

SUBJECT: Service Animals

BOARD

Approved: 11/16/2023

POLICY

Rolla Public Library recognizes that people with disabilities may use a service animal, as defined below, trained to perform tasks related to the individual's disabilities. Rolla Public Library acknowledges individuals' legal rights under federal and state laws regarding the use of service animals.

A service animal may accompany a patron with disabilities in all areas of the library the patron is normally allowed to go. A service animal may accompany a staff member with disabilities in all areas of the library. Service animals are not required to wear identifying collars or harnesses.

Rolla Public Library considers the health and safety of all library patrons and library staff to be of the utmost priority. Rolla Public Library reserves the right to deny access or remove a service animal from library facilities if the animal poses a direct threat to the health or safety of patrons or staff, or if the animal is not under control, as defined below.

Rolla Public Library is not responsible for injuries or damage to personal property caused by a service animal.

This policy does not apply to animals present in library facilities as participants in library programs, as invited by library staff.

Definitions

Disability: The Americans with Disabilities Act (ADA) defines a disability as 1) a physical or mental impairment that substantially limits one or more major life activities, 2) a record of such an impairment, or 3) being regarded as having such an impairment. The ADA does not specifically name all of the impairments that are covered. If an individual meets at least one of the three tests, they are considered to be an individual with a disability.

Service Animal: Dogs or miniature horses that are individually trained to do work or perform tasks for people with disabilities, including but not limited to physical, sensory, psychiatric, intellectual or other mental disabilities. The work or tasks performed by the service animal, such as guiding a person with visual impairment, alerting to an oncoming seizure or reminding a person to take medications, must be directly related to the individual's disability. Under Missouri Revised Statute 209.152, qualified trainers have the right to be accompanied into public buildings by a service dog in training while engaged in the act of training.

Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. This includes pets, therapy animals, comfort animals and emotional support animals.

Under Control: A service animal must be harnessed, leashed or tethered unless these devices interfere with the service animal's work or the handler's disability prevents using these devices. In such a case, the handler must maintain control of the animal through voice, signal or other effective control. The

animal must be within the immediate vicinity of the handler. An animal is considered to be out of control if the animal runs at large, repeatedly gets loose from the handler, disrupts a library program, is excessively noisy, or urinates or defecates in the library.

PROCEDURE

When a patron comes into the library with a service dog or a miniature horse, there is no need to stop or approach them upon entering the library. Patrons are welcome to go about their business unless the animal is misbehaving, they do not have control of the animal or the animal is not housebroken. Under the ADA, service animals must be “harnessed, leashed or tethered, unless these devices interfere with the service animal’s work or the individual’s disability prevents using these devices.” In that case, the individual must maintain control of the animal through voice, signal or other effective controls.

If a patron needs to be approached because the animal is misbehaving, or when it is not obvious what service an animal provides, staff may ask only the following:

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

Staff may not ask about the individual’s disability, request the handler’s medical documentation or the animal’s training documentation, or demand that the animal demonstrate a service task.

An individual will not be asked to remove their service animal from the premises unless the animal is not under control, as defined above, or if the animal poses a direct threat to the health or safety of patrons or staff.

If a patron is asked to remove their service animal from the premises or denied access because the animal is misbehaving, library staff will provide the patron with options for receiving library services on the premises without the service animal or through alternate methods including curbside and mobile services.

Patrons with allergies or fear of animals may be accommodated by the offer of a more private area for use for the duration that the service animal is in the library building.