

STATE OF NEW YORK
DIVISION OF HUMAN RIGHTS
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FOR IMMEDIATE RELEASE

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**DIVISION OF HUMAN RIGHTS SETTLES ONE SERVICE DOG
CASE WITH A SHOPPING CENTER AND PURSUES ANOTHER
AGAINST THE EAST MEADOW SCHOOL DISTRICT**

N.Y. State Division of Human Rights Commissioner-Designate, Kumiki Gibson, announced today the settlement of a case in favor of a Long Island resident, Laurie-Colleen Polacek, who claimed that the Sun Vet Mall discriminated against her as she attempted to visit the mall accompanied by her service dog. Ms. Polacek, who is severely disabled and presented the store with an official identification card for her service dog, was told to leave the store because it had a no-dog policy. Ms. Polacek filed a complaint with the N.Y. State Division of Human Rights, which enforces the State's Human Rights Law. Under that law, it is unlawful "for any person engaged in any activity covered by this section to discriminate against...a person with a disability on the basis of his or her use of a guide dog, hearing dog or service dog." After being contacted by the Division, the Mall agreed to settle the case. As part of the settlement, the Mall will educate its staff on the rights of New Yorkers with disabilities, and will display a poster that welcomes guide, hearing, and service dogs.

Larry Wallnau, a representative of the National Education for Assistance Dog Services, applauded the settlement: "I'm glad this situation has been satisfactorily resolved. I especially like the idea of posting signs that welcome guide dogs, hearing dogs and service dogs. I wish more public places did that."

In another service dog case, the alleged discriminator was not open to settlement, and the Division is pursuing the matter through its administrative process. This case involves the Division-Initiated investigation of the East Meadow School District for engaging in unlawful discriminatory practices against students who use guide, hearing, and service dogs, including a deaf student who had been denied access to the school with his service dog. The Division's complaint alleges that the school district violated the law by preventing these students from using their service dogs while in school and throughout the school day. After conducting a full

investigation, the Division has concluded that there is cause to support a finding of unlawful discrimination and will schedule a full hearing on the matter.

Commissioner-Designate Gibson said that "these cases show the importance of the Division's work and its commitment to its mission to protect the rights of disabled New Yorkers. We will ensure that our disabled citizens are accorded their full rights under the law -- even if it means full-fledged litigation."

For additional information, contact the Division of Human Rights at: (718) 741-8301.

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New York has the proud distinction of being the first state in the nation to enact a Human Rights Law, which affords every citizen "an equal opportunity to enjoy a full and productive life." The New York State Division of Human Rights was created to enforce this important law and does so through, among other things, the vigorous prosecution of unlawful discriminatory practices and the receipt, investigation, and resolution of complaints of discrimination. Please visit the Division's website at www.dhr.state.ny.us for additional information about the agency and its work.