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State of Indiana

Indiana Family and Social Services Administration
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Service Animal Notice for FSSA Visitors

Purpose

This policy outlines the Indiana Family and Social Services Administration (FSSA) commitment to ensuring equal access and navigation to individuals with service animals in accordance with the Americans with Disabilities Act (ADA) and all other applicable federal, state, and local laws. *See The Americans with Disabilities Act of 1990 42 U.S.C. § 12101, § 504 of The Rehabilitation Act of 1973 29 U.S.C. § 794, 29 CFR Part 1630, 29 CFR Part 1614, I.C. 16-32-3-1.5, I.C. 35-46-3-11.5, and I.C. 16-32-3-2.* Please contact the ADA Coordinator at ada@fssa.in.gov with any concerns or inquiries about a service animal on an FSSA property.

Scope

This policy will apply to all people visiting FSSA divisions, business units, and functional areas therein.

Definitions

- **Contractor:** An individual or entity who has a construction service contract to perform consultation or work with or on the behalf of FSSA.
- **Disability:** The [ADA defines a disability](#) as a mental or physical impairment that substantially limits one or more major life activities. A person who has a record or history of having a disability, or an individual who is perceived as having a disability is also covered under this definition.
- **Emotional support animal:** Any species of animal that is prescribed as a type of treatment to offer support for a disability. These animals are not task trained and are solely present for comfort and companionship.
- **FSSA property:** The term property in this document refers to any physical buildings leased by FSSA, and equipment or fixtures purchased or rented by FSSA.
- **House broken:** An animal trained to behave and relieve themselves outside the house or other buildings on a consistent and regular basis as to comply with the requirements set forth in the Americans with Disabilities Act (ADA) and other relevant laws.
- **Service animal:** A dog or miniature horse that has been task trained to mitigate an individual's disability or disabilities.
- **Supervisor staff:** The terms supervisor and manager are used interchangeably for the purpose of this document. The term leadership refers to division directors.
- **Therapy animal:** An animal that has undergone behavioral training to obtain the certification to enter specific locations such as schools, medical facilities, and courtrooms to provide comfort to others. These animals do not perform tasks for the handler related to a disability.
- **Visitor:** Any individual who is not working for or on behalf of FSSA.



Service, Emotional Support, and Therapy Animals on FSSA Property

Service animals

Under the ADA, a service animal is defined as an animal, specifically a dog or a miniature horse, that has been trained to mitigate an individual's disability. The work or task that the animal is trained to perform must be directly related to the individual's disability. A business is required to modify existing practices, policies, and procedures if a service animal has been trained to perform tasks or mitigate a disability for the benefit of an individual with a disability. Miniature horses can be permitted entrance if the business in question can accommodate the miniature horse's size, type, and weight, and the miniature horse's presence will not compromise legitimate safety requirements for the function of the business.

Emotional support and therapy animals

Emotional support animals may be any species of animal, unlike a service animal. The purpose of an emotional support animal is to provide comfort or companionship to the individual. A therapy animal is an animal with specific certifications and trainings giving it the appropriate behavior to visit venues, such as hospitals and schools, to provide comfort to individuals around it. It is not an animal trained to mitigate a disability. Therefore, therapy and emotional support animals are not protected under the ADA and relevant laws.

Because emotional and therapy animals lack the training and protection of service animals, visitors' emotional and therapy animals are not permitted on FSSA properties. The ADA coordinator is available to answer any questions about service, emotional support, and therapy animals.

Service animal expectations

FSSA understands that the purpose of service animals is to assist with specific trained tasks to mitigate an individual's disabilities. The visitor using a service animal is responsible for the care and behavior of the service animal. FSSA employees and contractors are not responsible or liable for the service animal's care, behavior, or safety.

Visitors must agree to the following when bringing a service animal on FSSA property:

- The service animal must be healthy and reasonably groomed (e.g., no fleas, ticks, open wounds, or other contagious diseases that can be transferred to humans or other service animals).
- The service animal must be well behaved (e.g., no uncontrolled barking, growling, lunging, jumping/pawing that is not directly related to a tasking behavior for the mitigation of a disability, or other threatening behaviors).
- The service animal must be appropriately house broken.
- The service animal must be under the control of the visitor via leash, tether, harness, or other effect. Local ordinances for leash laws are to be followed unless a leash otherwise interferes with a service animal's tasks such as retrieving objects for an individual with a disability. In a situation where a leash inhibits the service animal's tasks, the visitor must use another way to always maintain the control of the service animal.

- In any situation where the service animal cannot be controlled, the visitor will be asked to leave the property with the service animal. The visitor will be given the opportunity to return to complete business or participate in services without the service animal.
- Local vaccination and reporting laws will be applicable in cases where a service animal scratches, bites, or otherwise harms FSSA employees, contractors, fellow visitors, or fellow service animals on FSSA property.
- The visitor may be required to pay for any damages to FSSA property caused by a service animal. Examples of damages include but are not limited to torn and chewed carpets and furniture.
- All animals are to be relieved outside. Visitors are responsible for cleaning up any excrement from the service animal. The visitor should alert FSSA employees or contractors if their service animal has an accident so the visitor can clean the affected area and FSSA employees or contractors can sanitize the area.

Training of staff for service animal access

All FSSA staff are encouraged to complete and participate in etiquette trainings about individuals with visible and non-apparent disabilities. These trainings can include service animal etiquette and service animal information. All FSSA employees and contractors are informed that when a disability is not readily apparent, they may ask:

1. Is the animal a service animal?
2. What tasks has the animal been trained to perform to mitigate a disability?

FSSA employees or contractors should not request identification or other documentation as proof of a service animal's training. If an FSSA employee or contractor interferes with a service animal or requests documentation for the service animal, please contact the ADA Coordinator at ada@fssa.in.gov.

Questions and concerns

All questions or concerns regarding service animals on FSSA property, interactions between the handler and FSSA staff and contractors, and any other information about service animals not listed in this document may be sent to the ADA Coordinator at ada@fssa.in.gov. If submitting a concern or complaint, please include the following information:

- The date and time of when the incident occurred.
- The address of the building and location within the building (e.g., room number, entrance, etc.).
- Whether the incident occurred in person or over the phone when discussing service animals.
- The parties included in the incident.