

## **Animals in the Library**

*Approved by Board of Trustees: January 2020*

*Review Date: January 2023*

explore  
discover  
connect



HOPKINTON PUBLIC LIBRARY

<b>Rights and Responsibilities of Patrons with Service or Assistance Animals</b>	<b>1</b>
<b>Policies that Apply to All Animals in the Library</b>	<b>2</b>
<b>Rights and Responsibilities of Individuals with Animal Phobias and/or Allergies</b>	<b>3</b>
<b>Limitation of Liability</b>	<b>4</b>
<b>Resources/References</b>	<b>4</b>

No animal may be brought into the library unless it meets one of the following conditions:

1. The animal is a service or assistance animal accompanying and providing support to a patron with a disability. The animal must be well-behaved and under the control of its handler at all times.  
or
2. The animal is an integral part of a library-sponsored event. Outside groups holding events in the meeting rooms may not bring animals into the building unless the library agrees to formally co-sponsor their program.

No animal may be left tethered or unattended on library property.

### **Rights and Responsibilities of Patrons with Service or Assistance Animals**

The Hopkinton Public Library strives to be a welcoming place for diverse individuals, including patrons who may need the support of a service or assistance animal, and to comply with laws regarding the rights of disabled individuals to equitably access public spaces. The library also strives to provide a comfortable, undisrupted environment, and

to ensure that patrons and staff who are uncomfortable around animals also feel welcome in the space.

Only dogs and miniature horses meet the definition of "service animal" under the Americans with Disabilities Act. A service animal must be trained to perform tasks for an individual with a disability. These tasks must be directly related to the individual's disability. The Commonwealth of Massachusetts considers service animals in training to have the same status as fully trained service animals. As a courtesy, the library generally extends the treatment afforded to service animals under federal and state law to assistance animals including "emotional support" and "therapy" animals. Assistance animals and their handlers are held to the same expectations as service animals under this policy and the use of the term "service animal" throughout the rest of this policy should be taken to refer to assistance animals as well.

Service animals are not required to wear anything that identifies them as such. However, if it is not obvious that an animal is a service animal, library staff may ask two questions: 1) is the animal a service animal required because of a disability? and 2) what work or task is the animal trained to perform?. Staff will not request documentation for an animal, require it to demonstrate its task, or inquire about the nature of a patron's disability.

Service animals must be under the control of their handlers at all times. They must be harnessed, leashed, or tethered, unless doing so would interfere with the animal's work or unless the patron's disability prevents use of these devices. In such circumstances, a patron must use voice, signal, or other effective means to maintain control of their animal. A service animal's handler is solely responsible for caring for and supervising the animal while in the library.

### **Policies that Apply to All Animals in the Library**

Animals that are disruptive to library operations may not remain in the library. Library staff may request that any animal, including a service animal, be removed from the building for circumstances including, but not limited to, the following:

- The animal is not housebroken
- The animal is not harnessed, leashed, or tethered, and does not need to be off-leash for one of the reasons described above
- The animal does not promptly obey the handler's instructions if off-leash

- The animal approaches other patrons without the patrons' consent or the handler's instruction to do so
- The animal fails to remain near the handler (unless it is performing a specific task that requires it to be at a distance from its handler)
- The animal repeatedly makes noise without reasonable provocation, and the handler cannot or will not quiet the animal
- The animal damages library furnishings, carpets, walls, etc.
- The animal sits, climbs, or jumps on library furniture (unless it is performing a specific task that requires it to be on the furniture)
- The animal growls, bares teeth, or otherwise behaves aggressively toward other patrons, staff, and/or other animals in the building, or engages in other behavior that poses a direct threat to the health or safety of the public

At staff discretion, and depending on the seriousness of the behavior, the animal and its handler may be given an opportunity to correct inappropriate behavior. If the handler does not or cannot take effective action to control the animal, staff will ask that the animal be removed from the building. Depending on the severity of the behavior, the animal's handler may need to speak with the library director before the animal may be allowed back into the building.

If a service animal must be removed from the building, library staff will offer to continue providing services to the handler without the service animal present.

### **Rights and Responsibilities of Individuals with Animal Phobias and/or Allergies**

The library recognizes that some staff or patrons may have fears or medical issues related to being in the presence of animals. The law prohibits the library from refusing access or denying service to a patron with a service animal because other people are afraid of or allergic to the animal. Rather, it is incumbent upon the library to make reasonable attempts to accommodate everyone to the greatest degree possible.

If a patron is present in the library at the same time as an animal they are allergic to or afraid of, library staff will work with all parties to find a way for them to equitably access the parts of the facility they need to use, while keeping the animal and the objecting patron as separate as possible. For instance, the objecting patron and the patron with the service animal may be asked to stay in different parts of the same room or the building, as long as doing so does not unduly prevent either from being able to access collections or services they wish to use. Mutual accommodations in such cases will be a

judgement call, made by staff depending on the particulars of the situation. The law prohibits isolating individuals who use service animals from other patrons or treating them less favorably than other patrons.

In the case of allergies, although the facility is regularly cleaned, the library cannot assure patrons that no dander, fur, etc. is present whatsoever in the building.

If a staff member is allergic to or afraid of a service animal, the staff member may request that a different employee assist the patron who is accompanied by the animal.

In the case of library programming involving animals, patrons who feel that the presence of the animal(s) unduly interferes with their ability to use the library may refer to the library's Reconsideration of Library Materials or Services policy and form and may contact the Library Director to discuss their concerns.

### **Limitation of Liability**

By bringing an animal into the library, the handler warrants that the animal is well-behaved and does not pose a health or safety risk to the public. The handler is responsible for the actions of its animal and the library disclaims all liability for injuries that an animal may inflict upon other individuals or animals in the building. An animal that demonstrates aggressive or dangerous behavior, or that has a history of such behavior, may not be brought into the library.

### **Resources/References**

The following resources provide guidance on the legal rights of individuals with service animals and the library field's commitment to equal service to all:

American Library Association. "Services to People with Disabilities: An Interpretation of the Library Bill of Rights." <http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/servicespeopledisabilities>. Accessed November 12, 2019.

Massachusetts Office on Disability. "About Service and Assistance Animals." <https://www.mass.gov/service-details/about-service-and-assistance-animals>. Accessed October 2, 2019.

Massachusetts Office on Disability. July 22, 2015. "Emotional Support Animal Vs. Service Animal: The Facts." <http://blog.mass.gov/mod/service-animals/the-facts-on-service-and-emotional-support-animals/>. Accessed October 2, 2019.

U.S. Department of Justice, July 12, 2011. "ADA Requirements - Service Animals." [https://www.ada.gov/service\\_animals\\_2010.htm](https://www.ada.gov/service_animals_2010.htm). Accessed October 1, 2019.

U.S. Department of Justice, July 2015. "Frequently Asked Questions about Service Animals and the ADA." [https://www.ada.gov/regs2010/service\\_animal\\_qa.html](https://www.ada.gov/regs2010/service_animal_qa.html). Accessed October 1, 2019.