

A close-up profile of a German Shepherd dog's head and neck. The dog has tan and black fur, alert ears, and its pink tongue is slightly out. It is wearing a dark grey service vest with a prominent red tag that says "SERVICE" in bold black letters. The background is a blurred outdoor setting.

WHAT YOU NEED TO KNOW ABOUT SERVICE DOGS

By Don Moore

Remember a time at Central Park Zoo in New York, N.Y., when a lady with two iguanas on her head tried to enter the Zoo, saying that her lizards were “service animals” that helped her with emotional issues. And they were cute. But they were iguanas. Other zoos have had similar experiences, although maybe not as extreme, and recently we have heard questions about service animal access to zoos and aquariums. Iguanas are not service animals.

In the 1970s, zoos and other public facilities were required to improve access, and the Americans with Disabilities Act of the 1990s further refined accessibility requirements when “The ADA define(d) a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.” Most service animals were highly-trained “seeing-eye” dogs that assisted visually-impaired or blind people, and would probably not create a sanitary problem or nuisance, so were required to be allowed into public facilities. Since then, however, a variety of species were characterized by owners as service animals – including monkeys, horses, pigs, rodents, birds, snakes and lizards. Animals that simply provided emotional comfort to their owners were characterized as “service animals.” This proliferation of “service animals” posed obvious problems for many aquariums, zoos and other public places in terms of safety, sanitation, and disturbance of collection animals or guests.

So the Department of Justice recently reconsidered this issue and ruled that, as of March 2011, a service animal is a dog that is “individually trained to do work or perform tasks for the benefit of an individual with a disability” (sometimes miniature horses are appropriate, see below). Work tasks must be directly related to the person’s disability and are very varied. Tasks include assisting people who are visually-impaired or blind, alerting people who are deaf, pulling a wheelchair, alerting/protecting a person who is having a seizure, reminding a person with mental illness to take medications, calming a person with post-traumatic stress disorder (PTSD) during anxiety attacks, providing balance or other duties.

Businesses like zoos and aquariums that serve the public, and state and local governments, must permit service dogs to accompany people with disabilities in all areas where members of the public are allowed. Companion dogs, therapy dogs and comfort dogs are not service dogs. AZA Accreditation Standard section 12 begins: “All United States institutions should comply with the Americans with Disabilities Act”. This means that service dogs must be permitted at your zoo or aquarium, and people with disabilities that use service dogs may not be isolated from other patrons without cause.

Service dogs are working animals, not pets. The ADA requires you to modify your “no pets” policy to allow the use of a service animal by a person with a disability. This does not mean you abandon your “no pets” policy, but simply that you must make a service dog exception to your general rules.

Some, not all, service dogs wear special collars or harnesses/ vests. But “service dog” vests are easily purchased on EBay then placed on any animal. Some, not all, service animals are certified and have identification papers. But a person going to a restaurant or theater may be from out of town, and is probably not carrying documentation about his or her medical condition or disability.

Therefore, documentation generally may not be required as a condition for providing service to a person with a service animal. That is, you may not insist on proof of state certification before permitting a service dog to accompany a person with a disability. There is no national certification.

If it is apparent that a dog is a service animal, you should not ask questions about it. If you are uncertain that a dog is a service animal, you may ask the person with the animal if it is a service animal. Only two questions may be asked, and they should be asked only once when the person is in your facility:

“Is the dog a service animal required because of a disability?”

“What work or task has the dog been trained to perform?”

A general answer like “this is my emotional support animal” is not acceptable. An alternative like “this dog is trained to alert me to on-coming seizures” is appropriate.

A few years ago I attended a symposium for individuals with service dogs. During an “open microphone” session, I introduced myself and asked if there was anything zoos and aquariums could do to help improve the guest experience for people with service animals. Overwhelmingly, the biggest issue they reported was the constant questioning by staff member after staff member throughout the visit to validate the dog’s credentials. It is understandable how this could quickly become an annoyance, and it is something that we, as institutions, can easily resolve. When a service dog is identified entering the institution, it might be appropriate to provide the owner with some sort of identifying item (a sticker, a button, etc.) that staff recognize and look for to make certain the service animal has already been “cleared.” Another method would be to have a radio-all protocol or some other non-public notification to notify staff that a service dog is in your facility. The owner will appreciate your staff’s caring support, and the fact that they aren’t being asked to verify the dog’s status numerous times throughout their visit. Your facility might also consider some locations where service dogs can relieve themselves.

Service dogs need to be under control. Under the ADA, service dogs must be harnessed, leashed, or tethered, unless these techniques interfere with the dog’s work or the person’s disability prevents using these. In this case, the person must maintain control of the dog through voice, signal, or other effective controls. I recently met a variety of working service dogs, and they were all under excellent control. Every owner made one point – their service dogs are so highly trained that they agreed any out-of-control service animal should be asked to leave your facility. You cannot ask a person with a disability to remove their service dog from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken.

What if a service dog barks or growls at other people, or simply acts out of control? You may exclude any service animal from your zoo when the animal’s behavior poses a direct threat to the safety or health of others. Certainly any service animal that displays vicious behavior towards people may be excluded. You cannot make assumptions, though, about how a particular dog is likely to behave based on your past experience with other dogs or breeds. Each situation must be considered individually. When there is a legitimate reason to ask for a service dog to be removed, staff must offer the person with the disability the opportunity to obtain the same

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services without the animal's presence. If a person doesn't correct a threatening dog situation, you can ask him to leave.

People with disabilities who use service dogs cannot be isolated from other guests, treated less favorably than other guests, or charged fees that are not charged to guests without dogs. And if any business requires a deposit or fee to be paid by guests with pets, it must waive the charge for service animals.

The care or supervision of a service dog is solely the responsibility of their owner. Your zoo is not required to provide care, food or a special location for service dogs. Since precedents have been set in excluding service dogs from food service prep areas or hospital operating rooms where the dogs' presence may compromise sterile environments, it is also appropriate to exclude a service dog from a delicate animal area where the dog's presence could affect the safety and health of collection animals. Every owner I have spoken to has said they understand this issue in a zoo environment.

Horses? In addition to the provisions about service dogs, the revised ADA regulations have a new, separate provision about miniature horses that have been trained to do work or perform tasks for people with disabilities. Facilities covered by ADA must modify policies to permit miniature horses where reasonable. Horses were added for people who are allergic to dogs and for people in religious sects for which dogs are considered dirty animals. some

people like horses for their longer lifespan. The regulations have four assessment factors to assist in determining whether miniature horses can be accommodated in a facility: (1) is the miniature horse housebroken?; (2) is the miniature horse under the owner's control?; (3) Can the facility accommodate the miniature horse's type, size, and weight; and (4) Will the miniature horse's presence compromise legitimate safety requirements necessary for safe operation of the facility?

ADA sometimes provides greater protection than certain state and local codes, for instance ones permitting only "guide dogs for the blind", and ADA always takes priority over those codes. *

Need more? The rule: www.ada.gov/service_animals_2010.htm
 FAQs: www.ada.gov/qasrv.htm

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**Some states, like Ohio (monkeys) and California (service dogs in training) have more liberal allowances.*

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