

SERVICE ANIMALS

The University of New Hampshire is committed to creating a diverse, welcoming and equitable campus.

What is the legal definition of a service animal? (2008 ADA Amendments Act, 28 CFR Part 35.104)

- 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, 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.
- The work or tasks performed by a service animal must be directly related to the handler'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,
 - 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.

How can I determine if a dog meets the definition of a service animal? (2008 ADA Amendments Act, 28 CFR Part 35.136(f))

- If it is not readily apparent that the animal has been trained to perform work or a task for a person with a disability the ADA Amendments Act allows two inquiries; please be discrete and non-threatening.
 - You may ask if the animal is required because of a disability.
 - You may ask what work or task the animal has been trained to perform.
- You may not ask about the nature or extent of a person's disability.
- You may not ask for proof that the animal is certified, trained or licensed as a service animal.

What are the behaviors I can expect of a service animal and its handler?

<http://www.deltasociety.org>

- The animal will remain under the direct control of the handler and performs the required behavior.
- The animal will respond to commands, cues, and corrections from the handler (voice command, hand signal, laser light, sound cue, and behavioral cues).
- The animal will not initiate interaction with other animals or people unless released by the handler.
- The animal will maintain a controlled position, in appropriate proximity and position to the handler, on cue by the handler and/or as appropriate to the behavior.
- The animal should not bark, howl, whine, growl, snarl or display bared teeth or gums (unless panting). Some alert dogs are trained to bark to get their handler's attention.

- The handler's commands and/or cues are given in a manner that is understood and consistently responded to by the dog, and in a manner appropriate for a public setting.
- The handler is responsible for the care and supervision of the dog.

When may a service animal be excluded? (2008 ADA Amendments Act, 28 CFR Part 35.136(b))

A public entity may ask an individual with a disability to remove a service animal from the premises if:

1. The animal is out of control and the animal's handler does not take effective action to control it, or
2. The animal is not housebroken.

How should I respond to a service animal in public? (www.deltasociety.org)

- Remember that the dog is working. Don't do anything to interrupt the service animal while it is performing its tasks. A dog sleeping at its handler's feet is still at work.
- Speak to the person first. Do not aim distracting or rude noises at the dog.
- Do not touch the service animal without asking for and receiving permission.
- Do not offer food to the dog.
- Do not ask personal questions about the handler's disability, or otherwise intrude on his or her privacy.

Any questions?

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