

Duluth Public Library Service Animal Policy

The Duluth Public Library Appropriate Behavior Policy states:

Be courteous, considerate and understanding of other patrons and staff. Examples of conduct that would violate this principle include:

- Bringing non-service animals into the library. Service animals are defined under the Americans with Disabilities Act as being trained to do work or perform tasks for the benefit of a person with a disability.

As a result, **only service animals are allowed in the library.**

- Service animals are only dogs and miniature horses (see below). Therefore, any other type of animal is not allowed in the library.
- Pets, therapy animals, and comfort animals are not allowed.
- Animals in carriers are not allowed.

What if I am unsure whether or not an animal is a service animal?

The U.S. Department of Justice Civil Rights Division states:

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. (ADA Requirements: Service Animals. (2011, July 12). Retrieved April 30, 2018, from https://www.ada.gov/service_animals_2010.htm)

If a staff member is unsure whether or not an animal is a service animal, or it is not obvious what service an animal provides, the questions one can ask are limited. They are:

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

Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the animal, or ask that the animal demonstrate its ability to perform the work or task.

Until our staff get to know a patron with a service animal, staff should be asking the above questions to **any** patron that brings in an animal. To help prevent patrons from feeling interrogated and unwelcome, begin your questions with a disclaimer to the effect of, "Until our staff get to know you and your service animal you may be asked these questions again as you move about the library. I apologize for the inconvenience, but we want to make sure service animals are able to do their job without interference from untrained animals." Also, to help minimize the number of times these questions are asked, please communicate between staff what was asked and what the answers were.

When should I ask a patron to leave with an animal?

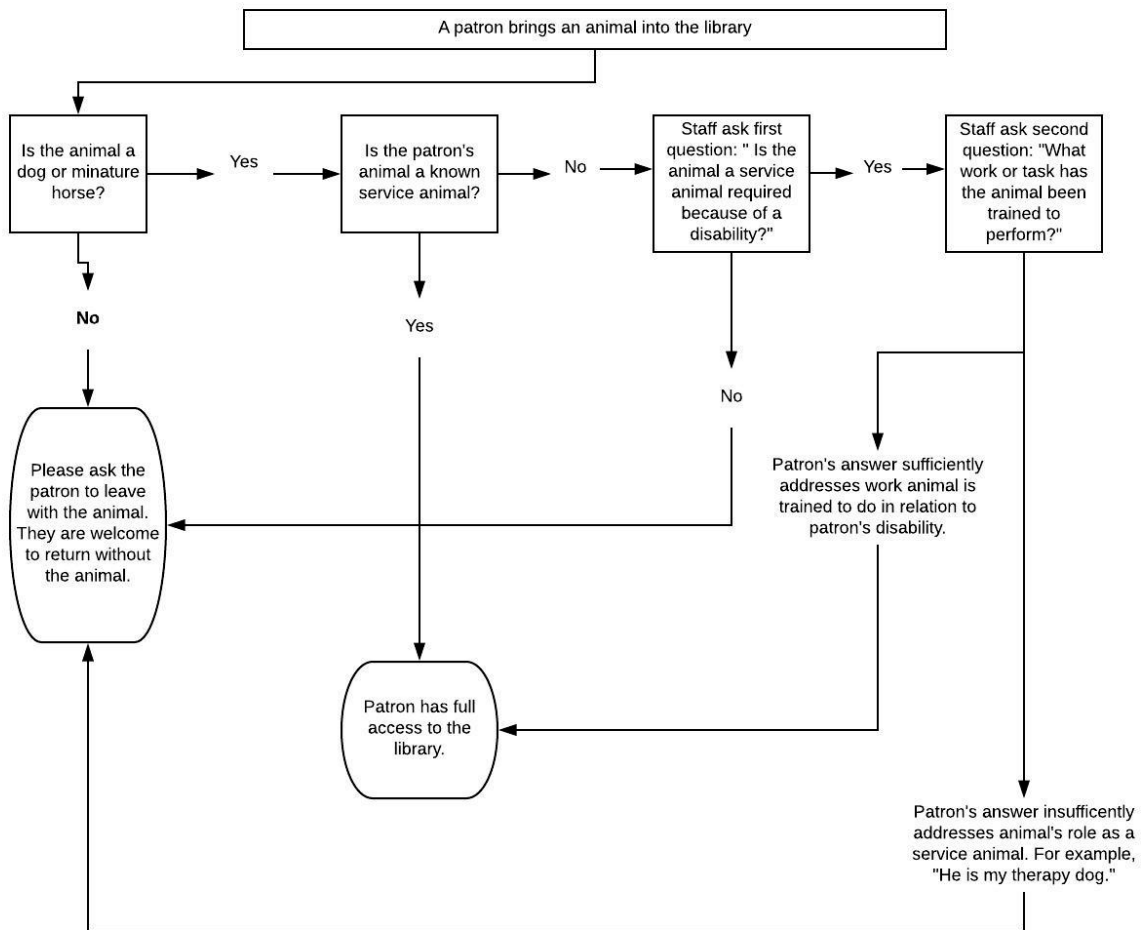
Patrons should be asked to leave the library with their animal in the following situations. Let the patron know that they are welcome to return to the library without the animal.

- The animal is not a service dog or service miniature horse.
- If the answer to the question "Is the animal a service animal required because of a disability?" is no.
- If the patron provides an insufficient answer to the question, "What work or task has the animal been trained to perform?" An example of an insufficient answer would be, "It is my therapy (or comfort) dog."
- The service animal is "out of control and the animal's handler does not take effective action to control it." (ADA Requirements: Service Animals. (2011, July 12). Retrieved April 30, 2018, from https://www.ada.gov/service_animals_2010.htm)
- The service "animal is not housebroken." (ADA Requirements: Service Animals. (2011, July 12). Retrieved April 30, 2018, from https://www.ada.gov/service_animals_2010.htm)

Miniature horses are service animals? Really?

Really. They are. Here's what the Justice Department's Civil Rights Division says:

In addition to the provisions about service dogs, the Department's revised ADA regulations have a new, separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities. (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.) Entities covered by the ADA must modify their policies to permit miniature horses where reasonable. The regulations set out four assessment factors to assist entities in determining whether miniature horses can be accommodated in their facility. The assessment factors are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility. (ADA Requirements: Service Animals. (2011, July 12). Retrieved April 30, 2018, from https://www.ada.gov/service_animals_2010.htm)



City of Duluth Grievance Procedure under the Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Duluth ("City"). The City's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the alleged discrimination. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant, or the grievant's designee, as soon as possible but no later than 60 calendar days after the alleged violation to:

**City of Duluth ADA Coordinator
City Hall, Room 407
411 West First Street
Duluth, MN 55802
(218) 730-5291**

Within 15 calendar days after receipt of the complaint, the ADA Coordinator will endeavor to schedule a meeting with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City and may offer options for resolution of the complaint. If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant may appeal the decision within 15 calendar days after receipt of the response to the City's Chief Administrative Officer ("CAO"), or the CAO's designee.

Within 15 calendar days after receipt of the appeal, the CAO, or the CAO's designee, will endeavor to schedule a meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the CAO, or the CAO's designee, will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

This document, and necessary forms, are found on the City of Duluth's Human Rights Office website: <http://duluthmn.gov/human-rights-office/complaint-form/>