsible for caring for and supervising the service animal, which includes toileting, feeding, and grooming and veterinary care.
- In situations where it is not obvious that the dog/animal is a service animal, staff may ask only two specific questions:
  - (1) is the dog/animal a service animal required because of a disability? and
  - (2) what work or task has the dog/animal been trained to perform?

Staff are not allowed to request any documentation for the dog/animal, require that the dog/animal demonstrate its task, or inquire about the nature of the person's disability.

## **Compliance**

This policy is intended to align with the Americans with Disabilities Act (ADA) and related federal, state, and local laws. In the event of any conflict between this policy and current or future provisions of the ADA or other applicable laws, those laws shall take precedence and override any conflicting parts of this policy.