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Capstone Project

Clark University School of Professional Studies and Canines for Disabled Kids

Current Count of Licensed Service Dogs in the Commonwealth of Massachusetts and
the Feasibility of a Specialized “SD” License Tag

Feasibility Study

By:

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Acknowledgments

The Canines for Disabled Kids Capstone Team would like to take a moment to thank Kristin Hartness, Executive Director of Canines for Disabled Kids for her time, knowledge and trust in our team with this project. We would also like to thank Jay Simard, Development Officer at Canines for Disabled Kids for his time and direction in our research. Our team would like to recognize the Town/City clerk's offices in the Commonwealth who took time out of their busy days to participate in our survey as well as a special thank you to those twenty-two clerks that went the extra mile to send unsolicited feedback to assist us in our research. Additionally, we would like to thank Clark University and the Institutional Review Board who provided approval for our survey in record time. Our team wouldn't be here if it wasn't for Mary Piecewicz who shared her wisdom, direction, patience and advice throughout this project and beyond. We would also like to thank Mathew Roseen, the Grand Master of Keyboard Shortcuts, for his assistance and consultation. Lastly, we would like to thank our families for their support and understanding throughout this project and program.

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Executive Summary

Canines for Disabled Kids have been working on behalf of children and their families to educate communities and promote service dog partnerships for almost twenty years. Their advocacy with local legislatures, business owners, and community leaders highlighted the difficulties encountered when differentiating service dogs from emotional support/comfort dogs. Service dogs are entitled to access by the Americans with Disabilities Act (ADA), while emotional support/comfort dogs are not protected under the federal statute or to the same rights. Canines for Disabled Kids proposed a study to obtain a current count of licensed service dogs in the Commonwealth and investigate the feasibility of requiring a specialized dog tag. Canines for Disabled Kids is working to resolve the difficulty area businesses and community members are experiencing identifying service dogs in order to ensure access without violating the federal regulations which state:

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Under the ADA, State and local governments, businesses, and non-profit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two 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 cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task ("ada.gov", 2010).

Canines for Disabled Kids plans to introduce the data from this project to Congressman McGovern in January of 2018. Their goal is influencing legislative changes

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around the licensing of service dogs to include an identifiable license starting with the letters "SD" preceding the tag number. This will act as a mechanism for accurate identification by stakeholders. Potential benefits to changing licensing requirements would be 1) the creation of a model which could be replicated nationally to assist in the tracking of service dogs within the existing laws, 2) standardization of the training and licensing of service dogs, 3) advocacy for more “green space” to support service dogs and their owners in public places, and 4) assist in risk reduction for homeowner insurance. Currently, there is no accurate representation of the actual number of service dogs in the Commonwealth to convince legislators of the significance of this issue and its impact on their constituents. Additionally, having a specialized tag would remove the onus from business owners/community leaders to clarify if an animal is entitled to access, potentially reduce opportunities for people to fabricate licensing applications, and affect the consequences of deceptions from a crime of opportunity to a crime of intent.

Our team researched the current licensing processes in each of the 351 cities and towns in the Commonwealth to ascertain the feasibility of implementing a specialized tag at the city/town clerk’s level where licensing currently takes place. Included in our survey were inquiries regarding the total number of service dogs registered per town, the clerk’s current knowledge/training of federal laws regarding service dogs, and their thoughts on requiring a specialized tag. Our research consists of data analysis from our survey results as well as anecdotal comments shared from several clerk’s offices. Data points the team explored from the survey results include:

- The population of the town/city responding
- If staff ask the two questions permitted by federal law
- Staff who distinguish between an SD and ESA

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- Total number of SD licensed by municipality
- Whether staff was provided training
- Current barriers
- Constraints related to a change in the licensing process
- Analysis of unsolicited feedback

Based on our findings, the Canines for Disabled Kids Capstone Team recommends pursuing the requirements of a specialized tag, however, the town/city clerks should not hold the responsibility of legitimizing the service dogs. It is our professional opinion based on the responses from 120 towns/cities as well as 22 direct comments that the clerk's offices would feel burdened if required to discern whether or not a dog does indeed meet the criteria for a service dog. Our research also identified that the clerks' offices would also be concerned with keeping personal information regarding a community member's disability and the potential fiscal implications of a specialized license tag. The Canines for Disabled Kids Capstone Team recommends moving forward with the specialized dog tags and believes it to be feasible if alternative paths to record the rationale behind the "SD" license request are explored. Currently, Massachusetts law requires all dogs to have proof of their rabies vaccine prior to obtaining a license at a clerk's office. Our team is proposing that the recording of the answers to the two questions allowable under federal law should be completed at the time of vaccination by the veterinarian who would be best equipped to handle the sensitive medical information of the handler. The standardized rabies certificate form could be modified to include space to record the answers to the two questions or potentially an addendum could be added. This documentation could then be shared with town/city clerks for the distribution of an SD tag or alternatively, the veterinarian would

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distribute a special tag for a service dog. In addition, we recommend advocacy with the legislators to require this type of documentation as it would simplify the authentication process for area business owners/staff.

**Clark University CDK Capstone Project
Feasibility Plan**

Chapter One: Introduction

Background Information

Canines for Disabled Kids is a 501C3 non-profit organization whose mission is "increasing independence for children with disabilities and their families by promoting service dog partnerships, understanding, and awareness throughout the community". Under the guidance of Kristin Hartness as Executive Director, Canines for Disabled Kids is headed towards their twentieth anniversary. To date, they have sponsored over 130 service dogs, enabling children and their families' access to support dogs within three months to a year, a significant difference to the typical wait of two or more years.

Canines for Disabled Kids was formed as an offshoot of the NEADS, Dogs for Deaf and Disabled Americans training program and recognized that the resources available to children under the age of eighteen for trained service dog programs were minimal. Canines for Disabled Kids recognized the value of service dogs to children with disabilities to increase their independence and education in the community. Canines for Disabled Kids has been assisting children and their families for almost twenty years in navigating available programs to ensure that a service dog is the best instrument to assist each child's particular disability as well as identifying the training program which would be most appropriate for the child's individual needs.

In addition to working with children, their families and service dog training programs, Canines for Disabled Kids advocates in the community and with legislatures on behalf of disabled children and their service dogs to provide education to ensure access for service dogs under the Americans with Disability Act. The Department of Justice implements regulations under the ADA which define a service animal and their entitlements:

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Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Under the ADA, State and local governments, businesses, and non-profit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two 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 cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task ("ada.gov", 2010).

Working with schools, area businesses and civic groups, Canines for Disabled Kids has developed an educational training program to inform the public of the legal rights of children with service dogs, as well as the specific parameters around the handling and training of service dogs in an effort to increase community awareness and education. Canines for Disabled Kids have devoted their efforts to providing scholarships, education, and awareness and are hoping to get clarity around the number of licensed service dogs in Massachusetts and potentially assisting the legislature in requiring special tags for service dogs. Recently, there has been an increase in the popularity of emotional support/comfort animals. These animals are not protected under ADA with the same entitlements as they are not trained to perform a task or service which is a critical element of the ADA legislation. As result, emotional support/comfort dogs are often confused with true services dogs (SD). Business owners may not feel comfortable inquiring about a service dog mainly due to avoidance of a sensitive topic and confidentiality. Currently, SD's are not required to obtain or wear an identifying tag.

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Statement of the Problem

Canines for Disabled Kids is seeking data on the number of licensed service dogs in the Commonwealth of Massachusetts in addition to information regarding the challenges town offices encounter when licensing a service dog. CDK is also interested in creating a system which can be replicated nationally to assist in tracking the number of licensed service dogs which will influence targeted advocacy, education and resource allocation.

Purpose of this Capstone Project

Canines for Disabled Kids plans to introduce the data from this project to Congressman McGovern in January of 2018 with the goal of influencing legislative changes/enforcement around the licensing of service dogs to include an identifiable license starting with the letters "SD" preceding the tag number as a mechanism for accurate identification by stakeholders.

Stakeholders affected by this issue and our research include the staff at Canines for Disabled Kids, city/town clerks, veterinarians, business owners/employees, and the Commonwealth's legislature. As discussed in our Project Charter, we will focus on Kristin Hartness, Executive Director of Canines for Kids and Jay Simard, Development Officer for Canines for Kids and how our research and recommendations will affect these primary stakeholders.

Predominantly, our research will affect Ms. Hartness and Mr. Simard as they aspire for concrete data to present to Congressman McGovern in January 2018 to assist in legislative advocacy for changes to the licensing processes. Although our team exceeds the goal of greater than twenty-five percent return rate for our survey (34% return rate), the total number of licensed service dogs identified from the survey (eighty-seven) may not be significant enough for Congressman McGovern to influence legislative action. Nonetheless, by utilizing the feedback from the clerks' offices to shift the recording of the answers to the

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two questions from the town/city halls to veterinarian offices, a viable alternative may be possible. This alternative could enable Canines for Disabled Kids to meet their goal of developing a method to accurately document the number of service dogs. If a successful model is developed in the Commonwealth it surely can be replicated in other states across the country. Creating a method to measure the number of service dogs may also assist in increasing and targeting “green space” for service dogs by ensuring there are adequate areas where the population of service dogs is the greatest.

Significance of the Capstone Project

As a result of our data collection, it appears the total number of “zero-cost dog licenses” in the Commonwealth remains unclear due in part to the constraints on our survey to ensure anonymity. Canines for Disabled Kids can utilize the information our team gathered to collaborate with the communities who reported that they have not received training regarding the questions allowed by the ADA regulation. Canines for Disabled Kids can also target their educational resources to assist in increasing the knowledge base regarding the distinction between a service dog and emotional support/comfort dog as seventy-four percent of the respondents on our survey report that they do not distinguish between these types currently.

In addition, based on the significant feedback concerning “added red tape” and “potential legal ramifications” resulting from requiring documentation of a handler’s disability/storage of protected health information, it appears the most feasible manner to enact specialized service dog tags would be from the veterinarian office themselves as they are already equipped with records for the animals and would be able to easily record the responses to the questions in the ADA legislation. Additionally, handlers have an established relationship with their veterinarian which may assist in alleviating the concerns

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of the clerks' offices that their community members may become upset/insulted/agitated if asked in a public setting.

Subsequent Chapters

The reader will find in the chapters to follow an examination of the current trends in the licensing processes of service dogs, the methods by which our survey was constructed as well as an analysis of our findings including salient issues discovered and lastly our recommendations for Ms. Hartness and Mr. Simard.

Chapter 2 - Legislation, Definitions, and Trends

As discussed previously, the Americans with Disabilities Act (ADA) distinguishes a service dog based on their training and the skill set they can perform to assist their handler. The Department of Justice finalized these regulations implementing the Americans with Disabilities Act (ADA) for title II (State and local government services) and title III (public accommodations and commercial facilities) on September 15, 2010. Comprehending the specific verbiage in the ADA regulations is critical to ensure full compliance with the federal statute, therefore, we will commence by examining the "individually trained" clause and how it differentiates a service dog from emotional support/comfort dogs.

A service dog may receive their training either by a facility or an individual. The legislation does not mandate or regulate who is qualified to complete the training, however, it does state the tasks that the dog has been trained to perform must be related to easing the person's disability. Dogs are categorized into three classifications: a guide dog, hearing dog, or service dog. Guide dogs are trained to assist a visually impaired person with navigating their surroundings. Hearing dogs act as the ears of a person who has a hearing disability by alerting them to sounds such as a doorbell, phone, or fire alarm. Service dogs are coached to perform specific tasks, assisting a person by easing the impact of their disability to regain independence. Examples of skills that a dog may be trained to perform include: picking up dropped items, retrieving items, opening or closing doors, and pressing buttons. Impressively, they can learn how to mitigate a person's difficulty with dressing/undressing and laundry. Service dogs may also support a person with stability or balance issues by providing physical reinforcement via a special harness with a handle. Additionally, some service dogs can be taught to alert the person or call for assistance during a medical emergency such as a seizure, low blood sugar, or a cardiac episode. Service dogs' competencies can also extend to psychiatric supports such as providing medication

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reminders, alerts to environmental triggers, and provide physical pressure in cases of post-traumatic stress or anxiety disorders. These highly specialized and skilled animals allow the person with the disability achieve greater independence in their lives.

Because this training is so specialized, it requires an exceptionally intelligent and focused dog. The majority of dogs are not suitable for the extensive instruction involved in becoming service dogs. While the ADA does not stipulate the particular breeds that can become service dogs, commonly trained breeds include Labrador Retrievers and Golden Retrievers. Their education can take several years and typically commences while they are pups. Temperament is a key characteristic for a successful service dog. Eventually, the dogs must be able to perform their task(s) on command and possess the skills needed for the Assistance Dogs International Public Access Test which is a series of objectives designed to evaluate the dog's behavior in distracting environments ("Service Dog Training", 2016).

The ADA also requires that a service dog is tethered at all times, under the control of the owner and be housebroken. Service dogs are quite expensive and can cost upwards of \$25,000 due to the amount of time it requires to socialize and educate the dogs to perform their specialized tasks. Most dogs will not succeed in acquiring the necessary knowledge base and the American Kennel Club estimates that 50-70% of all dogs who begin training will drop out. The American Humane Society estimates that there are 20,000 active service dogs in the US (Davis, 2017).

Title II and title III of the ADA affirms that State, local government, public transportation, and commercial facilities must be accessible to persons with disabilities. For a disabled person utilizing a service dog, this simply means that a service dog must be permitted in all areas that the public would go. Typically, service dogs wear a vest or collar announcing they are a service animal. As noted earlier, a public establishment inquiring about a service dog is only permitted to ask the above mentioned two questions which are:

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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 cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task. The establishment is also prohibited from requesting documentation or asking questions such as "what is your disability"?

According to the Service Animals and Emotional Support Animals booklet (Brennan & Nguyen, 2014), there are different categories of animals that help people with disabilities in their daily life. The rights regarding these animals vary depending on what category the animal falls into. Such categories include "service animals, emotional support animals, and therapy animals". Emotional support animals and therapy animals are not considered service animals under the title II and title III of the ADA. These support animals help the owners feel less lonely and sometimes help deal with their mental disorders, such as depression, and anxiety. Federal law provides emotional support animals the right to accompany an individual with a disability in residential settings and air travel. Unlike service animals, emotional support animals are not trained to perform a specific service. Therapy animals differ from emotional support animals by "providing people with therapeutic contact, usually in a clinical setting, to improve their physical, social, emotional, and cognitive functioning." Therapy dogs typically are passive in nature, possess control in public places, and are permitted to be pet or touched by people other than the handler as part of their service.

Emotional support pets most often do not have the specialized training that is seen with a service dog, nor are they screened for temperament. This means that the level of control by the handler in public places may vary. Emotional support dogs may bark or become distracted which the opposite of the behavior required from a trained service dog.

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For the general public who may not be familiar with the different types of dogs and the protections provided under the federal law, differentiating between the types of support dogs can seem overwhelming. To add to the confusion, online companies profit by selling certifications, vests, and tags to anyone wanting to pass their dog off as a service dog. One can even answer questionnaires online and a medical professional will issue a letter of medical necessity for a fee stating the dogs is required. Currently, there is no federal certification of service dogs. Dogs that provide emotional support or fake service dogs posing as service animals cause the general public to question the legitimacy of all service dogs.

Massachusetts, bill H.2277 was filed by state Rep. Kimberly Ferguson titled An Act Relative to the Misrepresentation of a Service Animal proposes that anyone found guilty of misrepresenting a service dog would be subject to a \$300.00 fine and community service. This bill was heard by the Joint Judiciary Committee on September 12, 2017. Massachusetts resident Chris Slavin of Danvers testified at the hearing after her service dog was attacked by a fake service dog in an elevator in Reading. Slavin, now a fierce advocate of service dogs, stated that she has seen other countries that do not share the problem of fake service dogs because they have laws in that provide the appropriate protections of service dogs (Byrne, 2017).

Since the federal law prohibits questioning a person about the legitimacy of their service dog, people rely on the honor system during the licensing process. According to the Chicago Tribune, 19 states have statutes against service misrepresentation and Massachusetts is vying to become the 20th state with bill H.2277 (Davis, 2017). With the absence of a national registry allowing the proper identification of a service dog combined with the inability of merchants to determine if a service dog is legitimate, the misrepresentation of service dogs continues to escalate to the detriment of the people who are disabled and depend on trained service animals in their daily lives.

Chapter Three –Methods

To assist CDK in obtaining an accurate total count of the number of service dogs on record in the Commonwealth of Massachusetts, our team chose to survey all of the towns/cities individually. The time to complete the survey was less than five minutes to avoid respondent fatigue and the questions were designed to be short and direct. The survey was submitted to the Institutional Review Board (IRB) for approval on October 18, 2017, and was approved on October 20, 2017. In order to meet the criteria for research on human subjects, the survey could not contain identifiable information about the respondents and the data is required to be stored in a secure location through the University. Qualtrics was the platform used for the survey and data analysis which is endorsed by Clark University.

While waiting for IRB approval, the project team compiled a list of email contacts for each municipality within the Commonwealth from their websites. In the case of a town/city which utilizes a web form as a method of contacting the town clerk, a member of the project team would directly phone the town clerk requesting an email contact address. The contact list was created as an excel spreadsheet that will be shared with the client for future projects. An email grouping with all of the town/city clerk contacts was sent with a hyperlink to the anonymous survey. The total number of towns/cities included in the survey was 351, and the target response rate was 25%, or more than 88 surveys returned. The Commonwealth has 352 towns/cities on record; however, Devens was excluded because although there is an animal officer, the Town Administrators for the three surrounding towns (Ayer, Harvard, and Shirley) also license animals that live on Devens.

We used the survey distribution as an opportunity to gather additional information about 1) the municipality's size, 2) knowledge of the entitlements service dogs have under the ADA, 3) the town clerk's current practices for recording and training, and 4) constraints

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around recording. The survey was constructed with ten questions, nine of which included checkboxes or a drop-down menu. The questions on the survey are as follows:

Q1 - What is the population of your town/municipality?

- Under 10,000
- 10,000-40,000
- 40,000-60,000
- Over 60,000

Q2 - Is the staff aware the Federal law, the American with Disabilities Act (ADA), allows for the following questions to be asked to determine if a dog is a 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?

- Yes
- No
- Sometimes
- Don't know

Q3 - When your office issues a "zero dog license" for a service animal, do the staff person ask the consumer if the dog is "required because of a disability"?

- Yes
- No
- Sometimes

Q4 - When your office issues a "zero dog license" for a service animal, do the staff person ask the consumer "what is the dog trained to do for your disability"?

- Yes
- No
- Sometimes

Q5 - Are the consumer's responses documented by the staff person on the licensing paperwork?

- Yes
- No
- Sometimes
- Don't know

Q6 - When the staff person approves a "zero dog license" for a service animal, do they distinguish between a service dog and an emotional support/comfort animal?

- Yes
- No

Q7 - How many service dogs are licensed in your city/town for FY 2017?

- Open response

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Q8 - Were you and/or your staff provided training on how to record service dog licenses?

- Yes
- Some
- No

Q9 - What types of barriers could your staff encounter by asking and recording the two questions from the ADA in an effort to distinguish service dogs from emotional support animals? (Select all that apply).

- Staff feel uncomfortable asking the consumer
- Staff are too busy to ask/record
- Staff are not the only ones licensing and may not have direct interaction with consumer
- Staff are not familiar with the different types of support animals
- Staff is aware of protecting health information and don't want to be responsible for consumer's health information.
- Not enough licenses issued to need distinguishing
- No one tracks data or follows up
- None
- No consequences for lying about a disability
- Low priority for staff members
- Consumers may become upset with those questions

Q10 - What possible constraints do you see in requiring a "special" tag for service dogs in your city/town? Please be as specific as possible. (Select all that apply).

- Added "red tape"
- Potential difficulty with consumers if they do not qualify for "special" tag
- Would have to keep data on file
- We are not equipped to determine if someone is disabled
- Potential legal ramifications
- None

The survey launched on November 2, 2017, and closed on November 18, 2017. Of the 351 surveys sent, thirty-two bounced back within the first twenty-four hours. The group contacted the offices of the respondents that were undeliverable and were able to update the contact information and resend within forty-eight hours of the survey launch. Cost analysis of changes to the current registration process was not included as part of this project; however, this may be beneficial in the future if a change in the registration process is proposed.

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In addition to the survey, a staff member at the town clerk's office in Milford, MA was interviewed to get a better understanding of their process. According to Massachusetts legislation 105 CMR 330, "vaccination certificates for dogs must be filed by the vaccinating veterinarian within 30 days with the clerk of the city or town where the dog owner resides. One copy shall be provided to the dog owner, and one copy shall be retained by the vaccinating veterinarian" (Massachusetts Rabies Law). Milford confirmed that the number of dogs requiring licensure is obtained from a report that is distributed by veterinarians containing aggregated data on the number of dogs by the town in which they've received the rabies certificate. Medway Animal Hospital also confirmed that this is indeed the practice. This list is distributed to the dog officer for each town that a dog receiving a certificate resides in.

Dr. Monica Mansfield of Medway Animal Hospital was interviewed in an effort to obtain feedback on the barriers that may be present if additional steps were imposed on the veterinarian's office at the time of rabies vaccination. Dr. Mansfield and her cohort, Dr. Michael Robinson stated: "it would not be burdensome to document the answers" to the two questions allowed under ADA, however, Dr. Mansfield questioned the liability of signing off that these statements were indeed true as verified by the veterinarian administering the rabies vaccination. Dr. Mansfield was very willing to help in any way she could and stated the office regularly completes paperwork for therapy dogs verifying the dog is in good health and has been inoculated which is a requirement for entrance into a clinical setting.

Chapter Four – Results, Reflection, and Recommendations

This chapter includes four sections: results of the survey, correlations based on the survey findings, relevant information discovered through interviews, and a summary of unsolicited feedback. In total, 351 towns/cities were invited to participate in our survey and 120 municipalities responded. The response rate equaled 34% which exceeded the target defined in the project charter and is statistically significant.

According to the answers obtained from the survey, we conclude the following:

Q1 - What is the population of your town/city?

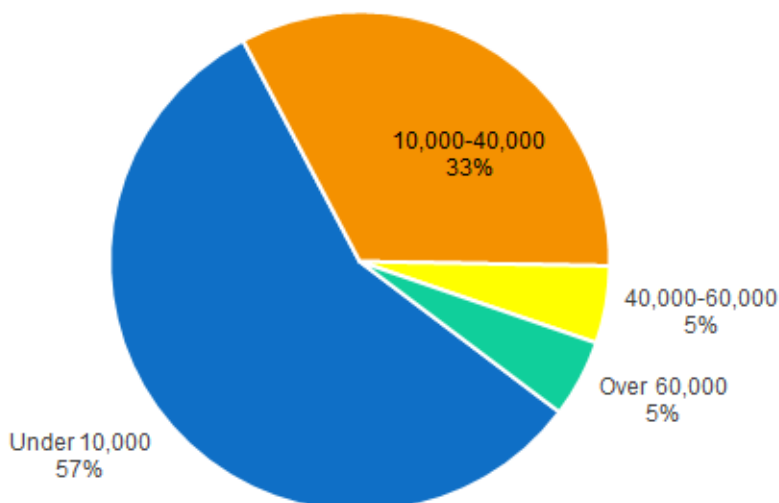


Figure 1. The population of each town/municipality based on survey responses.

114 towns/cities answered the question describing the population of their municipality. The majority of respondents (57%) reported their population was under 10,000 (small towns), and 43% reported a population above 10,000 (Figure 1). To provide additional context, the following chart (Figure 2) breaks down the response rate by municipality size.

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We chose to incorporate the population size in this survey to examine if processes were the same of different based on the size of the municipality.

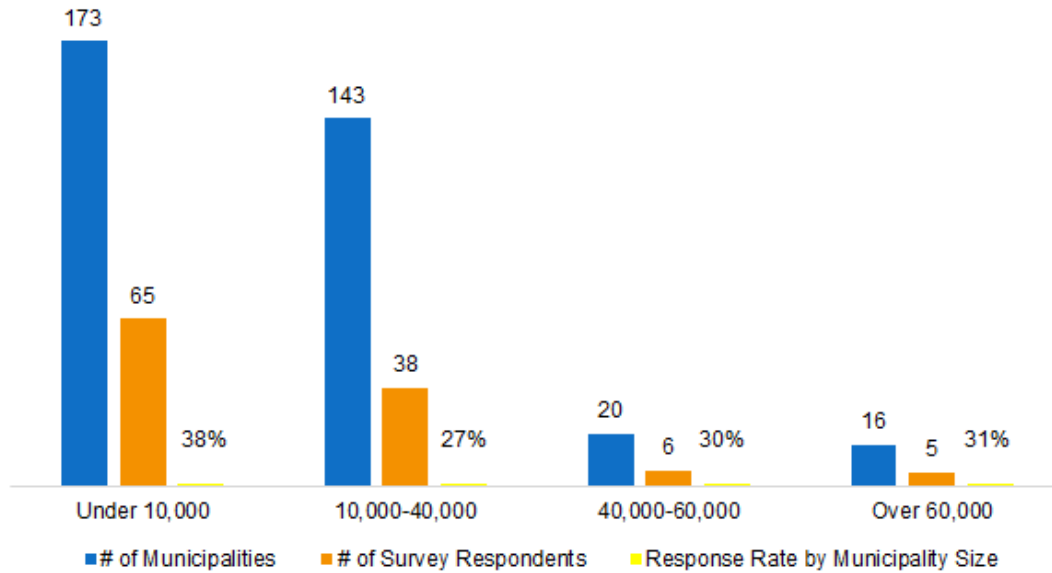


Figure 2. Total number of surveys administered and the survey response rate by municipality size.

Overall, the highest participation rate in our study came from municipalities with a population of less than 10,000 (*Figure 2*). However, the response rate shows that a representative sample was noted from all four of the municipality sizes.

Q2 - Is the staff aware the Federal law, the American with Disabilities Act (ADA), allows for the following questions to be asked to determine if a dog is a 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?

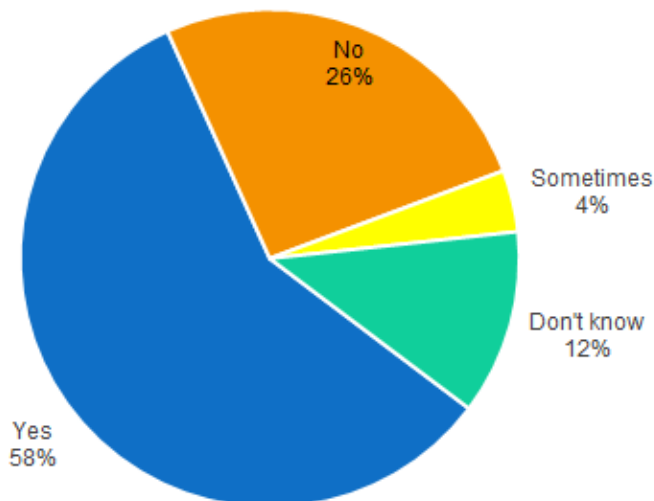


Figure 3. Displays the percentage of staff who are aware of the federal law pertaining to the two allowable questions under the ADA?

More than half of the respondents reported that they are aware of the federal law allowing them to ask questions that comply with the ADA about the legitimacy of a service dog. 26% of the towns/cities were not aware of the federal law and a small percentage reported inconsistencies in their knowledge of this question (*Figure 3*). For the 4% of the towns/cities reporting “Sometimes”, a possible explanation may be that some of the staff is aware, but others may not be. The data indicates an overall lack of awareness of the protections under the federal law suggesting that education and training are needed.

Comparing the results of the knowledge of the federal law by the size of the municipality did not show a statistically significant difference. Therefore, we conclude that the knowledge of the federal law does not differ by population.

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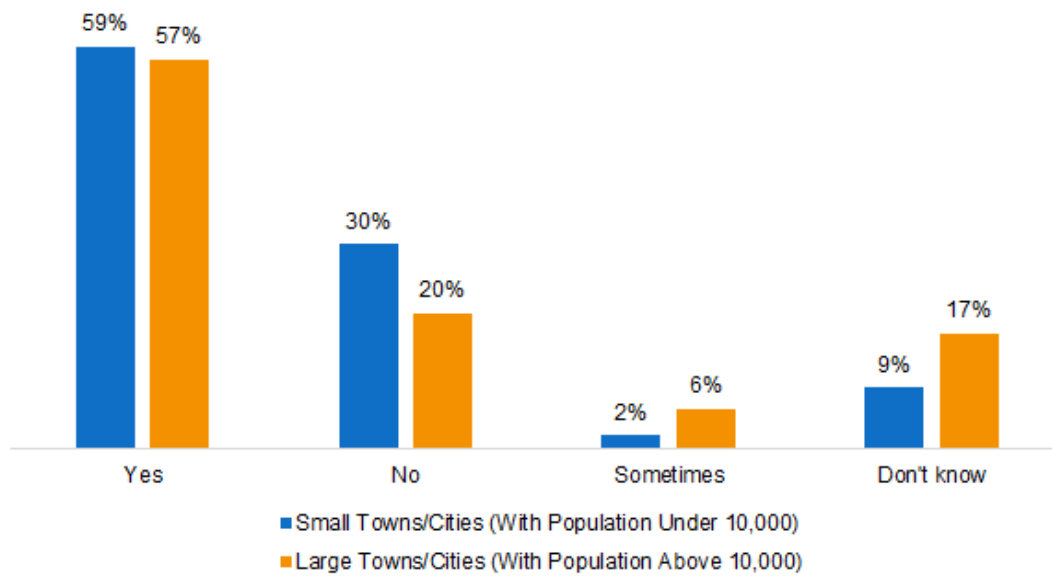


Figure 4. Represents the percentage of staff that are aware of the federal law pertaining to the two allowable questions under the ADA by the size of the municipality.

Q3 - When your office issues a "zero dog license" for a service animal, does the staff person ask the consumer if the dog is "required because of a disability"?

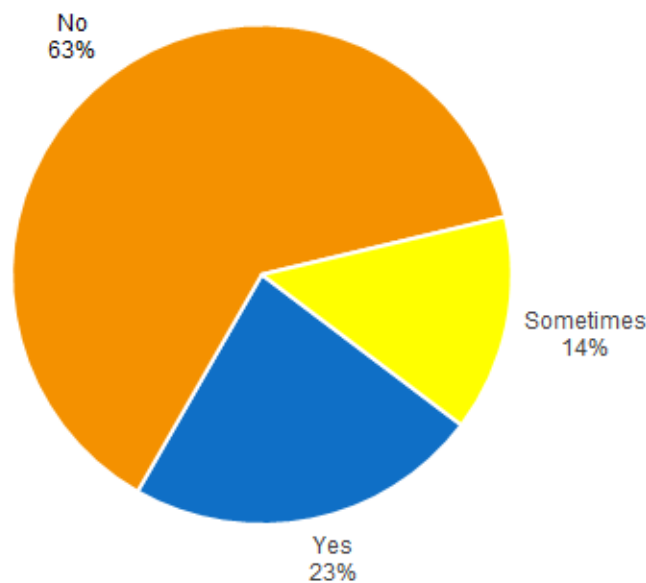


Figure 5. Represents the percentage of staff who ask the consumer at the time of licensing if the dog is "required because of disability?"

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From the graph above, we know that the staff in 63% of the towns/cities do not ask the consumer if the dog is required because of a disability when issuing a “zero-cost dog license” for a service animal. Less than a quarter of respondents report they do ask the question, and 14% report they sometimes ask the question (*Figure 5*). Although 58% of the towns/cities are aware of the federal law allowing them to ask this question, very few respondents report doing so. In Q9 we will review the barriers that may contribute to the reason towns/cities reported as such.

Q4 - When your office issues a "zero dog license" for a service animal, does the staff person ask the consumer "what is the dog trained to do for your disability"?

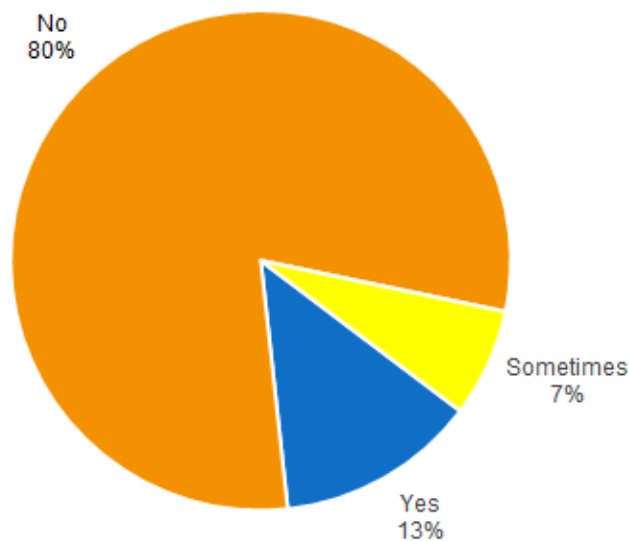


Figure 6. Represents the percentage of staff who ask the consumer at the time of licensing "what is the dog trained to do for your disability?"

We concluded that the majority of town/city staff do not ask the consumer “what is the dog trained to do for your disability” when issuing a “zero dog license” for a service animal. Possible explanations will be explored in Q9 and viewed similarly to the previous question.

Q5 -Are the consumer’s responses documented by the staff person on the licensing paperwork?

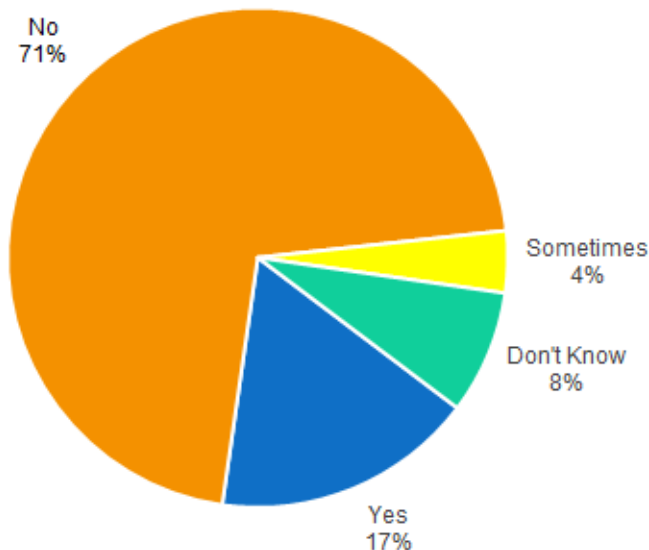


Figure 7. The percentage of staff who document the consumer's responses on the licensing paperwork?

71% of the respondents reported that the staff does not document the answers to the two questions. Overall, less than 20% of the towns/cities ask these two questions (*Figure 6*) and only 17% of the 20% document customers’ responses (*Figure 7*).

Q6 – When the staff person approves a “zero dog license” for a service animal, do they distinguish between a service animal and an emotional support/comfort animal?

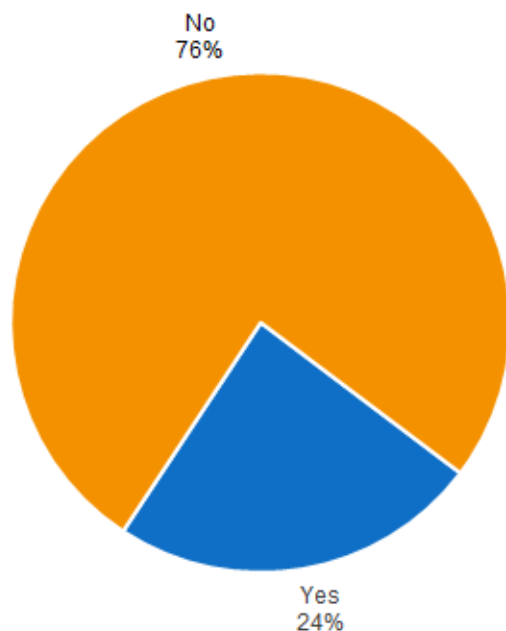


Figure 8. The percentage of staff who distinguish between a service animal and an emotional support/comfort animal?

More than three-quarters of staff (76%) report that they do not distinguish between a service animal and/or emotional support/comfort animal (Figure 8). This figure is important because it directly effects the team's ability to obtain an accurate count of the SD's licensed.

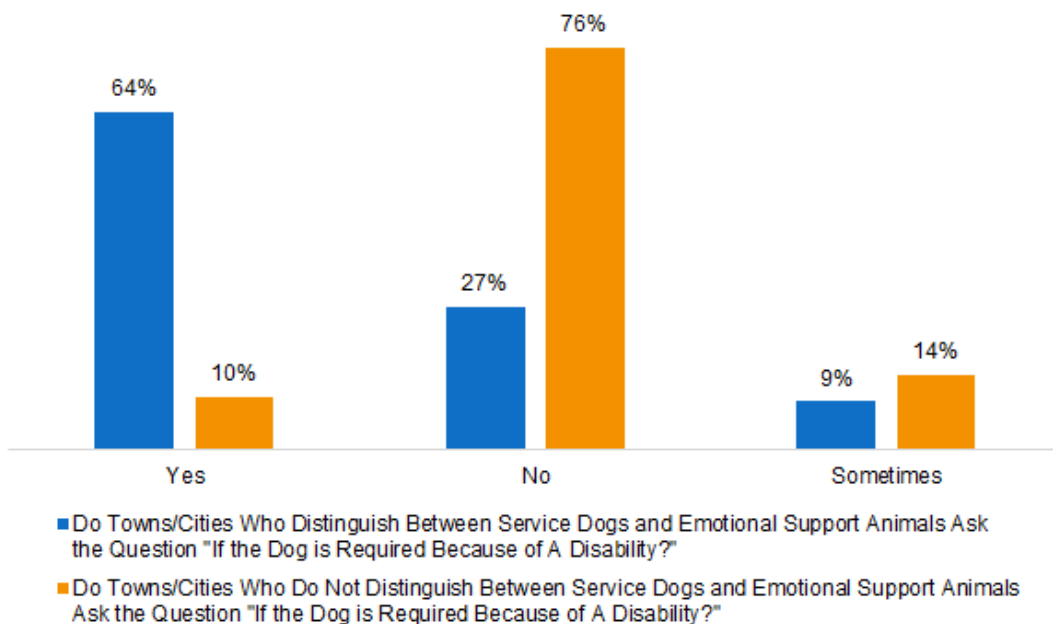


Figure 9. The percentage of staff who ask if the dog is required because of a disability who do and do not distinguish between a service dog and emotional support animal at the time of licensing.

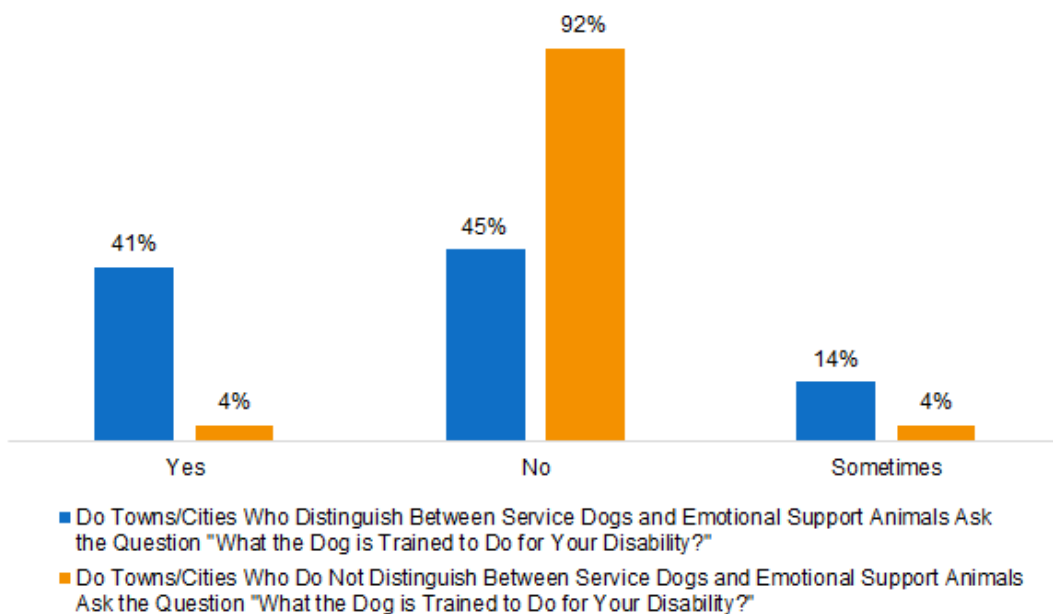


Figure 10. The percentage of staff who ask if the dog what the dog is trained to do for the handler's disability who do and do not distinguish between a service dog and emotional support animal at the time of licensing.

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Based on *Figure's 9 and 10*. we concluded the following:

- Staff who do not distinguish between a service animal and the emotional support/comfort animal are less likely to ask whether the dog is “required because of a disability”.
- The small percentage of towns/cities who do distinguish between a service animal and the emotional support/comfort animal, are more likely to have asked if the animal is required because of a disability.
- The majority of staff who do not distinguish between emotional support/comfort animals do not ask what the dog is trained to do for a consumer’s disability.
- Staff is more likely to ask about what task the dog is trained to do for the disability if they distinguish between a service animal and the emotional support animal.
- When staff distinguishes between a service animal and the emotional support animal, they are more likely to ask these two questions permitted under federal law when issuing licenses.

Q7 - How many service dogs are licensed in your city/town for FY 2017?

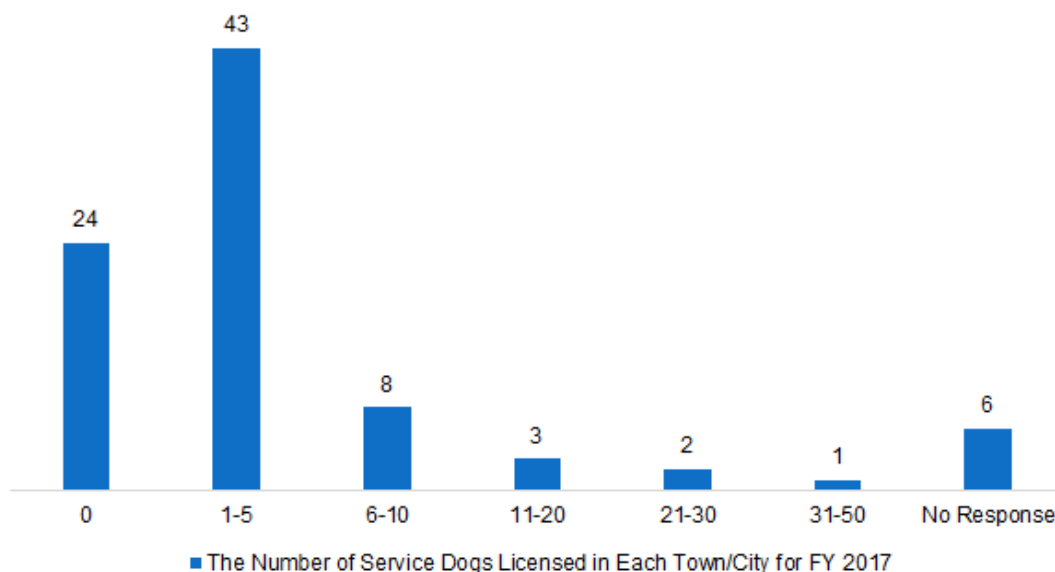


Figure 11. The number of service animals licensed in each town/city.

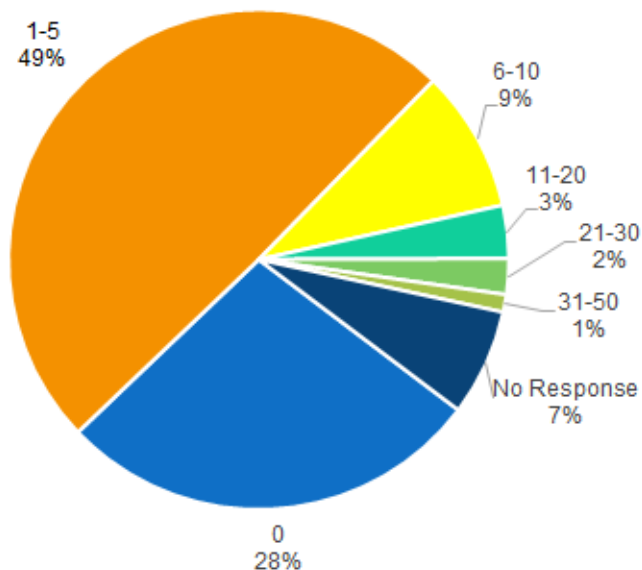


Figure 12. The total number of service animals licensed in each town/city by percentage.

Of the 108 respondents, 28% report a count of zero service animals licensed in their municipality followed by 49% reporting 1-5 licensed service animals. Overall, more than 77% of the respondents reported having less than 5 service animals licensed (Figure 12).

Q8 - Were you and/or your staff provided training on how to record service dog licenses?

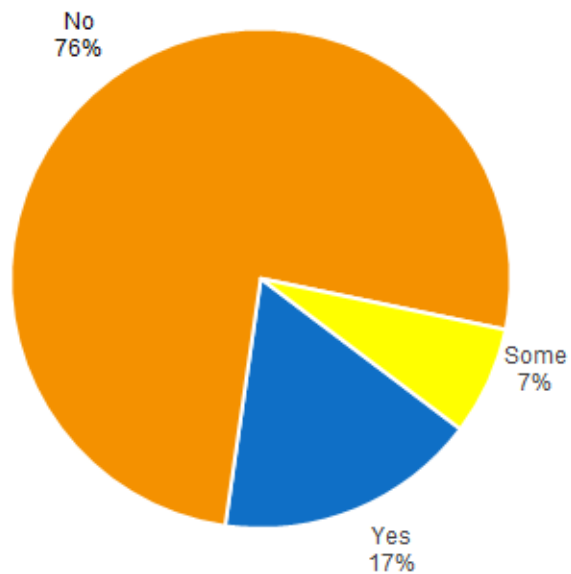


Figure 13. Represent the percentage of staff that reported receiving training on how to record service dog licenses.

Notably, more than 76% of the respondents reported that they have not received training on how to record a service dog when they issue a license (*Figure 13*).

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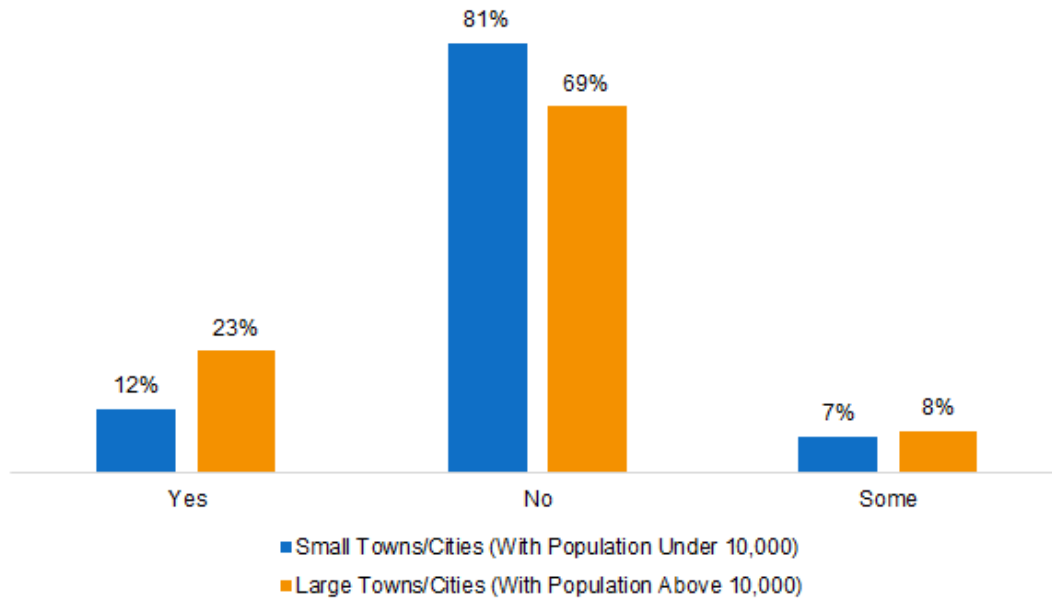


Figure 14. Staff who report yes/no to receiving training broken down by the population of the municipality.

When comparing whether training was provided by the size of the municipality we concluded that towns/cities with a population under 10,000 are relatively more unlikely to provide training to the staff with a population above 10,000 are relatively more willing to provide training to the staff (*Figure 14*).

Q9 - What types of barriers could your staff encounter by asking and recording the two questions from the ADA in an effort to distinguish service dogs from emotional support animals?

What type of barriers could the staff encounter by asking and recording the two questions under the ADA?	
Staff are not the only ones licensing and may not have direct interaction with the consumer	3%
Low priority for staff members	3%
Staff are too busy to ask/record	3%
None	7%
No one tracks data or follows up	7%
No consequences for lying about a disability	8%
Consumers may become upset about those questions	10%
Staff are not familiar with the different types of support animals	10%
Staff are aware of protecting health information and don't want to be responsible for consumer's health information	12%
Staff feel uncomfortable about asking the consumer	15%
Not enough licenses issued to need distinguishing	21%

Figure 15. What types of barriers could the staff encounter by asking and recording the two questions under the ADA?

The top three barriers reported that prevent staff from asking the two questions from the ADA include “not enough licenses issued to need distinguishing”, followed by “staff feel uncomfortable asking the customer” and “staff are aware of protecting health information and don't want to be responsible for consumer's health information” (*Figure 15*).

Q10 - What possible constraints do you see in requiring a "special" tag for service animals in your city/town? Respondents were asked to select all that they thought applied to their municipality.

Possible constraints seen in requiring a "special tag" for service animals?	
Would have to keep data on file	11%
Added "red tape"	15%
Potential difficulty with consumers if they don't qualify for "special tag"	15%
Potential legal ramifications	17%
None	17%
We are not equipped to determine if someone is disabled	25%

Figure 16. Lists the possible constraints as reported by respondents that may be seen if required to provide a "special" tag for service animals?

The most common constraint towns/cities report when presented with the notion of issuing an identifiable SD tag is that they are not equipped to determine if someone is disabled. Interestingly, the second highest constraint reported was "none". A great number of towns also chose the problem of "potential legal ramifications", "added red tape", "and potential difficulty with consumers if they do not qualify for special tag" (*Figure 16*).

It is important to note that data from Question 9 shows that staff report feeling uncomfortable asking questions related to a person's disability and/or handling protected health information (*Figure 15*). This ties into the concerns that the staff perceives they are not qualified to distinguish if a consumer is indeed disabled.

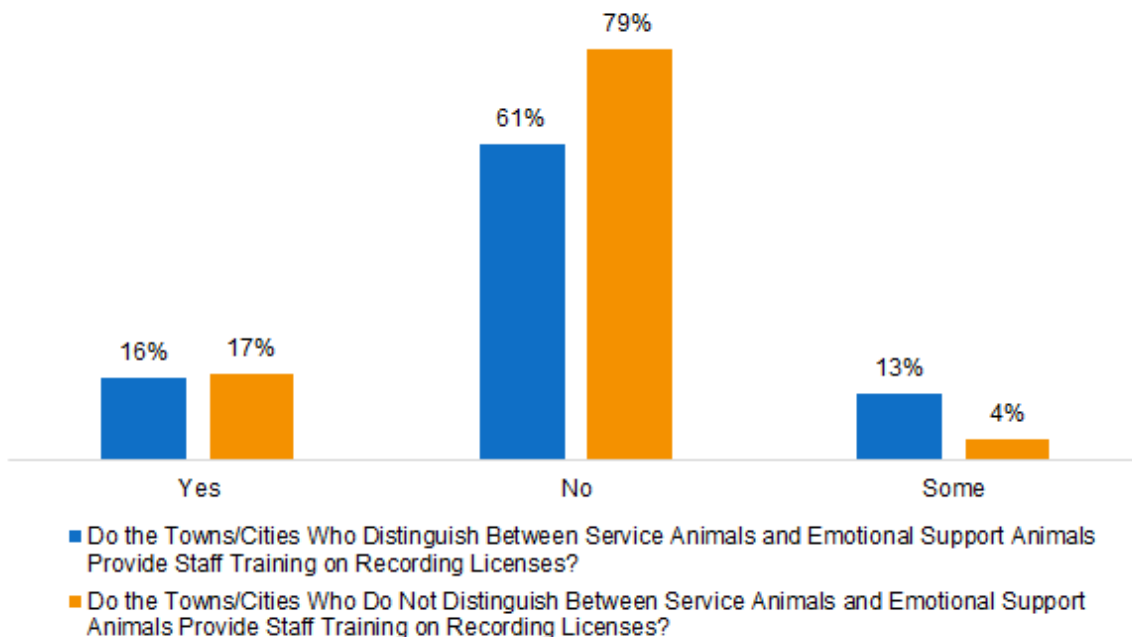


Figure 17. Are the towns/cities who distinguish between service dogs and emotional support animals more likely to provide staff the training on recording licenses?

In Figure 17., the team was hoping to discover that the towns/cities who did distinguish between service dogs and emotional support/comfort dogs were provided more training, nonetheless, the data did not support this theory.

Lastly, the team received unsolicited email from respondents providing feedback on the process. Seven respondents emailed the sender directly stating they did not have any service dogs registered in their town. The assumption is that these respondents did not complete the survey as they thought it did not apply to their municipality. In addition, twenty-two municipalities contacted the sender to add additional information and opinions they felt should be taken into consideration. We have compiled the responses into Appendix F in their entirety; however, the bulk of the feedback was centered around the clerk's office staff and their concerns with the reactions of their community members to additional inquiries regarding their service dog/disability, potential liabilities encountered with managing health

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information and potential fiscal constraints associated with ordering a specialized tag. As more than 77% of our respondents reported having less than 5 service dogs in their community (*Figure 12*), it appears this issue does not significantly impact enough communities for the clerk's offices to see value in changing the licensing processes. Additionally, several towns/cities reported that the burden of recording community member's responses to the two questions allowed by the ADA would far outweigh the benefit as they report that they are satisfied with accepting the "word" of their neighbors regarding the validity of service dog's credentialing. The Canines for Disabled Kids Capstone Team recommends allocating advocacy and educational resources toward the area veterinarian's offices instead of clerk's staff to garner support for SD tags-as they may be more inclined to support this initiative.

Summary of the Findings

In total, 351 cities/towns were invited to participate in our survey. The response rate from the survey was 34%, a reliable sample size. According to the responses, we conclude the following:

- 57% of the towns/cities participated in the survey have a population under 10,000, and 47% of the towns/cities have a population > 10,000 (*Figure 1*).
- The staff in 58% of the towns/cities are aware of the federal law and the two questions permitted to distinguish if the animal is a service animal (*Figure 3*).
- Compared with large towns/cities (with a population under 10,000), the staff in small towns/cities (with a population above 10,000) are less aware of the federal law (*Figure 4*).

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- The staff in only 23% of the towns/cities ask the owner if the dog is required because of a disability, and the staff in only 13% of the towns/cities ask the owner what the service animal is trained to do for the disability (*Figures 5, 6*).
- The staff in only 17% of the towns/cities document the owners' responses on the licensing paperwork (*Figure 7*).
- The staff in 76% of the towns/cities do not distinguish between service animals and emotional support animals.
- When the staff distinguishes between the service animal and the emotional support animal, they are more likely to ask the two questions (*Figure 9*).
- The staff in only 17% of the towns/cities are trained to record service animal licenses (*Figure 13*).
- Municipalities with a population < 10,000 have a slightly lower percentage of trained staff compared to towns/cities with a population >10,000.
- 83% of towns/cities report licensing less than five dogs in the year 2017 (*Figure 11*), however, 76% of the towns/cities do not distinguish between service animals and emotional support/comfort animals (*Figure 8*). As a result, the number of service animals reported may not be an accurate count of service animals.
- When asking the two questions permitted under ADA, the staff most frequently face the problem "not enough licenses issued to need distinguishing" (*Figure 15*).
- In their daily work, the greatest limit for the staff is thought to be having no processes in place to determine if someone is disabled.

Key Takeaways

While our response rate from our survey exceeded the team's project goal and consists of a representative sample, we were unable to obtain an accurate total count of service dogs

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licensed in Massachusetts. The most significant barrier prohibiting an accurate count is the lack of understanding regarding the difference between a service dog and an emotional support/comfort animal. More than three-quarters of respondents reported that they do not distinguish between the different categories of dogs. While we know that 77% percent of the respondents reported having less than 5 licensed service dogs (*Figure 11*), we feel confident that this number is solely an estimate due to the clerk's offices licensing system being untrained in distinguishing between the different categories of dogs.

Only a small percentage of the municipalities ask the two questions allowed under federal law. Notably, the municipalities who distinguished between service dogs and emotional support/comfort dogs were more likely to ask the two questions allowed under federal law. Based on these findings we conclude that education and training bringing awareness to the role of service dogs will be an important factor in a change effort.

Prior to developing any strategy going forward to affect change, it is crucial that the barriers noted above are considered in order to increase the probability of success. The team identified the four most prominent barriers as 1) staff felt that the number of licenses issued was not large enough to be a priority, 2) staff felt uncomfortable asking questions that pertained to a person's disability, 3) staff are concerned with Personal Health Information (PHI), and 4) staff do not know the difference between the different categories of dogs. These barriers are consistent with the unsolicited responses summarized in chapter 3. They also coincide with the constraints in issuing a specialized "SD" tag from *Figure 16*. The primary obstacle identified in issuing a specialized "SD" tag lies in the burden of proof when determining if the resident legitimately requires a service dog trained to assist with their disability. Potentially, education and awareness could increase the staff's comfort level when issuing a license to a service dog, however, education and awareness may only be part change effort therefor other avenues should be explored.

Recommendations

Overall, the team's recommendations based on the findings from our survey, data analysis and interviews include:

- Creating an educational campaign geared towards the general public to aid in understanding the role a service dog provides and how an SD is distinctly different from an emotional support/comfort dog. The goal of the educational campaign is to raise public awareness, understanding, and confidence in the ability to distinguish between the categories.
- Support proposed legislation that targets "fake" service dogs and eliminates the current legal loopholes in current legislation. Accountability can be created by stipulating consequences a person would encounter for attempting to circumvent the law.
- Propose a formal process for recording the answers to the two questions by utilizing local veterinarians at the time of the rabies vaccination verses the town/city clerks.
- Advocate for standardized processes across the state of Massachusetts.

Chapter 5: Summary and Conclusion

Throughout this process, the Canines for Disabled Kids Capstone Team has had the opportunity to analyze this proposal through an unbiased lens. Our meeting with Kristin Hartness and Jay Simard enabled provided our team with an understanding of the importance of a standardized method of licensing SD's. Standardization protect's legitimate service dogs and their handlers from being denied their legal access to public areas, the necessity of the handlers and service dogs for increased "green areas" to care for their dog's while in public spaces and the ability to prosecute people or agencies that are abusing the law. Ms. Hartness and Mr. Simard educated our team regarding the legal differences between a service dog and emotional support/comfort animals and the extensive process involved in training a support dog as well as the education and coaching the handler receives in order to increase the likelihood of a successful match. Canines for Disabled Kids provide critical education to children and their families to assist in the navigation of an overwhelming system to help protect them from illegitimate agencies that propose bogus certifications/training and dogs. Canines for Disabled Kids are a vital part of the advocacy and education of our communities to embrace service dogs in order to provide independence to children with disabilities. Ms. Hartness and Mr. Simard explained the nuances of the Americans with Disabilities Act to our team which provided the legal backdrop that enabled us to reach out to the area clerk's offices and inquiring about their willingness/ability to change their licensing processes.

Learning the concerns of the area clerk's offices have been instrumental in understanding the difficulties associated with changing the licensing processes from the "front line" staff which enriched our team's ability to analyze this issue from multiple perspectives. As Canines for Disabled Kids Capstone Team was constrained by the IRB regulations on anonymity we were, unfortunately, unable to directly contact the clerk's

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offices for follow up questions. Nonetheless, the unsolicited feedback was invaluable to our analysis as it demonstrated concerns/constraints clerk staff experience that were not obvious to our team at the onset of our research.

Ms. Hartness and Mr. Simard had provided our team with the results they had gathered from a student who conducted research prior to the Canines for Disabled Kids Capstone Team at Clark. The initial researcher did not experience the constraints faced by the current project team, as it was not an IRB approved survey. After analyzing the previous study, our team was able to pinpoint the questions which were not clearly answered and developed our survey focusing on the actual barriers the clerk staff may have or perceive they may have to a potential change in the licensing processes. Ms. Hartness and Mr. Simard hope that the data ascertained from this project will provide the means for legislative advocacy within the Commonwealth.

Our research highlighted the lack of standardization present in the current licensing processes and lack of training received by staff. As a consequence, it is common practice for clerks to unknowingly mislabel service dogs simply because they are unaware of ADA definitions. We believe our data will aid CDK in allocating their resources more efficiently, specifically, by targeting the areas in the Commonwealth with the greatest population of service dogs. CDK would benefit from partnering with the targeted municipalities providing advocacy to understand the unique needs of their constituents. Additionally, stakeholders in these communities bring voting power to the table which potentially could assist in influencing changes on a broader scale. The team does not recommend focusing a great deal of resources in towns who report zero or very few service dogs, primarily due to their inability to relate to the issues that members of their community with a disability may face.

The time duration for the project was one primary constraints identified in our Project Charter. Unfortunately, the team had only one semester to create, distribute and analyze the

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data we received from our survey. Additionally, the anonymity required by the IRB limited the team's ability to follow up with offices who had not responded. This barrier yielded an overall return rate that was lower than the previous researcher, however, the team is confident that an adequate sample size (34%) is reflected in the data provided valuable insight to CDK regarding the feasibility of changing the licensing processes.

Our team recommends that Canines for Disabled Kids conduct an additional study to analyze the willingness/ability of local veterinarian offices to record the answers to the two questions allowed by the ADA. As all dogs in all towns/cities in the Commonwealth are required to show proof of their rabies vaccinations and all owners must have documentation from their vet prior to acquiring a license. Utilizing the rabies vaccination process and the pre-existing relationship the local veterinarians have with the handlers provide the perfect opportunity for a change the process with minimal stress. Veterinarians may be best suited to handle the delicate nature of asking the two questions in the privacy of their office, away from the openness of a town hall. Additionally, the veterinarian's office keeps records on the animal so having the owner's information on file would not prove to be a burden. With modification to the rabies certificate form or an addendum, the veterinarian could simply "check a box" on the form stating that the owner has attested that the dog is required due to their disability and their dog has been trained to perform tasks to assist the individual with their disability. Further study to examine the feasibility of veterinarian offices themselves distributing a specialized "SD" tag or whether tag distribution should remain with the clerk. Lastly, analysis of the fiscal cost associated with a specialized tag would be required as financial analysis was not included in the scope of this project.

In addition to analyzing the feasibility of veterinarian's offices being able to record this information, a marketing plan to raise awareness of this issue is also recommended. Canines for Disabled Kids has worked tirelessly to meet the needs of this specific population and has

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a reputation for excellence. Having a coordinated marketing plan to celebrate their 20-year anniversary could be a powerful tool to garner support for legislation aimed at assisting the service dogs and their handlers. Increasing green space and accommodations for service dogs will directly benefit the children they are serving by increasing the areas that they are able to safely visit with their service dog, thus increasing their independence, a core value of Canines for Kids.

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