



Policy on Service Animals

All patrons are entitled to equal access to our facility and services. For those with disabilities, the ability to function in public may depend upon being accompanied by a service animal. The law protects the rights of those individuals to fully participate in public life with their service animals with them. The Civil Rights Bureau of the Attorney General's office has provided guidelines to help everyone understand service animals and the necessary accommodations.

While the library does not permit pets in our facility, a service animal is a working animal, not a pet. **The American with Disabilities Act (ADA) defines a service animal as "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability".** Dogs that satisfy this definition are considered service animals regardless of whether they have been licensed or certified by a state or local government, or any other entity.

Under the ADA, New York and all applicable law, businesses and facilities that serve the public may not discriminate against individuals with disabilities. In addition, they must permit service animals in all areas of the facility. We may not impose any fees but may charge a fee if a service animal causes damage as long as we charge the same fee to nondisabled patrons for the same damage. We are not responsible for the care or supervision of a service animal and are not required to provide food or a special location.

Documentation is not required. We cannot ask any information about the person's disability and may not demand proof that the animal is certified. However, if it is not readily apparent that a dog is a service animal, we may only ask (1) if the animal is required because of a disability, and (2) what work the animal has been trained to perform. Although it may be tempting to undertake more aggressive questions, these are the only questions that are permitted. A supervisor should ask these questions if the need arises. Please contact the supervisor in charge should a situation arise where these questions need to be posed to a patron.

Only in very limited circumstances may a service animal be excluded, such as if the animal is out of control or not housebroken and the animal's handler does not control it. The ADA requires that service animals be under the control of the handler at all times. In most instances, the

handler will be the individual with a disability or a third party who accompanies the individual with a disability. The service animal must be harnessed, leashed, or tethered while in public places unless these devices interfere with the service animal's work or the person's disability prevents use of these devices. In that case, the person must use voice, signal, or other effective means to maintain control of the animal. For example, a person who uses a wheelchair may use a long, retractable leash to allow her service animal to pick up or retrieve items. They may not allow the dog to wander away from her and must maintain control of the dog, even if it is retrieving an item at a distance from her. Or, a returning veteran who has PTSD and has great difficulty entering unfamiliar spaces may have a dog that is trained to enter a space, check to see that no threats are there, and come back and signal that it is safe to enter. The dog must be off leash to do its job, but may be leashed at other times. Under control also means that a service animal should not be allowed to bark repeatedly in a lecture hall, theater, library, or other quiet place. However, if a dog barks just once, or barks because someone has provoked it, this would not mean that the dog is out of control.

If that is the situation, please contact the supervisor in charge to handle speaking to the patron. Cameras are in place for the safety of employees and patrons alike and may capture such behavior.