

## SERVICE DOGS vs. EMOTIONAL SUPPORT ANIMALS vs. THERAPY ANIMALS

- Includes information from the Americans with Disabilities Act (ADA) – [www.ada.gov](http://www.ada.gov)

Each year, we have students who approach us with questions about bringing Service Dogs, Emotional Support Animals, and Therapy Animals to campus. **Do you understand the differences between the 3 categories?**

### WHAT IS THE DEFINITION OF A SERVICE ANIMAL?

“Service animals are defined as **dogs that are individually trained to do work or perform tasks for people with disabilities...**

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.**”

Note: Specially trained **miniature horses** can also qualify as Service Animals, but have some additional restrictions regarding reasonable accommodations including whether or not they are housebroken, their size, safety issues, etc. Otherwise, Service Miniature Horses **have the same rights** as Service Dogs.

### SERVICE DOG TASK EXAMPLES:

- **Guiding** a handler that is **vision** impaired.
- **Alerting** a handler that is **hearing** impaired to sounds.
- **Protecting** a handler that is having a **seizure** or going for help.
- **Alerting** a handler that is about to have a **seizure**.
- **Retrieving** dropped items for or pulling a handler in a **wheelchair**.
- **Providing** room safety checks for a handler with severe **Post Traumatic Stress Disorder (PTSD)**.
- **Reminding** a handler who is **cognitively or developmentally disabled** to take their medications.
- **Alerting** a handler with **autism** to distracting repetitive movements so that they can stop the movement.

### SERVICE DOG RIGHTS & RULES:

Federal law **allows** for Service Dogs to **accompany handlers** in a wide range of State and local government settings, businesses, and non-profit organizations (i.e. **schools**, stores, planes, theaters, busses, courthouses), in **areas of the facility where the public is allowed to go** (i.e. a restaurant, but not the restaurant’s kitchen).

**Federal court** settings are **not included** in the ADA, but appear to be generally accepting of Service Dogs with previous notice.

In **medical settings**, such as Bel-Rea and our internship sites, a Service Dog **cannot accompany** a handler in areas where the animal’s presence may **compromise a sterile environment** due to airborne germs (i.e. surgery, surgical prep, dentals, isolation, triage), **have a potential impact on disease control or infection management** (i.e. burns or open wounds), or in **limited-access areas** that employ general infection-control measures.

The ADA recommends use of “**best practices**” to **protect** Service Dogs from harm in high-risk situations that the law does not automatically exclude them from (i.e. radiology labs, large animal labs, around cleaning/chemical/chemotherapy substances, interactions with ill or unknown animals). Please see **Bel-Rea’s Service Dog Policy** for more information on best practices to consider throughout your education.

Service Dogs **are allowed** reasonable accommodations to stay in rental apartments with “**no pet**” policies (i.e. a dog in a “cat only” apartment, a breed that has been restricted – but there are still some limitations based on the type of housing). Airlines will **waive a pet fee** for cabin travel with appropriate documentation.

Service Dog handlers must be in direct control of their animal at all times. If a Service Dog is **behaving badly, is roaming loose, or is disruptive**, the handler can be asked (and required) to remove the animal from any setting. Business owners may still be required to provide service (i.e. pack up the handler’s food to go or take their library books out to them in the parking lot).

## WHAT IS THE DEFINITION OF AN EMOTIONAL SUPPORT ANIMAL?

Emotional Support Animals (ESAs) “...**help with depression, anxiety, and certain phobias, but do not have special training to perform specific tasks that assist people with disabilities.**”

“Dogs whose sole function is to **provide comfort or emotional support, even if used as part of a medical treatment plan, do not qualify as Service Dogs** under the ADA.”

“A **doctor’s letter** stating that the person has a disability and needs to have the animal for emotional support **does not** turn an animal into a Service Animal.”

Note: It is a **Federal Felony Fraud crime** to pass off an animal as a Service Animal, including pet dogs, ESAs, and Therapy Animals, if it doesn’t qualify as a Service Animal under the law. **The State of Colorado** is also currently looking at making misrepresentation of an animal as a Service Animal a criminal offense.

### **EMOTIONAL SUPPORT ANIMAL RIGHTS & RULES:**

Emotional Support Animals (ESAs) **are allowed** reasonable accommodations to stay in rental apartments with “**no pet**” policies (i.e. a dog in a “cat only” apartment, a breed that has been restricted – but there are still some limitations based on the type of housing). Airlines will **waive a pet fee** for cabin travel with appropriate documentation.

ESAs are **not covered** by the ADA to accompany their owner to public areas of State and local government settings, businesses, and non-profit organizations like Service Dogs are.

If an ESA is **behaving badly, is roaming loose, or is disruptive**, the handler can be asked (and required) to remove the animal from any setting.

## WHAT IS THE DEFINITION OF A THERAPY ANIMAL?

Therapy Animals “**provide people with therapeutic contact, usually in a clinical setting, to improve their physical, social, emotional, and/or cognitive functioning**” (i.e. assisting people through therapeutic riding programs or therapy dog visits at hospitals, retirement homes, post-disaster areas). They are **not trained** to perform tasks for a specific person with disabilities.

### **THERAPY ANIMAL RIGHTS & RULES:**

Therapy Animals are **not** provided with any rights in the Americans with Disabilities Act (ADA). If a Therapy Animal is **behaving badly, is roaming loose, or is disruptive**, the handler can be asked (and required) to remove the animal from any setting.

## WHAT TYPES OF THESE ANIMALS ARE ALLOWED AT BEL-REA?

Although we **appreciate how important** all 3 types of animals are to their owners, we are **obligated to follow current Federal law** and the **requirements of our regulatory agencies**. Therefore, **Bel-Rea’s disability policies** provide for qualified individuals to consistently have their **Service Dogs** with them on campus.

The **medical setting limitations** and **suggestions for “best practices”** are included in Bel-Rea’s Service Dog Policy. Bel-Rea’s Disability Accommodations and Service Dog Policy are available at [www.belrea.edu/disability-services](http://www.belrea.edu/disability-services).

Please note that **Emotional Support Animals** and **Therapy Animals** fall under the **same rules as all regular pets** for when they are allowed on campus (i.e. for specific lab times as requested by instructors).

If you have **any questions** about this information, please feel free to contact Rebecca Brown, Student Services Coordinator at [brown@belrea.edu](mailto:brown@belrea.edu), 303-751-8700 x206, or visit her office in the Media Center.