



Welcome to the 2023 FRPA Conference!

August 28 - 31, 2023 | Orlando, FL

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Who let the dogs in?



Service Animal Basics

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Laura Lee Putzback



**Service Dog
Alliance of Florida**



Service Dog Rilee

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LEARNING OBJECTIVES



1. Distinguish the difference between a service, therapy, and emotional support animal.
2. Know when to ask about a service animal.
3. Understand what may be asked about a person with a disability or a service animal.
4. Determine when a service animal may be excluded or asked to leave.

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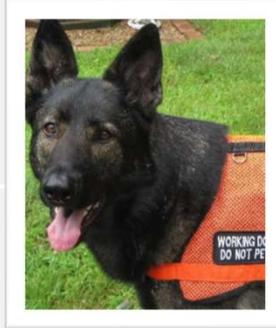
Types of Working Animals

Law Enforcement

Facility

Search & Rescue

Therapy



Service Dog

Emotional Support

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What's the difference?

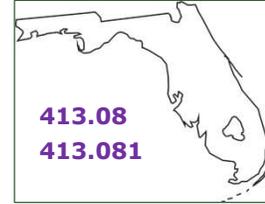
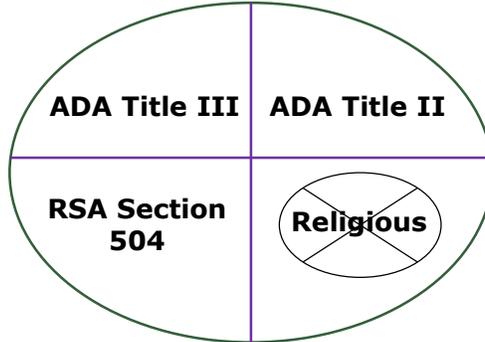
	Pet	Therapy	ESA	Service
Must have a disability			✓	✓
Invited – Limited Public Access		✓		
Full Public Access				✓
Housing	Depends		Documentation Required	✓
Airline – in the plane			Ended 2021	✓

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Assistance Dog Laws



public Access



Employment

ADA Title I
RSA Section 501, 503



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Assistance Animals

Service Animal

- Dog
- Miniature horse
- Trained to perform work or task(s) to mitigate a person's disability
- Can go **almost** anywhere the public is permitted



Comfort, Companion, ESA

- Any animal species
- May be trained or untrained
- Access very limited

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It's the law = Civil Rights

- **Americans with Disabilities Act**
- **Rehabilitation Act of 1973**
- **Fair Housing Act**
- **Air Carrier Act**



Florida Statute 413.08

✓ **Criminal:**

denial, interference, injury, or misrepresentation

✓ **Expands the ADA:**

service dogs in training have same rights and

responsibilities as service dogs

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Public Access

- Right of entry granted to dogs (no breed/size restrictions)
- Miniature horse modification of policy
- Not required to be marked as a service dog
- May have more than one service animal
- Only 2 questions can be asked
- May not ask about disability, some invisible
- May not ask for certification, registration, or task demonstration



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No recognized certification or registration



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Communicating Disability Information

I AM DEAF
OR
HARD OF HEARING

I COMMUNICATE USING THESE METHODS (Point):

- American Sign Language
- Pen / Paper / Texting
- Lip-reading
- Verbal Communication

HERE'S HOW YOU CAN HELP ME UNDERSTAND YOU:

- Try to eliminate background noise.
- Do not cover your mouth with hand or paper.
- Do not shout. Use a normal tone.
- Speak slowly and clearly.
- Do not shine flashlight in eyes.

Violations or Instructions:

SPEED LIMIT MPH

STOP

NO TEXTING WHILE DRIVING

BROKEN

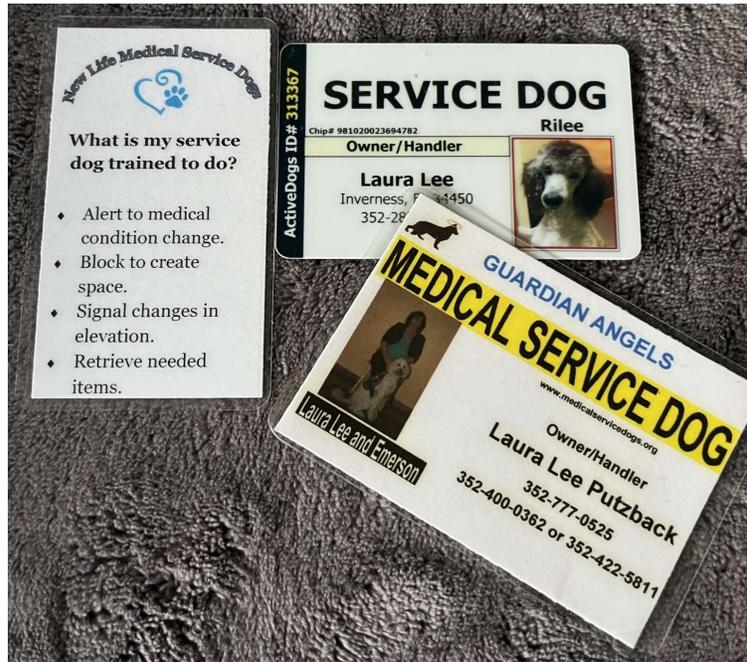
INSURANCE

REGISTRATION

Side 1

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**Don't
get
distracted.**



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Would you ask?

- Large Labrador Retriever wearing a collar and vest marked service dog. The dog is tethered to the manual wheelchair and appears to be pulling it.
- The handler is a gentleman, appearing to be in his mid 40s wearing a prosthetic leg.

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Would you ask?

- Large Pitbull wearing a red service dog vest, a collar and a leash made from neck ties knotted together. The dog is carrying a plastic zip lock bag with personal items.



- The handler is a gentleman, appearing to be in his late 60s, wearing a Marine veteran ball cap and military dog tags. His clothes are wrinkled, stained and torn. Both hands are full, carrying a backpack and blanket roll.

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Would you ask?

- Small Terrier mix wearing a collar, leash, and a dress.
- The handler is a young woman, appearing to be in her late teens. She is carrying the dog.



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When to ask?

When it is not **readily apparent** that an animal is trained to do work or perform tasks for an individual with a disability.



- Observe the work/task
- Case-by-case basis
- Avoid profiling
- Eliminate special classes
- Under/out of control

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ONLY Two Allowable Questions



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

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"My dog makes me feel better when I hug her. She makes me feel safe and so much calmer. I can't go anywhere without her."



Response:

"I'm glad your dog makes you feel better, safe, and calmer. These are not trained tasks. We permit Service Animals, which are trained specific tasks to mitigate your disability. Emotional Support animals are not permitted under the law."

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"That's not your business. The law says you can't ask me anything."



Response:

"The Americans with Disabilities Act allows me to ask these two questions. Would you like me to get that information for you?"

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“Look my dog has been registered. He’s certified. You have to let me in.”

Response:

“We allow service animals. The law permits me to ask only these two questions to determine it is a service animal. Under the law I cannot ask for or accept any papers, certificates, registrations or other documents as proof.”



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Service Dog Handler Responsibilities

- 1. Must be housebroken
- 2. Must follow state/local vaccination and registration requirements
- 3. Care and supervision of the service dog: toileting, feeding, grooming, veterinary care
- 4. Under handler's control at all times.
 - ✓ Harness, leash, tether unless prevented by a person's disability or the animal's safe and effective work performance
 - ✓ Alternatives: voice, signals, electronic collar...

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When Needs Conflict

One party covered by ADA

- The person has a disability as defined by the ADA
- Must address the person with a disability's accommodation request

All parties covered by ADA

- Each person has a disability as defined by the ADA
- Must address each person's accommodation request separately

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Would you ask the handler to remove the service animal?



1. Dog growling and snapping at passers by.
2. Complaint the dog is at the end of its leash touching people and things.
3. Dog running loose through the business.
4. Dog excited - jumping up and whining.
5. Dog goes to the bathroom. Dog vomits.
6. Dog full of fleas that are jumping onto other people.

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Interacting with a Service Dog Team

- ✦ Distracting a working service dog team can cause safety issues.
- ✦ Talk to the person and ignore the dog.
- ✦ Give the service dog team space.
- ✦ Ask permission before talking to or touching the dog, including giving food and water.
- ✦ The dog is always working even if it looks like he's resting.
- ✦ If you see a service dog without a human, it could be the person needs help.

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Service Dog Law

28 CFR 35.136 Service animals

https://www.ecfr.gov/cgi-bin/text-idx?SID=46c3cb6d3ba786474c5687f6e464d885&mc=true&node=se28.1.35_1136&rgn=div8

28 CFR 36.302 Modifications in policies, practices, or procedures

https://www.ecfr.gov/cgi-bin/text-idx?SID=46c3cb6d3ba786474c5687f6e464d885&mc=true&node=se28.1.36_1302&rgn=div8

Florida Statue 413.08

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=413.08&URL=0400-0499/0413/Sections/0413.08.html

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Information & Guidance

Service Animals Revised Requirements https://www.ada.gov/service_animals_2010.htm

FAQ https://www.ada.gov/regs2010/service_animal_qa.html

Title II Technical Assistance Manual <https://www.ada.gov/taman2.html>

Title II Manual Supplement <https://www.ada.gov/taman2up.html>

Title III Technical Assistance Manual <https://www.ada.gov/taman3.html>

Title II Manual Supplement <https://www.ada.gov/taman3up.html>

ADA National Network <https://adata.org/service-animal-resource-hub>

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Service Animals and Public Access

✓ When to ask?

When it is not *readily apparent* that an animal is trained to do work or perform tasks for an individual with a disability.

✓ What to ask?

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

✓ When to exclude?

- A. Animal is out of control and the handler does not take effective action to control it
- B. The animal is not housebroken

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Resources



ADA Information Line

800-514-0301 (voice)

800-514-0383 (TTY)

Monday, Tuesday, Wednesday, and Friday

9:30 a.m. until noon (EST)

3:00 until 5:30 pm (EST)

Thursday 2:30 p.m. until 5:30 p.m. (EST)

Calls are confidential.

Service Dog Alliance of Florida

352-410-6500

servicedogaf@hotmail.com

PO Box 1093 Hernando, FL 34442

Job Accommodation Network

(800)526-7234

**Monday – Friday
9 am – 6 pm**

Southeast ADA Center

Toll Free

800-949-4232

404-541-9001

**Monday – Friday
9 am – 5 pm**

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Thank You!

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For more information about the Florida Recreation and Park Association visit frpa.org

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