This Issue Highlights
Service Animals and Persons with Disabilities

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NEADS (Dogs for Deaf and Disabled Americans) fall 2000 graduating class, featuring service dog Ali and her classmates. Photo by Winn Handy.
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The Regional Advisory Board meets twice a year. The members’ input and commitment greatly assists DBTAC – New England ADA Center in its mission.

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Letter from the Editor

This summer, on July 26, we will celebrate the seventeenth anniversary of the signing of the Americans with Disabilities Act. In this edition of Access New England, we focus on an important provision of this landmark civil rights legislation: service animals.

As the owner of a service dog (my Golden Retriever, Ali—featured on the cover, in her Fall 2000 NEADS graduation photo—can you guess which one she is?), this is an issue very close to my heart and few could truly deny the many ways service animals can enhance the lives of individuals with disabilities. Even so, the specifics regarding the different laws that have service animal provisions often remain a mystery. We hope to remedy some of that with the features and information included in these pages.

Some of the most frequent calls we receive at DBTAC—New England ADA Center are about service animals. Whether from restaurant owners, taxi drivers, movie theater personnel, housing authorities or individuals with disabilities, many people are still asking the important questions: What is the definition of a “service animal”? Where are they allowed to go? Can I ask for certification? How would I recognize a service animal? What questions can I ask the owner/ handler? What about animals in housing? You can read answers to some of the most common inquiries about service animals and the ADA in our “Frequently Asked Questions” section on page 8.

Without a doubt, one of the areas where the most confusion and even controversy remains, concerns the differences between the ADA and its specific requirement of “task training” and the more “flexible” Fair Housing Amendments Act of 1988 (FHAA) which uses the term “assistive animal.” The FHAA can include any animal, trained or not, certified or not, that is needed by an individual with a disability to achieve successful tenancy. In our feature, “A Different Animal,” you can read about how the ADA and the FHAA came into play for Sarah Sevick, a college student in Texas, when she tried to bring her ferret, Lilly, to campus. It’s a story that will help shed light on the important distinctions between these two laws. (For further clarification on how assistive animals are covered under the FHAA, you can call Fair Housing Accessibility FIRST at 888-341-7781).

When discussing service animals, it is always important to note that not every animal that assists a person with a disability will meet the specific definition found in the ADA and not every law has the same provisions. In our “Service Animals and Federal Laws” feature you can read an excellent summary of the various laws and definitions concerning “service” and “companion” animals written by J. Aaron McCullough of the DBTAC—Southwest ADA Center on page 10. Don’t miss it! Our “Great Websites” and “Publications” (pages 12 and 9) have numerous resources and links that will help unravel the legal maze. Please be sure to check them out!

We hope this edition of our newsletter will clarify some of the confusion surrounding service animals and the different laws that make provisions for them. We have included some great photos that we hope you will enjoy, as well. As always, if you have any questions about service animals and the ADA (or any other ADA issue), please don’t hesitate to contact us. Your calls and questions are always most welcome.

Happy reading!
Karen

Pawsprint: On the cover photo, Ali can be found in the second row from the top, second dog from the right.
A Different Animal

Perhaps the greatest area of confusion and even controversy regarding persons with disabilities and the animals that assist them, concerns the differences between "service animals" and "companion animals." The ADA has provisions for only the former, the Fair Housing Amendments Act will allow either type in specific circumstances. Last fall, The Chronicle of Higher Education examined the sometimes difficult distinctions between the two laws as they pertain to this issue. In its October 13, 2006 issue, Kelly Field reported on the struggles of Sarah B. Sevick and her ferret, Lilly, which Ms. Sevick considers to be a service animal. The story highlights the ongoing struggle that many still encounter when trying to understand the various laws.

The Chronicle feature reports that Ms. Sevick considers her ferret to be no less legitimate than a guide dog even though the support Lilly provides is emotional, rather than physical. Ms. Sevick believes that this distinction should not change her status under the law.

Ms. Sevick has been diagnosed with anxiety and depression. Ms. Field reports that Ms. Sevick was surprised when administrators at Our Lady of the Lake University in Texas told her she could not bring Lilly to the campus because the ferret did not qualify as a service animal. She was convinced the college was wrong and filed a complaint with the U.S. Department of Justice in August, 2005, asking that the administrators' decision be overturned. The response, received in December of last year, stated that staff had reviewed her case and decided not to take any action.

After the complaint was filed, college officials declined to comment, citing respect for Ms. Sevick's privacy, but a spokeswoman said the college was "following the law" in how it describes a service animal. The ADA defines a service animal as "any guide dog, signal dog, or other animal individually trained to do work or perform tasks for an individual with a disability."

Ms. Field quotes Susan A. Schleicher, Chief Communications Officer for the university, as saying, "If we have an animal that has been prescribed as part of a treatment plan and trained in accordance with the law, then we will make every accommodation we can."

The Chronicle of Higher Education article illustrates that the battle between Sarah Sevick and Our Lady of the Lake University is not unusual. Across the country, a growing number of students are seeking permission to bring "psychiatric service" animals into college classrooms and dormitories. The students say the animals, which range from cats and dogs to snakes, rats, and even tarantulas, help them cope with the stress of college life.

Many colleges are grappling with how to distinguish a student with a true need from one who simply does not want to be separated from his or her beloved pet.

The Chronicle reports that many colleges fear that if they allow one ferret, it will only be a matter of time before their campuses become petting zoos.

Jane E. Jarow, president of Disability Access Information and Support, an organization that helps colleges meet disability standards, told The Chronicle, "The single biggest concern on the part of institutions would be setting a precedent. They worry that if they say yes to this one, they won't be able to say no to the next one."

A Different Animal: Unusual Requests

Ms. Field reports that while most colleges say they know how to handle requests for traditional service animals, such as service dogs for those with physical disabilities and guide dogs for the blind, the idea of
service animals for the mentally ill is so new that even disability advocates have not yet settled on what to call them. Some advocates label them “companion animals” or “comfort animals,” others refer to them as “emotional-support animals.”

Joan G. Esnayra, a geneticist who has bipolar disorder, spoke to Ms. Field at The Chronicle and said she prefers to call them “psychiatric service” animals, so as to distinguish the benefits they provide from the kind of emotional support everybody gets from their pets. She said she chose the word psychiatric over psychologic, to emphasize the severity of the handlers’ psychiatric conditions.

Ms. Esnayra is the founder and president of the Psychiatric Service Dog Society. She maintains that psychiatric service animals can “do work” for their owners, as the ADA stipulates and may be trained to perform actual tasks for them, but notes that often the assistance is a passive function. It is these “passive” functions that are potentially in conflict with the ADA’s definition of service animal.

Ms. Esnayra told The Chronicle that she believes that animals need not perform tasks to qualify under the ADA. She argues that the interactions between a handler and animal can be “intrinsically therapeutic.”

That position has put her in conflict with a coalition of traditional service-dog users: the Coalition of Assistance Dog Organizations (CADO) points out that the U.S. Department of Justice clearly interprets service animal as one that has been individually trained to do work or perform tasks for an individual with a disability. CADO says this task training is “the litmus test of legitimacy.” Without it, the animal does not meet the definition of service animal and therefore the owner does not have rights under the ADA to bring them into places of public accommodation. The Chronicle reports that CADO also says the legal definition of “service animal” has been misunderstood or deliberately exploited by pet owners and protection-dog trainers, and the group has urged the Department of Justice to revise its ADA regulations to explicitly exclude animals that provide only “comfort, protection, or personal defense.” The proposed definition would also replace the phrase “do work or perform tasks” with “perform physical tasks.”

Sheila Styron, a spokeswoman for CADO and president of Guide Dog Users, Inc., told The Chronicle that her group is trying to fortify the law against abuses that threaten to undermine public tolerance of service animals. Ms. Styron, who is blind and works with a guide dog, added that she was recently questioned at an airport after another passenger attempted to pass off a bowl of goldfish as service animals.

“People with disabilities have worked long and hard to gain their public-access rights, and they get upset when they feel that people are cheapening the progress that they have made,” she told Ms. Field.

(Continued on page 4)
FEATURE STORY (CONTINUED)

New Hampshire's Service Dog Community

Courts Create Confusion

The Chronicle reports that with only one exception, the courts have backed Ms. Styron's interpretation of the law, ruling that the ADA and the Fair Housing Amendments Act — which prohibits discrimination in housing — apply to animals that perform tasks, not to those that provide comfort and companionship only.

However, the Chronicle reports that administrative judges at the U.S. Department of Housing and Urban Development have said that an animal does not have to perform tasks or be trained, either professionally or by the person with a disability, or be certified by any association, under the Fair Housing Amendments Act. In a landmark case, decided in 1994, the judge ordered an apartment complex to waive its no-pets rule for a woman with depression:

"In effect, the dog gives...the same freedom that a wheelchair provides a physically disabled person," the judge wrote.

The Chronicle article reports that those conflicting rulings have created confusion for colleges, which are subject to the ADA campus wide and the Fair Housing Amendments Act in their residence halls. This means that under the Fair Housing Amendments Act colleges are required to allow companion or emotional support animals in the dormitories of resident students with disabilities, unless doing so would cause an undue financial or administrative burden, or fundamentally alter the nature of the housing.

J. Aaron McCullough, a legal expert with the Disability Law Resource Project, which provides training and technical assistance on complying with the ADA, counsels colleges to rely on the law's definition of service animal, which "thoroughly precludes coverage" for animals that provide comfort only.

"A companion animal is just a euphemism for a pet," he says.

But Ms. Jarrow, the disability consultant, told Ms. Field at The Chronicle that she reminds colleges that the ADA "sets a floor, not a ceiling." Just because colleges are not required to accommodate emotional support animal in the classroom, does not mean they are prohibited from doing so.

"The fear of opening the floodgates should not keep you from making an accommodation under reasonable circumstances," she said, urging administrators to consider requests on a case-by-case basis. The Chronicle reports that experts suggest colleges consider whether the animal was prescribed by a psychologist, and whether it performs tasks and really does alleviate the effects of the impairment," as required by the ADA. They urge universities to develop policies that clearly differentiate between service animals and emotional-support animals.

Source: To read the original article, go to www.chronicle.com (registration required)
From the ADA Center

New England Council
More than 220 Council members participated in the New England Council's annual Washington, DC meeting held March 7-8. A White House Briefing was held where council members were addressed by Elaine Chao, US Secretary of Labor, Rob Portman Director, Office of Management and Budget and Joel Kaplan, White House Deputy of Staff for Policy.


Massachusetts Building Congress
The Massachusetts Building Congress brought together the real estate, design and construction industries to welcome the Governor and convey the community impact these industries have in Massachusetts. The Governor spoke about plans for investing in our neglected infrastructure, affordable housing, green technology, and keeping and attracting businesses to Massachusetts. "There has been more going on than decorating and buying a car in this administration", Governor Patrick said with a sense of self-deprecating humor.

Transitions and New Beginnings
In June 2006, the New England ADA Center said goodbye to Information Specialist, Will Miller. For two years Will was a knowledgeable, trusted and friendly voice providing technical assistance on the ADA and information technology. Will has returned home to North Carolina to attend Wake Forest University where he is studying for his law degree. We miss Will and wish him the very best!

Stepping into the role of ADA information specialist is Ana Julian. Born in Columbia and raised in Paris, Ana is fluent in Spanish, French and English. She received a Master's of Architecture degree from the Ecole Speciale d'Architecture in Paris, and a Master's in Techniques of Construction at the Institute de la Construction Industrialisée, also in Paris. Ana has been working part-time on the New England ADA Project since June 2006, while continuing to serve as Adaptive Environments' Coordinator of Design and Communications. We are excited to have her experience and expertise on the ADA project!

Adaptive Environments Open House
On the evening of March 19th, Adaptive Environments, the DBTAC — New England ADA Center's parent organization, hosted a celebration of our new space at 200 Portland Street in downtown Boston and the opening of the Institute for Human-Centered Design at Adaptive Environments. Over 300 guests attended. They included members of the Institute's national advisory board, colleagues and friends from across the country and the globe from a wide spectrum of design, government, disability, aging and educational entities. They included representatives of Adaptive Environments' first set of corporate exhibitors: Toyota, NTT Docomo and Panasonic who sent executives from Japan for the event. In addition, corporate partners in the build-out and showroom from Raynes Associates, Toto USA and Hafele attended. Adaptive Environments' president of the Board of Directors, Marie Trottier, welcomed guests. Staff from the DBTAC — New England ADA Center were on hand to share information about our project. Refreshments were sponsored by the Harvard University Disability Services Office, Hafele and the AE Board of Directors.
Service Animals in New England

Rhode Island

Making a Difference – Puppies and Prison Inmates

How can prison inmates make a difference in the lives of people with disabilities? Give them a puppy? It might seem strange to pair puppies with prison inmates, but that is exactly what is happening at the J.J. Moran Medium Correctional Facility in Cranston, R.I. The Prison Pup Partnership Program, run by the National Education for Assistance Dog Service, (NEADS) started in Rhode Island on January 27, 2005 under Director, A.T. Wall. The Prison Pup Partnership Program uses prison inmates to train puppies to be service animals for people with disabilities.

A NEADS trainer comes to the facility every Tuesday for a two hour class for the participating inmates where they learn how to teach their puppies basic obedience and service dog tasks including how to turn light switches on and off, tug doors open, work around wheelchairs, and retrieve items off the floor. Each week the inmate, for homework, practices working on the new lesson during the week with the puppy. It can take up to two years to train a puppy before it is placed with a person with a disability. To date 25 dogs have been trained in the J.J. Moran Correctional facility. Currently there are 5 dogs in the program.

The types of dogs used in the Prison Pup Partnership Program are Labrador Retrievers, Golden Retrievers, Smooth Collies or Standard Poodles. The dogs enter the program anywhere from 8 – 16 weeks old. Each dog is placed with two inmates, a primary and secondary handler. The handlers are all screened and are usually considered model inmates. In order to expose the puppies to the outside world, the puppies are place with weekend puppy raisers. These weekend puppy raisers, trained in socialization skills by NEADS, are assigned to a puppy for the year they are in the prison program.

The Prison Pup Partnership Program gives the inmates a chance to make a difference and give back to the community. The experience of training the puppies has a positive impact on the inmates and helps them to learn new skills. Additionally, the puppies receive advanced training in half the time as dogs raised in foster homes because of the higher level of training the dogs can receive from the inmates. This benefits not only the dogs that spend less time in the kennel but more importantly, people with disabilities who need the animals.

New Hampshire

She’s a working gal named CeCe. A 3 year old golden-lab mix, CeCe is a service animal whose daily activities can be anything but ordinary.

Sandy, whose Juvenile Rheumatoid Arthritis has resulted in a walking disability, inability to reach items on the floor and to get up after a fall, received CeCe from NEADS nearly two years ago.

CeCe accompanies her human partner to the market, work, meetings, an occasional restaurant and everywhere in between. (Wearing silk flowers and white scarf, CeCe attended Sandy’s son’s yacht wedding last summer.)

CeCe makes life much easier for Sandy. She picks up and retrieves items, and helps with balance when walking. She nudges accessible door plaques to open doors and can press elevator buttons. At home, she brings...
the phone when Sandy falls so help can be summoned. At the market, she picks up those low-placed cat food cans so her feline family members can have their favorite meals.

But CeCe's greatest glory may be being the Seacoast Cat Club's official mascot. Since Puck, her favorite feline playmate, is a show cat, she attends his cat shows with Sandy. Being the only dog in the show hall doesn't seem to bother her, in fact, it brings its own rewards. CeCe's cat show human friends are always anxious to give her plenty of attention. Last year Seacoast Cat Club named her their mascot and she'll be at their show again this year, filling her roles as mascot, supporting Puck and "spokes dog" for NEADS.

Massachusetts
Almost 17 years after the signing of the Americans with Disabilities Act, the Massachusetts Office on Disability (MOD) routinely addresses issues about service animals and individuals who use them, who still face discrimination because of their use of service animals. MOD finds that businesses still need to be educated on the rights of people using service animals. For example, a recent MOD case involved a wheelchair user who was trying to gain access to a restaurant and was refused to be seated. That case was resolved and the restaurant now displays signage indicating that people and their service animals are welcome in their establishment.

MOD distributes a business card that identifies the state and federal laws that protect people using service animals and states that "People with disabilities who use guide or service dogs can go anywhere." In addition, MOD has just completed a PowerPoint presentation on interacting with people who use service animals that will be used in training with the Massachusetts State Police. This presentation will soon be found on the MOD website: www.mass.gov/mod

If you or someone you know has faced similar issues regarding service animals, or would like one of the business cards, please call MOD at 617-727-7440.
FREQUENTLY ASKED QUESTIONS

Service Animals in Places of Business

Q. What is the definition of a service animal?
A. The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government. Service animals are working animals, not pets.

Q. What are some of the things service animals are trained to do?
A. Service animals perform some of the functions and tasks that the individual with a disability cannot perform for him or herself. “Seeing eye dogs” are one type of service animal, used by some individuals who are blind. This is the type of service animal with which most people are familiar, but there are others that assist persons with other kinds of disabilities in their day-to-day activities. Some examples include but are not limited to:

- Alerting persons with hearing impairments to sounds.
- Pulling wheelchairs or carrying and fetching objects for persons with mobility impairments.
- Assisting persons with mobility impairments with balance.
- Alerting and protecting a person who is having a seizure.

Q. What are the laws that apply to my business?
A. Under the Americans with Disabilities Act (ADA), privately owned businesses that serve the public, such as restaurants, hotels, grocery and department [retail] stores, taxicabs, theaters, concert halls, shuttles, hospitals, medical offices, health clubs, parks and zoos are required to allow people with disabilities to bring their service animals onto business premises in whatever areas customers are generally allowed.

Q. What if someone is afraid or allergic to a service dogs?
A. Allergies and fear of animals are generally not valid reasons for denying access or refusing service to people with service animals.

Q. How can I tell if an animal is really a service animal and not just a pet?
A. Yes. Taxicab companies may not refuse to provide services to individuals with disabilities. Private taxicab companies are also prohibited from charging higher fares or fees for transporting individuals with disabilities and their service animals than they charge to other persons for the same or equivalent service.

Q. What if a service animal barks or growls at other people, or otherwise acts out of control?
A. You may exclude a service animal from your facility when that animal's behavior poses a direct threat to the health or safety of others. For example, any service animal that displays vicious behavior towards other guests or customers may be excluded, but the individual with a disability who uses the service animal should be given the option of continuing to enjoy its goods and services without having the service animal on the premises. You may not make assumptions, however, about how a particular animal is likely to behave based on your past experience with other animals. Each situation must be considered individually.
A. Some, but not all, service animals wear special collars and harnesses. Some, but not all, are licensed or certified and have identification papers. If you are not certain that an animal is a service animal, you may ask the person who has the animal if it is a service animal required because of a disability. You may not ask the person about the nature or extent of his or her disability.

Q. Does the animal have to be certified or wear a vest or tag to identify it as a service animal?

A. No, there is no Federal requirement that the animal wear any special gear or identification. Also, there is no requirement that the handler carry or produce any certification papers showing that the dog has been trained as a service dog.

Q. What if my employees or customers don't like dogs or are afraid of them?

A. If you operate a business open to the public you must still permit a person with a service dog to have access. Plan ahead so that employees who are not fearful of dogs handle interactions with customers and clients with service dogs.

Sources: Commonly Asked Questions About Service Animals in Places of Business: www.usdoj.gov/crt/ada/animal.htm
ADA Business Brief www.usdoj.gov/crt/ada/evcanim.htm
Facts You Should Know About Service Animals: www.deltasociety.org/TextOnly/ServiceArticlesfaq.htm

**Assistance Dogs**


An introduction to the international laws relating to Assistance Dogs, their users, and trainers. Includes information on accessibility, housing, identification, injury to dogs and more.

Available at: www.adionline.org/LegalGuideHandbook/GuideHome.htm

**Helping Hounds: Assistance Dogs**

By Alison Hornsby (2000)

Examines what is involved in training all types of service dogs from puppyhood to adulthood.

Available at: www.bn.com

**Partners in Independence: A Success Story of Dogs and the Disabled**

By Ed and Toni Eames (2004), Barkleigh Productions, Inc.

Includes chapters on the history of assistance dogs, traveling with assistance dogs, caring for assistance dogs, rights of the disabled and contact information to the assistance dog world.

Available at: www.bn.com

**Partners in Independence (Video)**

By IAADP, Sponsored by Hills

Video companion to the popular book of the same title and recipient of the "Maxwell Award from the Dog Writers Association of America as the Best Canine Video in the Year 2001.

Available from:
IAADP c/o Ed and Toni Eames
3376 N. Wishon
Fresno, CA 93704
209-224-0544
eames@csufresno.edu

Make sure to state general audience or veterinary version when you remit payment.

**Opening Doors to New Worlds (Video)**

Introduces the general public to service dogs and what they can do for people with disabilities. People with service dogs demonstrate and describe the positive impact service dogs have had in their lives.

Available at: www.deltasociety.org/TextOnly/opendoors.htm
SERVICE ANIMALS AND FEDERAL LAWS

My Experience with Assistance Animals Led Me to the Dog and Pony Show, Let Me See Pigs Fly and Monkeys Do Business: A Quick Survey of the Federal Law

By J. Aaron McCullough

(The following article featuring an overview of federal legislation with service animal provisions is excerpted from an e-bulletin issued by the DBTAC – Southwest ADA Center at the Independent Living Research Utilization program (ILRU).
To read the entire piece, go to: www.dlrp.org/html/publications/ebulletins/legal/jan2001.html )

While covering calls on the [ADA] hotline, I received a number of animal-related inquiries. Generally, this required me to ask someone else to answer the caller’s questions. So [in order to be able to respond on my own], I began the research central to this e-bulletin.

Included here, a hopefully helpful, short glossary detailing the different categories of animals that assist individuals with disabilities:

Dog Guide or Seeing Eye® Dog is a carefully trained dog that serves as a travel tool for persons with severe visual impairments or who are blind. There is a trend to train miniature horses for this assistance task because of their long life span (20+ years in some cases), [but this effort is not without controversy].

Hearing or Signal Dog is a dog who has been trained to alert a person with significant hearing loss or who is deaf when a sound, e.g., knocks on the door, occurs.

Service Dog/Animal is a dog, or other animal, that has been trained to perform specific tasks and assist a person who has a mobility or health impairment. Types of duties the dog may perform include carrying, fetching, opening doors, ringing doorbells, activating elevator buttons, steadying a person while walking, helping a person up after the person falls, etc. Service animals are sometimes generically called assistance animals. Recently, Capuchin monkeys and miniature pot-bellied pigs have been trained to fulfill a variety of highly skilled service animal tasks.

Seizure Response Dog is a dog trained to assist a person with a seizure disorder. How the dog serves the person depends on the person’s needs. The dog may stand guard over the person during a seizure, or the dog may go for help. A few dogs have somehow learned to predict a seizure and warn the person in advance.

Therapy Animals are not legally defined by federal law, but some states have laws defining therapy animals. These animals provide people with therapeutic contact, but are not limited to working with people who have disabilities. They are usually the personal pets of their handlers (who may be therapists, physicians, rehabilitation professionals) and work with their handlers to provide services to others. Federal laws have no provisions for people to be accompanied by therapy animals in places of public accommodation that have “no pets” policies. Therapy animals usually are not service animals.

Companion/Emotional Support Animals assist people with mental or emotional disabilities who use the assistance of this type of animal to function independently. This type of assistance animal has the most tenuous legal status, and as a concept it is hard, if not impossible, to differentiate them from the role of pet.

Transportation and Travel

Air Travel

A recent incident this past November brought the issue of assistance animals and transportation to the nation’s attention. A US Airways passenger requested that her Vietnamese pot-bellied pig accompany her in first class on a cross country flight. The passenger claimed that she had a heart condition so severe that she needed the pig’s company to reduce her stress. The pig was given a seat in first class free of charge. The airline complained to the FAA that the pig acted wild, milled around the galley begging food, and tried to enter the cockpit. FAA spokesman Jim Peters claims that the airline acted properly in boarding the animal as part of “...a legitimate request to transport a qualified individual with a disability and her service animal.” Evidencing a less than satisfied attitude with the FAA’s findings, US Airways spokesman Dave Castelveter claims that although they consider this particular matter closed, US Airways is setting in place new measures that will avoid a recurrence of what the carrier views as an abuse of the law.
So what is the law here? The Air Carrier Access Act of 1986 [not the Americans with Disabilities Act] specifically addresses service animals (and air travel). It provides that air carriers will accept an animal as a service animal with any credible written documentation, presence of harnesses, or credible verbal assurances of the qualified person with a disability. The carrier shall further permit the service animal to accompany the person with a disability in their seat unless such blocks an emergency exit. It further requires the airline to reassign the individual with a disability to another seat if that is necessary to facilitate the presence of the service animal. The US Department of Transportation provides additional guidance on accessibility and air travel on their website.

We Did Planes & What About Trains and Automobiles?
The ADA has force where assistance animals travel overland. The ADA defines service animals as "...any dog guide, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including but not limited to guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items." The ADA essentially requires that the person be disabled to be covered, and that the animal have some particular training.

Additionally, the ADA provides (with regard to buses, taxis, trains and other forms of conveyance and supporting facilities such as depots, train and airport terminals), that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. Included in the ADA regulations is the right of a person traveling with a service animal to have equal access to public transportation accommodations. Public and private entities providing public transportation and shall permit service animals to accompany individuals with disabilities in vehicles and facilities.

Public Accommodations

Lodging & Other Places of Public Accommodations

Hotels and motels clearly are anticipated arenas for the protection of the ADA, as are all places of public accommodation. These temporary lodging facilities are required to allow individuals with disabilities to use their facilities with their service animals and to modify any policy or practice in place that prohibits the presence of pets on their premises. The US Department of Justice has stated that, "generally, a public accommodation shall modify policies, practices, and procedures to permit the use of a service animal by an individual."

(Continued on page 13)
Building Your Rolodex

Experimental programs have been established to assess the abilities of miniature horses as assistance animals.

Federal Legislation Resources

www.usdoj.gov/crt/ada/cguide.htm

ADA & Service Animal Awareness Posters
www.ada-infonet.org

ADA Business Brief: Service Animals in Places of Business
www.ada.gov/svcanimb.htm

Access Issues: Quarantine Policy Changes
www.iaadp.org/access.html

Right to Emotional Support Animals in “No Pet” Housing
www.bazelon.org/issues/housing/infosheets/fhinfo6sheet6.html

Air Carrier Access Act

Air Travel with an Assistance Dog
www.iaadp.org/airline.html

The Real Scoop!
Exercising your rights when traveling by air with your service animal.
www.iaadp.org/Scoop.html

Joint Statement of the Department of Housing and Urban Development and the Department of Justice on Reasonable Accommodations Under the Fair Housing Act.
www.usdoj.gov/crt/housing/jointstatement_ra.htm

Organizations for People Partnered with Service Animals

Assistance Dogs International, Inc.
Establishes and promotes standards of excellence in all areas of assistance dog acquisition, training and partnership and educates the public on assistance dogs.
www.adionline.org

Psychiatric Service Dog Society
Educational and capacity-building organization for psychiatric service dog handlers and advocates.
www.psychdog.org/about.html

The International Association of Assistance Dog Partners
Independent cross disability consumer organization representing all Assistance Dog Partners. Advances consumer interests through advocacy, support, resources and legal updates and also fosters the disabled person/assistance dog partnership.
www.iaadp.org

The Delta Society
An international resource expanding awareness of the positive effect service and therapy animals can have on human health and development.
www.deltasociety.org

National Guide Dog Users, Inc.
An affiliate of the American Council of the Blind and the largest guide dog consumer driven group in the world.
www.gdul.org

National Association of Guide Dog Users
Provides public awareness and education. Works to increase independent travel, also promotes sound practices in the training and use of guide dogs for mobility.
www.nfb-nagdu.org

Service Animal Provider Organizations

NEADS
Dogs for Deaf or Disabled Americans.
www.neads.org
Canine Companions for Independence  
www.caninecompanions.org

Paws With A Cause  
www.pawswithacause.org

Guiding Eyes for the Blind  
www.guidingeyes.org

The Seeing Eye  
www.seeingeye.org

Helping Hands: Monkey Helpers for the Disabled  
www.helpinghandsmonkeys.org

Guide Horse Foundation  
www.guidehorse.com

The Assistance Dog Institute  
www.assisteddog.org

General Resources  

Emergency and Disaster Relief and Preparedness for People With Disabilities Partnered With Assistance Dogs  
www.iaadp.org/disaster.html

Service Animals and Federal Laws (continued)

with a disability.” It is intended that the broadest feasible access be provided to service animals in all places of public accommodation, including movie theaters, restaurants, hotels, retail stores, hospitals, and nursing homes. The section also acknowledges, however, that in rare circumstances, accommodation of service animals may not be required because a fundamental alteration would result in the nature of the goods, services, facilities, privileges, advantages, or accommodations offered or provided, or the safe operation of the public accommodation would be jeopardized.

Equal opportunity to use and enjoy a dwelling:

The provision prohibiting discrimination against persons with disabilities may give broader rights for tenants to live with companion animals than may be readily apparent. The law is applied to the person renting the unit and any persons legally living in the dwelling or intending to live in the dwelling after it is rented. The FHA applies to nearly all housing, whether the dwelling is for sale or rent.

Employment: Tiring With Your Beast of Burden

The general assumption is, from everyone I have spoken with and every website I’ve reviewed, that individuals with disabilities are allowed under Title I of the ADA to use your service dog in the workplace. However, this issue is not specifically addressed in the law. Under Title I, discrimination includes failing to make reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual who is an applicant or employee unless such covered entity can demonstrate that accommodation would impose an undue hardship on the operations of the business of such covered entity.

Source: DBTAC – Southwest ADA Center
EVENTS AND ANNOUNCEMENTS

ADA 17th Anniversary Celebrations!

Maine, Aroostook State Park
Come celebrate the 17th anniversary of the Americans with Disabilities Act (ADA) with Alpha One at a picnic at Aroostook State Park in Presque Isle on Thursday, July 26, 12:00 p.m. to 3:00 p.m. Everyone welcome, including friends, family, or personal assistants. Bring your favorite covered dish and come join in the fun. Please RSVP no later than Tuesday, July 24.

For more information or for accommodations, call Alpha One at 800-974-6466 or e-mail Karen Crouser at oranges428@yahoo.com.

Massachusetts, Dunn Pond State Park
Join us on July 26th for the annual ADA Celebration & Picnic at Dunn Pond State Park in Gardner, 11:00 a.m. to 3:00 p.m. We will gather as a community to celebrate the gains we’ve made and remember those who have dreamed the dream and made the movement strong. Food and entertainment will be provided.

Please R.S.V.P. by July 16 to Steve Higgins at steveh@maslic.org, or call 508-620-7452.

New Hampshire
For information about ADA anniversary celebrations in NH, please contact the Governor’s Advisory Commission at 800-852-3405.

Vermont, State House Lawn
Celebrate the 17th year of the Americans with Disabilities Act. Join us on the State House lawn in Montpelier, under The Big Tent, Thursday, July 26, 11:00 a.m. to 2:00 p.m., rain or shine. Barbeque Lunch will be served!

Please call Ericka at 802-229-0501 for more information and to RSVP. ASL Interpreters will be provided.

Connecticut, Walnut Hill Park
Join us for the 17th Annual "Ability/Disability Awareness Celebration" in New Britain on July 23 at Walnut Hill Park. The first annual Abilities Walk and Roll, a one mile walk/roll around the park, will be sponsored this year! A concert from 7:00 p.m. to 9:00 p.m. by Yellow Brick Road, will follow. Contact Maureen Keyes at 860-826-3368 or mkeyes@chi.ci.newbritain.ct.us.