



## Where Can Service Animals Go?

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In addition to performing helpful tasks, service dogs offer unconditional love and opportunities for social interaction.

Service animals can change lives. My daughter, Melanie, who's had service dogs for years, comments that beyond the many helpful tasks they perform and the unconditional love they provide, they open up opportunities for social interaction. While some individuals are reluctant to approach a person in a wheelchair or with another disability, they won't hesitate to ask about a service dog. And so, the ice is broken.

Another example. While we were training Melanie's service dog at [Canine Companions for Independence](#), we met a family whose teenage son had autism. At first, the boy was unfocused and remote, but as he spent more time with the dog being readied for him, he began rubbing and brushing it. The animal responded, and in a few days, the two had bonded. In the meantime, the boy's demeanor subtly changed as he became increasingly centered on the dog. His parents became emotional, anticipating that as his behavior continued to change, they'd be able to participate more in the community as a family.

In addition to the tasks they perform for the owner, service dogs can be an invaluable way to learn responsibility, gain focus and improve social inclusion. In recognition of the benefits they provide, there are many legal protections in place that enable these animals to accompany individuals with disabilities throughout their daily activities.

### Different Roles

First, it's important to differentiate among the support roles that animals can play and the varying rights that their owners have with regard to them.

**Service Animal** – Must be a *dog* trained to perform specific tasks related to an individual's disability.

**Assistance Animal** – May provide both services and emotional support. Need not be a dog.

**Emotional Support Animal** – Relieves emotional symptoms of a specific individual's disability. No special training required. Need not be a dog.

**Therapy Animal** – Taught to ease emotional symptoms of individuals besides the handler, who does not have a disability. Only allowed in hospitals, nursing homes, libraries and other facilities by prior agreement.

If an individual has a medically documented need for more than one service, assistance or emotional support animal, multiple animals may accompany the individual, as explained below.

### **Public Access and Transportation**

The Americans with Disabilities Act (ADA) stipulates that individuals with disabilities are entitled to broad public access for their *service dogs*. Unless there is a legitimate safety concern, the animals are allowed to accompany their handlers to stores, restaurants, buses—any place open to the public. Private transportation providers face similar requirements under other legislation. Airlines must allow *service animals and emotional support animals* to accompany their handlers in the plane’s cabin.

Service dog Turk goes formal as he accompanies Melanie to a cousin’s wedding.

No prior notification is required and, with the exception of airlines, which may request written assurances, no documentation is needed. Individuals and their dogs may not be required to sit in special sections or charged additional fees. Others are permitted to ask only if the animal provides disability-related assistance and what it is trained to perform.

The handler must ensure that the animal is under control, with a leash or harness, and well groomed. The owner is also responsible for any damage or mess created by the animal.

### **Housing**

The Fair Housing Act requires that *service animals and assistance animals* must be allowed to live with their handlers, regardless of pet policies. Animals should be able to accompany them to all general access areas of a residential complex, unless that would impose “undue financial and administrative burden or would fundamentally alter the nature of the housing provider’s services.” Handlers cannot be charged pet deposits.

Owners must first, however, request accommodation from the housing provider and if their disability is not apparent, submit appropriate documentation about the disability-related needs that the animal fulfills. No limitations regarding breed, size or weight may be applied by the housing provider. Rather, the conduct of the specific animal in question must be cited if there are concerns about the health and safety of other residents.

### **Education**

*Service animals* must be allowed in K-12 public schools. An *emotional support animal* must be permitted if called for in the child's IEP (Individualized Education Plan).

Colleges and universities are required to permit attendees to bring their *service animals* to all areas open to either the public or students. Many post-secondary schools have adopted similar policies for *emotional support animals*, as well.

Colleges and universities may ask individuals to register with a disability services coordinator, but they cannot require documentation regarding animals' training.

## **Employment**

Employers are required to provide reasonable accommodation to employees with disabilities and, in most cases, that includes allowing a *service or emotional support animal* to accompany them. Applicants must provide documentation about how the animal would assist them in performing their work and how it's trained to behave in such surroundings. Accommodation may be denied if it's determined that it would create undue hardship or a direct threat. Job applicants may want to suggest a trial period during which they bring the animal to work.

## **Hospitals**

In hospitals and other medical facilities, *service animals* must be permitted wherever the public is allowed. Areas where there are concerns regarding sterility, such as surgical rooms, are excepted. It's not valid to exclude service animals by claiming that hospital staff can offer similar services.

## **Exceptions**

ADA specifically exempts private clubs and places of worship, such as churches, temples, synagogues and mosques from all regulations with regard to service, assistance and emotional support animals.

## **Filing Complaints**

Under federal law, each state has established Protection and Advocacy organizations tasked with defending the rights of individuals with disabilities. If you feel that you or a family member have been discriminated against regarding a service or emotional support animal, such organizations will investigate the problem and seek remedies. You also have the option of filing a lawsuit.

Very special relationships develop between these animals and those they serve. Understanding your rights is important to fully benefit from the value that they can provide.

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