

Animals in the Library

The New Lebanon Library adheres to all legal guidelines for having animals (non-human creatures) in and around the library. That being stated, there are certain scenarios for when animals may be allowed or denied entry to the library as a public access area.

Program Animals

The New Lebanon Library is a host to a series of programs—both education and for entertainment value. These programs may utilize animals—both trained and untrained. In these cases, animals are allowed on the premises with the understanding that the handlers will take responsibility for the animal—seeing that it is cleaned, handling it if it becomes agitated and removing it if it becomes hazardous in any way.

Trained animals must come accompanied by paperwork indicating the nature of their work and that are certified to safely interact with groups of individuals. Trained animals must remain under the control of their handlers at all times. Under these guidelines, the New Lebanon Library will allow for animals to enter the premises. All therapy animals must come with paperwork indicating the nature of their work prior to being allowed access to the facilities.

Service Animals

Per the ADA guidelines, the definition of a service animal is defined: **“A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, included a physical, sensory, psychiatric, intellectual, or other mental disability.** Tasks performed can include, among other things, pulling a wheelchair, retrieving dropped items, alerting a person to a sound, reminding a person to take medication, or pressing an elevator button.”¹ The ADA site further defines service animals with the following examples: Guide Dog or Seeing Eye Dog, Hearing or Signal Dog, Psychiatric Service Dog. Service animals are typically limited to dogs, but may include miniature

¹ Taken from <https://adata.org/publication/service-animals-booklet>

horses if they have been individually trained to perform tasks for individuals with disabilities.

In compliance with all legal and ADA-approved policies, the New Lebanon Library will allow service animals and their handler's access to the library. If the purpose of a service animal is not noticeable/recognizable, staff may only ask two questions to verify the tasks/nature of a service animal and cannot ask about the nature/extent of an individual's disability. The questions are listed as follows:

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

These questions are not allowed to be asked for verification in the presence of an obvious disability (E.g. A Seeing Eye dog guiding an individual or a dog assisting an individual in a wheelchair). Handlers of service animals are not required to provide documentation or extensive details into the nature of the service animal's services. They are to be allowed access to the facilities. Library staff will ensure that other patrons using the library abide by the nature of the animal's work purposes (e.g. Seeing-eye dog is not to be disturbed or approached, etc.).

Emotional Support Animals

Emotional Support Animals (ESAs) are not considered service animals under the ADA. To that extent, in New York, and under federal law, emotional support animals may not be permitted in public places to the same extent as service animals.² Per the NY Bar, the United States Department of Justice no longer accepts emotional support and crime deterrence as tasks that could qualify an animal as a service animal.³

That being stated, unless the animal were being used in a program hosted by the New Lebanon Library, according to New York Law, the New Lebanon Library is NOT REQUIRED to allow ESA's access to the building. Furthermore the New Lebanon Library exercises the right to refuse access to emotional support animals without proper, legal Emotional Support Identification (identifiers must include an

² Taken from <https://www.certapet.com/emotional-support-animal-nyc/>

³ A Guide to the Use of Service Animals in New York State, May 2017. Cited from 28 C.F.R. 35.104 and 36.104: Retrieved from https://documents.nycbar.org/files/guide-to-the-use-of-service-animals-in-new-york-state.html#_edn7 Taken from 28 C.F.R. 35.104 and 36.104

Emotional Support Letter from a practicing Licensed Mental Health Professional. (ESA certification cards are not acceptable.) and the approval of the Library Director.

If the ESA is allowed entrance to the library, the handler is responsible for ensuring that the animal does not disturb the other patrons, does not destroy library property and is under control at all times. If the animal disturbs the library in any way, the handler must remove the animal immediately.