

SIDEKICKS FOR SIGHT

A PUPPY RAISING CLUB FOR GUIDE DOGS FOR THE BLIND, INC.
DOUGLAS COUNTY, COLORADO



Thank you for your concern regarding my service dog in training and access to your facility. We understand worries that it may be an inconvenience to other customers, and that unruly pet dogs posing as service dogs can ruin the opportunity for legitimate service dogs.

My puppy is in training to be a guide dog for the blind. He is a legitimate service dog in training, as indicated by the green vest he wears whenever he is working in public. Guide Dogs for the Blind (GDB) is an industry-leading guide dog school located in San Rafael, California. They prepare highly qualified guide dogs to serve and empower individuals who are blind or have low vision from throughout the United States and Canada. All of their services are provided free of charge.

As puppy raisers for Guide Dogs for the Blind, we are responsible for teaching our puppies good manners by socializing them in a wide variety of situations, and for teaching basic obedience. The puppies return to a GDB campus for their formal guidework training when they are about 15 months old.

As you can imagine, it takes a lot of training and self-discipline for these dogs to become the steady, reliable working dogs who confidently guide a person through a grocery store, retail establishment, restaurant, or doctor's office. That end result doesn't happen by magic and doesn't happen just because the dog turns a certain age. It's my job to socialize my puppy in these situations. GDB trainers can't teach this on campus.

The Americans with Disabilities Act (http://www.ada.gov/service_animals_2010.htm, http://www.ada.gov/regs2010/service_animal_qa.pdf) defines a service dog as dogs that are individually trained to do work or perform tasks for people with disabilities. It also specifies the two questions a business may ask to determine if the dog is a legitimate service dog: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals.

You'll notice the ADA does not include service dogs in training. However, the Colorado Revised Statutes do grant service dogs in training access to any public place:

Colorado Revised Statutes, Title 24, Article 34, Section 803, 24-34-803. Rights of individuals with service animals <https://leg.colorado.gov/sites/default/files/images/olls/crs2016-title-24.pdf>, Page 712

(2) A trainer of a service animal, or an individual with a disability accompanied by an animal that is being trained to be a service animal, has the right to be accompanied by the service animal in training without being required to pay an extra charge for the service animal in training in or on the following places or during the following activities:

- (a) Any place of employment, housing, or public accommodation;
- (b) Any programs, services, or activities conducted by a public entity;
- (c) Any public transportation service; or
- (d) Any other place open to the public.

We respect your request to not bring outter service dog in training into your facility. We hope based on the information in this packet, that you will reconsider this opportunity to help us socialize our future canine hero.

Darlene White, Sidekicks For Sight Puppy Club Volunteer, www.sidekicksforsight.com, sidekicksforsight@gmail.com

Frequently Asked Questions about Service Animals and the ADA

http://www.ada.gov/service_animals_2010.htm

http://www.ada.gov/regs2010/service_animal_qa.pdf

Q: What is a service animal?

A: Under the ADA, a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability.

Q: Are service-animals-in-training considered service animals under the ADA?

A: No. Under the ADA, the dog must already be trained before it can be taken into public places. However, some State or local laws cover animals that are still in training. (Colorado is a state that does address animals in training)

Q: What questions can a covered entity's employees ask to determine if a dog is a service animal?

A: In situations where it is not obvious that the dog is a service animal, staff may ask only two specific questions: (1) is the dog a service animal required because of a disability? And (2) what work or task has the dog been trained to perform? Staff are not allowed to request any documentation for the dog, require that the dog demonstrate its task, or inquire about the nature of the person's disability.

Q: Do service animals have to wear a vest or patch or special harness identifying them as service animals?

A: No. The ADA does not require service animals to wear a vest, ID tag, or specific harness.

Q: Can a person bring a service animal with them as they go through a salad bar or other self-service food lines?

A: Yes. Service animals must be allowed to accompany their handlers to and through self-service food lines. Similarly, service animals may not be prohibited from communal food preparation areas, such as are commonly found in shelters or dormitories.

Q: Can hotels assign designated rooms for guests with service animals, out of consideration for other guests?

A: No. A guest with a disability who uses a service animal must be provided the same opportunity to reserve any available room at the hotel as other guests without disabilities. They may not be restricted to "pet-friendly" rooms.

Q: Can hotels charge a cleaning fee for guests who have service animals?

A: No. Hotels are not permitted to charge guests for cleaning the hair or dander shed by a service animal. However, if a guest's service animal causes damages to a guest room, a hotel is permitted to charge the same fee for damages as charged to other guests.

Q: Does the ADA require that service animals be certified as service animals?

A: No. Covered entities may not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal, as a condition for entry. There are individuals and organizations that sell service animal certification or registration documents online. These documents do not convey any rights under the ADA and the Department of Justice does not recognize them as proof that the dog is a service animal.

Q: Are churches, temples, synagogues, mosques, and other places of worship required to allow individuals to bring their service animals into the facility?

A: No. Religious institutions and organizations are specifically exempt from the ADA. However, there may be State laws that apply to religious organizations.

Q: Do commercial airlines have to comply with the ADA?

A: No. The Air Carrier Access Act is the Federal law that protects the rights of people with disabilities in air travel. For information or to file a complaint, contact the U.S. Department of Transportation, Aviation Consumer Protection Division, at 202-366-2220.

Colorado state law regarding service animals: 24-34-803. Rights of persons with assistance dogs

[\(24-34-803. Rights of persons with assistance dogs\)](#)

(1) A person with a disability, including but not limited to a blind, visually impaired, deaf, hard of hearing, or otherwise physically disabled person, has the right to be accompanied by an assistance dog specially trained for that person without being required to pay an extra charge for the assistance dog in or on the following places and subject to the conditions and limitations established by law and applicable alike to all persons:

- (a) *Public streets, highways, walkways, public buildings, public facilities and services, and other public places;*
- (b) *Any place of public accommodation or on public transportation services; and*
- (c) *Any housing accommodation offered for rent, lease, or other compensation in the state.*

(2) A trainer of an assistance dog has the right to be accompanied by an assistance dog that the trainer is in the process of training without being required to pay an extra charge for the assistance dog in or on the following places:

- (a) *Public streets, highways, walkways, public buildings, public facilities and services, and other public places; and*
- (b) *Any place of public accommodation or on public transportation services.*

(3)(a) *An employer shall not refuse to permit an employee with a disability who is accompanied by an assistance dog to keep the employee's assistance dog with the employee at all times in the place of employment. An employer shall not fail or refuse to hire or discharge any person with a disability, or otherwise discriminate against any person with a disability, with respect to compensation, terms, conditions, or privileges of employment because that person with a disability is accompanied by an assistance dog specially trained for that person.*

(b) *An employer shall make reasonable accommodation to make the workplace accessible for an otherwise qualified person with a disability who is an applicant or employee and who is accompanied by an assistance dog specially trained for that person unless the employer can show that the accommodation would impose an undue hardship on the employer's business. For purposes of this paragraph (b), "undue hardship" means an action requiring significant difficulty or expense.*

(4) The owner or the person having control or custody of an assistance dog or an assistance dog in training is liable for any damage to persons, premises, or facilities, including places of housing accommodation and places of employment, caused by that person's assistance dog or assistance dog in training. The person having control or custody of an assistance dog or an assistance dog in training shall be subject to the provisions of section 18-9-204.5, C.R.S.

(5) A person with a disability is exempt from any state or local licensing fees or charges that might otherwise apply in connection with owning an assistance dog.

(6) The mere presence of an assistance dog in a place of public accommodation shall not be grounds for any violation of a sanitary standard, rule, or regulation promulgated pursuant to section [25-4-1604](#), C.R.S.

(7) As used in this section, unless the context otherwise requires:

(a) *"Assistance dog" means a dog that has been or is being trained as a guide dog, hearing dog, or service dog. Such terms are further defined as follows:*

(I) *"Guide dog" means a dog that has been or is being specially trained to aid a particular blind or visually impaired person.*

(II) *"Hearing dog" means a dog that has been or is being specially trained to aid a particular deaf or hearing impaired person.*

(III) "Service dog" means a dog that has been or is being specially trained to aid a particular physically disabled person with a physical disability other than sight or hearing impairment.

(b) "Disability" has the same meaning as set forth in the federal "Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12102 (2), as amended.

(c) "Employer" has the same meaning as set forth in the federal "Americans with Disabilities Act of 1990", 42 U.S.C. sec. 12111 (5), as amended.

(d) "Housing accommodations" means any real property or portion thereof that is used or occupied, or intended, arranged, or designed to be used or occupied, as the home, residence, or sleeping place of one or more persons but does not include any single family residence, the occupants of which rent, lease, or furnish for compensation not more than one room in that residence.

(e) "Places of public accommodation" means the following categories of private entities:

(I) Inns, hotels, motels, or other places of lodging, except establishments located within buildings actually occupied by the proprietor as the proprietor's residence containing five or fewer rooms for rent or hire;

(II) Restaurants, bars, cafeterias, lunchrooms, lunch counters, soda fountains, casinos, or other establishments serving food or drink, including any such facility located on the premises of any retail establishment;

(III) Gasoline stations or garages;

(IV) Motion picture theaters, theaters, billiard or pool halls, concert halls, stadiums, sports arenas, amusement or recreation parks, or other places of exhibition or entertainment;

(V) Auditoriums, convention centers, lecture halls, or other places of public gathering;

(VI) Bakeries, grocery stores, clothing stores, hardware stores, shopping centers, or other sales or retail establishments;

(VII) Laundromats, dry cleaners, banks, barber shops, beauty shops, travel services, shoe repair services, funeral parlors, offices of accountants or attorneys-at-law, pharmacies, insurance offices, professional offices of health care providers, hospitals, or other service establishments;

(VIII) Terminals, depots, or other stations used for specified purposes;

(IX) Museums, libraries, galleries, or other places of public display or collection;

(X) Parks, zoos, or other places of recreation;

(XI) Nursery, elementary, secondary, undergraduate, or graduate schools or other places of education;

(XII) Day care centers, senior citizen centers, homeless shelters, food banks, adoption agencies, or other social service center establishments;

(XIII) Gymnasiums, health spas, bowling alleys, golf courses, or other places of exercise or recreation;

(XIV) Any other establishment or place to which the public is invited; or

(XV) Any establishment physically containing or contained within any of the establishments described in this paragraph (e) that holds itself out as serving patrons of the described establishment.

(f) "Public transportation services" means common carriers of passengers or any other means of public conveyance or modes of transportation, including but not limited to airplanes, motor vehicles, railroad trains, motor buses, streetcars, boats, or taxis.

(g) "Trainer of an assistance dog" means a person who is qualified to train dogs to serve as assistance dogs.