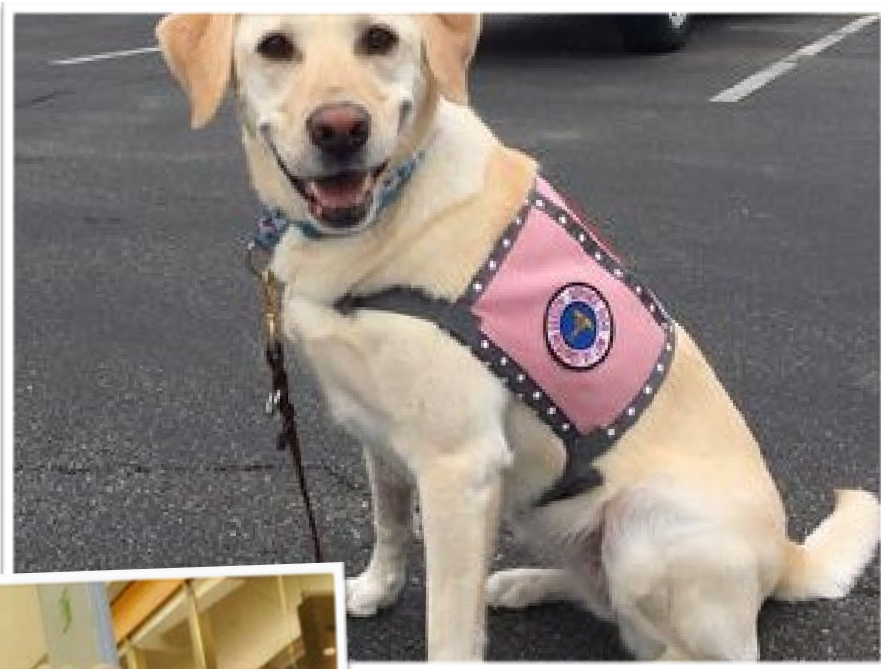


Service Dogs

And The ADA



Service Dogs

ADA definition of a service animal: *Service animal* means 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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Miniature horses. (i) A public accommodation shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

Identification, registration, certification:

3 controversial and easily misunderstood terms.

ID what is it? It is anything that identifies you and/or your dog as a service dog or you as an individual with a disability. Or it could be a piece of identification that has been created or purchased for the purpose of identifying you and/or your service dog as a team. There are no rights of access that accompany this ID card. It is simply for your comfort or informational purposes only.



The right for a service dog to accompany their handler is protected by U.S. Federal ADA law. This federal law is applicable in every state.

The Americans with Disabilities Act (ADA) guarantees individuals with disabilities the right to use a service dog in all areas open to the general public.

In accordance with the ADA, businesses may ask:

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

However, business may NOT:

1. Require special identification or certification for the dog (there is no official registration or certification for service animals in the United States);
2. Ask about the handler's disability;
3. Charge additional fees because of the dog;
4. Refuse admittance, isolate, segregate, or treat the handler less favorably than other patrons. Some states may have fines or criminal punishments to refuse or otherwise bar entry for a service dog team.

For more information, contact the U.S. ADA Hotline at 1-800-514-0301
https://www.ada.gov/service_animals_2010.htm

Good Information Card

SERVICE DOGS ARE PROTECTED BY THE AMERICANS WITH DISABILITIES ACT.

SERVICE DOGS

- are allowed in businesses, stores, hospitals, restaurants.
- are trained with special tasks to help a disabled person
- are always under control of their human
- are not to be disturbed by the public in any way

BUSINESSES MAY ASK

- is this dog trained to help with a disability?
- what tasks does it do?

Call the ADA on 800-514-0301 for information about the rights of service dogs and their handlers

Sp Adobe Spark

SERVICE DOG 🐾

In situations where it is not obvious that the dog is a service animal, staff may only ask two specific questions:

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

Staff are not allowed to:

- Ask about a person's disability
- Request an ID card or Certification
- Require medical documentation
- Require the dog to demonstrate tasks
- Refuse admittance or segregate
- Exclude due to allergies or fear for dogs
- Charge extra fees or deposits

Service dogs are protected under the Americans with Disabilities Act (ADA), www.ADA.gov 800-514-0301
Add'l protection provided under State Civil Rights Laws

Incorrect Information Cards

Registration: Again, is this something that the jurisdiction in which you live requires that you obtain as a dog owner? Check your local rules, regulations, statutes, ordinances, or laws.

Certification: There is no governmental agency in the USA that requires or recognizes a certificate for a service dog. However, there are graduation certificates for some programs that are given as recognition of completion of that program. This does not convey any rights of access for that graduate.

THE TWO QUESTIONS!

What may a business/gatekeeper ask: When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog 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 dog, or ask that the dog demonstrate its ability to perform the work or task. (We are not circus acts!)

ETIQUETTE

- ▶ Please do not pet the service dog
- ▶ Please do not whistle or make kissy noisy as the team walks by
- ▶ Please do not throw food at the service dog
- ▶ When you approach the team, speak to the handler
- ▶ Do not stare at the dog
- ▶ If you have a dog, make sure you do not let your dog stare or otherwise attempt to interact, lunge, or exhibit inappropriate behavior towards the service dog
- ▶ If you think the service dog is acting inappropriately, do NOT approach the handler, instead speak to the gatekeeper. You are NOT the service dog police. If you feel threatened by that team, and there is no person in authority available, call 911. Do not attempt to “fix” the problem yourself. It will only escalate the situation. (This is advice for the team as well.)

Questions, Answers and Interactive Participation:

I have an assistant here today to help me with some scenarios that we will present that many of our handlers face day to day and we will help you, as potential ADA Coordinators, gatekeepers, and handlers work through how to handle these situations. This is real life! At the end, we will cover how and when to file a complaint and with what agency!

Scenario # 1: You are a fairly new team with a yellow lab as your service dog. You walk into your doctor's office as you have done many times before and the brand new receptionist says (rather loudly) NO DOGS allowed in this office, can you not read the sign posted on the door! You stand there in total shock and humiliation (the office waiting room is full) and quickly walk up to the front desk and as quietly as you can, explain to her that this is your service dog. She is having none of it. She stands up, walks around and points to the door, and tells you that you have to wait in the hallway until you are called for your appointment. What do you do?

Scenario #2: You are a gatekeeper and a handler with a service dog is in your store and you catch this team posing their service dog on shelves and furniture for pictures. The dog is off leash, at least 10-15' away from the handler, and in one posed picture, the service dog vest has been removed from the service dog.

What do you, as the gatekeeper do? Is this allowed in place of public accommodation?

As a handler, should you be doing this as good ambassador for the community.

(The service dog should be under the control of the handler at all times)

Scenario #3 You are the gatekeeper at a large box store and someone comes to your office to report a misbehaving dog that is not wearing a vest. The dog is barking at customers in the store. You approach the team and observe the situation for a few moments to determine whether or not it warrants intervention and decide that it does. You call the front door gatekeeper to determine whether or not the two questions were asked and find out that yes, they were and were answered correctly. You approach the handler and pull them aside to talk to them. You query them as to the issue; such as was the dog provoked, why is it barking, etc. The handler says that there was child poking at the dog and the customer tried to tell the child to stop and the parent got involved and it escalated. Since there is surveillance cameras in the store, the manager takes the customer with the “dog” into the office to calm the situation down.

What happens from here? Let’s walk through this.

What are you thoughts on how to handle this scenario?

Scenario #4: You are in a grocery store and run into another team. The dog lunges at your service dog and the handler is unable to control their dog and bites your service dog in the neck. The handler grabs their dog and runs out of the store. At this point, it is not clear if the other dog is 1) a service dog and 2) has current vaccinations.

What do you do?

The first thing you do is call 911. The second thing you do is find a manager or gatekeeper to assist you. The third thing you do is make sure your dog is ok. Check for injuries and isolate yourself and your dog from any customers.

Resources

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

https://www.ada.gov/regs2010/service_animal_qa.html

<https://www.ada.gov/>

How & Where to file a complaint

<https://adata.org/federal-agencies>

https://adata.org/legal_brief/legal-brief-service-animals-and-individuals-disabilities-under-americans-disabilities

<https://www.animallaw.info/topic/table-state-assistance-animal-laws>

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