

“WHEN A SERVICE ANIMAL COMES TO CHURCH”

A handy reference guide produced by EqUUal Access*

United States Edition

**EqUUal Access is a member organization of Unitarian Universalists living with disabilities, our families, friends, and allies, all working “to enable the full engagement of people with disabilities in Unitarian Universalist communities and the broader society.”*

Introduction

In keeping with Unitarian Universalist principles of recognizing the inherent worth and dignity of every person, and seeking justice, equity, and compassion in human relations, we welcome and provide accommodations for people with disabilities.

When an individual with a disability comes to church with a service animal, members of the congregation and staff should be acquainted with best practices and legislation concerning service animals so that all can respond appropriately, and ensure the service animal and its human handler are safe and feel welcomed.

Frequently Asked Questions

WHAT LAWS OR LEGISLATION REFLECT THE RIGHTS OF INDIVIDUALS WITH DISABILITIES AND THEIR SERVICE ANIMALS?

Service animal regulations fall under the United States’ Americans with Disabilities Act (ADA)¹. Therefore, it is important to note that the questions and answers contained within this document are only applicable to congregations within the United States. Canadian congregations should see the attached guidelines. All other congregations should refer to the laws of their nation.

Additionally, some states have enacted their own laws. It is important that you familiarize yourself with your state’s laws concerning accessibility, as some of them have stricter guidelines than the ADA.

AREN’T CHURCHES EXEMPT FROM FEDERAL GUIDELINES CONCERNING ACCESSIBILITY?

Religious organizations are exempt from the ADA, though they may not be exempt from state laws. Regardless, in keeping with our UU principles, it is more appropriate that churches do not claim their exemption. Service animals are permitted to enter any event open to the general public, such as a bazaar or concert, and therefore, should be welcomed.

¹ <https://www.ada.gov/>

CAN ANY ANIMAL BE A SERVICE ANIMAL?

Under a recent revision of ADA regulations defining which species of service animals are covered by the law, only dogs – and in some special circumstances, miniature horses – are included.

HOW DO I KNOW A DOG IS A SERVICE DOG?

A service dog will normally wear a vest indicating it is a service dog. Specifically, a guide dog (often referred to as a “seeing eye dog”) wears a harness and leash with a handle held by a blind person when the dog is working. When a dog isn’t needed for guidance it will be on a leash.



[Golden Retriever in a blue vest which reads “Service Dog.”]

WHAT IF THE DOG ISN’T WEARING A VEST?

There is no requirement that a service dog wear an identifying vest. Since most people don’t know that, service dogs almost always have a vest. If there is no identification, you may ask if it is a service dog and what service the dog performs, but not what disability the person has.

MAY I ASK FOR REGISTRATION PAPERS or CERTIFICATION CARDS TO ENSURE THE DOG IS A REGISTERED SERVICE DOG?

No. There is no federal provision requiring service dogs to be registered. And, while some states do require service dogs to be registered, none of them say it is ‘O.K.’ to ask for registration papers.

Additionally, in regards to certification cards, there is no provision that service dogs must be trained by a certified agency. Some dogs are trained by agencies, some are privately trained, and some are trained by their owners or handlers. A few agencies might provide their own certificates, but you can’t expect the owner of a service dog to have papers.

More than likely, if you have been shown papers, they were probably downloaded from the internet, or created by the owner, because so many people do ask to see papers.

ARE EMOTIONAL SUPPORT OR COMFORT DOGS SERVICE ANIMALS?

Unless an animal is trained to perform a specific task it is not considered a service dog. Under the ADA, some dogs qualify as psychiatric service dogs. If a dog has been trained to detect when a person is about to have an anxiety attack or to remind their handler to take medication for depression, that dog may be considered a service animal. Companion dogs that provide comfort merely by being present do not qualify under the ADA.

ARE THERAPY DOGS SERVICE ANIMALS?

Therapy dogs are sometimes used by therapists to help patients with conditions related to trauma or emotional problems; other dogs are minimally oriented and socialized in order to visit patients in hospitals. These are not considered service dogs.

HOW CAN I BE CERTAIN THAT AN ANIMAL IS A BONA FIDE SERVICE ANIMAL?

You cannot. Some people without disabilities might pass their pets off as service animals. And, it is difficult to estimate legitimacy from a person's behavior. However, service animals are well trained. If a dog misbehaves, barks continually, or seems not to be in sync with its handler, it probably hasn't been trained. It is a criminal act to pass a pet off as a service animal. But, given the challenge in proving or disproving if a dog has been trained or if it is being used legitimately, one can expect a certain amount of misrepresentation. It is best not to risk breaching the privacy and rights of individuals whom appear suspect or their dogs untrained.

WHAT IF A DOG BITES SOMEONE OR CAUSES DAMAGE TO THE PREMISES?

The handler's liability would be the same as for an individual whose dog is not a service dog.

MAY WE DEMAND THAT A DISRUPTIVE DOG BE REMOVED?

Yes. If a dog displays excessive barking, or howling, or if it growls or lunges at people you may ask that the dog be removed immediately. However, the person must be allowed to return without the dog, and a single bark does not mean the dog is being disruptive.

Most trained service dogs have exemplary behavior and good manners, and remain quiet and docile. They will not damage property or soil indoors. In some situations, the handler might not notice that their service dog has gotten up and wandered steps away from them. It is appropriate to advise them immediately so they can correct the dog.

IS A SERVICE DOG ALLOWED IN THE KITCHEN?

A service dog is allowed anywhere that their human handler would normally be allowed. Restaurant kitchens would normally not have service dogs in them unless an employee has a service a dog. Church kitchens are usually open to all, so a service dog would be permitted to enter with its owner.

WHAT IF THE SERVICE DOG IS WITH A PERSON WITHOUT A DISABILITY?

Only the person with the disability is allowed access with their service dog.

MUST THE DOG BE PROVIDED WITH FOOD, WATER, OR TOILETING FACILITIES?

No. But it is considerate to offer water, or to offer to take a blind person's dog outside to relieve itself if the owner is not familiar with the area.

DO I HAVE TO ALLOW SERVICE DOGS TO ENTER EVEN IF SOME MEMBERS ARE ALLERGIC TO THEM?

Yes. It may be helpful to create distance between the person with allergies and the person with the dog. However, it is important not to restrict where the dog owner chooses to go.

IS A SERVICE ANIMAL IN TRAINING ALLOWED IN PUBLIC PLACES?

Service dogs in training do not come under the ADA. Many state and local laws allow dogs in training to be treated as service animals. Airlines do not. The socialization period of the service dog in training is extremely important to help develop its overall skills for its future as a working dog in the field, and to learn to keep a calm demeanor in busy public places.

Final Note

It is important to understand that in the last two decades in many countries around the world, there has been rapid development and interest in the field of training animals for various support roles and tasks to assist humans. This has meant that related regulations, training standards, and policies can barely catch up to reflect new realities. But, know that the majority of individuals with a disability, who have a service dog, take great pride in their canine helpers and will want to ensure that other people also feel positively about the dog by monitoring the dog's behavior in public places. It is a best practice of congregational life that communication be respectful and considerate. It is important that the spirit of love in our congregations allow for dialogue, the airing of concerns, and resolution, without resorting to harshness.

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