



SERVICE ANIMALS AT RACS

Frequently Asked Questions

KEY TAKEAWAY

RACS permits service animals as required by federal and Virginia law. Emotional support animals, companion or comfort animals, and pets are not permitted for ordinary access to RACS facilities unless a specific law or written RACS policy exception applies.

1. What is a service animal?

Under the Americans with Disabilities Act (ADA), a service animal is generally a dog individually trained to do work or perform tasks for a person with a disability. The work or task must be directly related to the person's disability. The ADA also has a separate provision for individually trained miniature horses, which must be assessed under specific factors.

2. Are emotional support, companion, comfort, or therapy animals service animals?

Not merely because they provide comfort or companionship. **An animal whose sole function is emotional support or comfort is not a service animal under the ADA.** Accordingly, emotional support animals, companion animals, comfort animals, therapy animals, and pets do not have the same public-access rights as ADA service animals.

3. What animals may enter RACS facilities?

For ordinary public access and visits, RACS allows service animals as required by applicable federal and Virginia law. Personal pets and other animals are prohibited unless permitted by law or a specific written RACS policy exception. RACS Policy 6-13 identifies limited exceptions, including certain facility-dog arrangements, group-home resident pets, and temporary permission from the Executive Director.

4. May staff ask whether an animal is a service animal?

Yes, when the need for the animal is not obvious. Staff may ask only:

- Is the dog a service animal required because of a disability?
- What work or task has the dog been trained to perform?

Staff may not ask about the person's disability, demand medical documentation, require a special identification card or training documentation, or require the animal to demonstrate the task.

5. Must a service animal be leashed, harnessed, or tethered?

Yes. **A service animal must be under the handler's control. It must be harnessed, leashed, or tethered unless the handler's disability prevents use of those devices or the devices interfere with the animal's safe and effective work.** In that situation, the handler must maintain control through voice, signal, or another effective method.

6. Who is responsible for the animal?

The handler is responsible for controlling, supervising, and caring for the service animal. RACS staff are not required to provide care or supervision for the animal.

7. When may RACS require an animal to leave?

RACS may require removal of a service animal when a lawful basis exists, including when:

- The animal is out of control and the handler does not take effective action to control it.
- The animal is not housebroken.
- The animal poses a direct threat to the health or safety of others, based on an individualized assessment.