



Department of Justice Issues Guidance on Service Animals

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By **Jennifer Smith**

Following last year's revised regulations implementing Title II of the Americans with Disabilities Act (ADA), which apply to public school districts, the U.S. Department of Justice issued technical guidance last month regarding service animals.

The new guidance clarifies that for ADA purposes, service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. The guidance, however, acknowledges that the definition of service animal may be broader under other state and federal laws. Therefore, the guidance does not limit the Illinois School Code provision defining service animals more broadly as "guide dogs, signal dogs or any other animal individually trained to perform tasks for the benefit of a student with a disability." 105 ILCS 5/14-6.03.

The new guidance also provides advice about the control of service animals, permissible inquiries regarding service animals, and appropriate circumstances for removal of service animals. On the issue of allergies that people may suffer when in contact with service animals, which has presented a conundrum for public schools, the guidance states that allergies are not valid reasons for denying access or refusing service to people using service animals.

More Information

Jennifer A. Smith
jas@franczek.com
312.786.6589

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