

Service Animal Policy

Drake Community Library strives to provide a safe and welcoming environment for everyone. In accordance with the Americans with Disabilities Act (ADA), service animals are allowed to accompany their handlers anywhere individuals with disabilities are allowed to enter. Service animals are defined under the Americans with Disabilities Act as being trained to do work or perform tasks for the benefit of a person with a disability. Pets, therapy dogs, and emotional support animals are not considered service animals under the ADA.

Only service animals are allowed in the library

- Pets, therapy animals, and comfort animals are not allowed in the library
- Animals in carriers are not allowed in the library
- Animals in bags or purses are not allowed in the library

“Service animal” defined:

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. (ADA Requirements: Service Animals. https://www.ada.gov/service_animals_2010.htm)

In addition to the provisions about service dogs, the Department’s revised ADA regulations have a new, 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. (ADA Requirements: Service Animals.

https://www.ada.gov/service_animals_2010.htm)

Asking about service animals

If the service an animal provides is not obvious, library staff are allowed to ask these two questions:

1. Is the animal a service animal required because of a disability?
2. What work or task has the animal been trained to perform?

Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the animal, or ask that the animal demonstrate its ability to perform the work or task. (ADA Requirements: Service Animals.

https://www.ada.gov/service_animals_2010.htm)

Until library staff knows a patron with a service animal, staff should be asking the above questions to **any** patron that brings in an animal. To help prevent patrons from feeling interrogated and unwelcome, staff should begin questions with a disclaimer to the effect of, "I apologize for the inconvenience, but we want to make sure service animals are able to do their job without interference from untrained animals. You may be asked these questions until our staff get to know you and your service animal".

When may a patron be asked to leave with an animal?

Patrons will be asked to leave the library if any of the following are true (they are welcome back without their animal):

- The animal is not a service animal
- Therapy animals, comfort animals, and emotional support animals are not recognized as service animals under the ADA
- The service animal is "out of control and the handler does not take effective action to control it." (ADA Requirements: Service Animals.

https://www.ada.gov/service_animals_2010.htm)

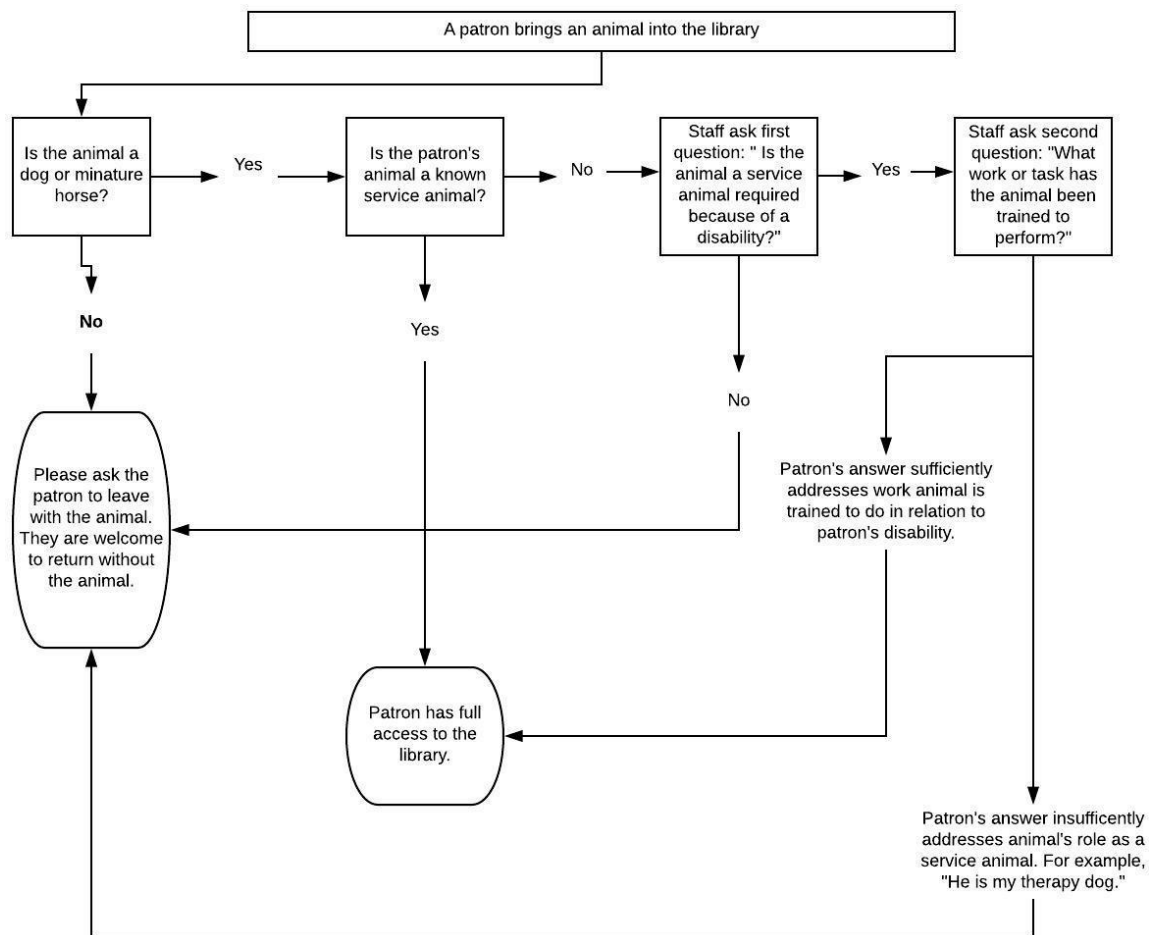
- The service animal “is not housebroken.” (ADA Requirements: Service Animals. https://www.ada.gov/service_animals_2010.htm)

Library programming exceptions

The Library may choose to host programs that include the presence of an animal or multiple animals. Examples include, but are not limited to, trained reading therapy dogs, visits from professional animal handlers, and naturalist programs. These programs will follow these guidelines:

- Each program will have a clearly defined day and time, which will be advertised in advance
- The animal(s) will remain in the advertised programming space
- A trained handler will accompany the animal(s) at all times

Flowchart for easy reference of this policy



Adopted:08/2022