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Little Red Herrings — Arf! A Bark Really Worse than Its Bite

by **Mark Y. Herring** (Dean of Library Services, Dacus Library, Winthrop University) <herringm@winthrop.edu>

It is never my intention with a column to affront anyone's sensibilities. Since my scribbles are opinion pieces by and large, it goes without saying that more often than not, someone is going to disagree. I don't worry so much about that, but when I do get the very occasional bitter pill in the form of an irate email or poisoned letter, I'm sorry for the individual who was so annoyed that he or she took the time to say so. I know that whoever it is, he or she probably had better things to do than occupy valuable time on something that peeved.

Consider this an apology-in-advance for a column I know is going to annoy some, if not most, readers. I've even put off writing it for several semesters, thinking that I might not have to make any noise at all: the problem would just vanish. Alas, it has not, and like most things that start downhill, this one has gone dergingolade, as a physician, a French physician, might say.

This column is about the recent rising, and ongoing proliferation of emotional support animals (ESAs) on college and university campuses, not to mention just about everywhere else you look nowadays. The gushing glut has given new meaning to "animal house" at institutions of higher education everywhere. And it is now becoming an ever-growing and difficult-to-manage problem, as the *New York Times* reported recently (<http://nyti.ms/2jKDvhp>).

Now let me be *very* clear. This column is NOT about ADA approved animals, such as Seeing Eye dogs, or even small ponies that help someone do something he or she is physically unable to do (the blind to "see," the deaf to "hear," and the physically or mentally unable (e.g., PTSD), enabled). I support ADA regulations and I would expect anywhere I work to do the same. It is, after all, the law of the land.

Ah, but we never leave well enough alone, do we? Today, we have emotional support animals, not to mention therapy animals that comfort the comfortless, befriend the friendless, and assuage the ... assuageless. These animals can be almost anything, from a 195-pound St. Bernard, to a 6-pound ferret, to a 60-pound potbellied pig, to whatever else the individual in question has "registered." I put registered in quotes because registering — or not — your therapy animal isn't required and you don't need any distinguishing collar or marking. All one has to do is simply make the case — and put out the cash — and almost any animal is fair game to take anywhere. Such animals were unheard of only five years ago. Now, every campus in America finds itself in the teeth of such critters, so to speak. And not everyone is happy about

it, especially those representing the genuinely handicapped (<http://www.servicedogcentral.org/content/node/76>).

A few years ago, *The New Yorker* ran a piece about the coming onslaught (<http://bit.ly/1ld3jsy>). The columnist, **Patricia Marx**, wrote an engaging piece about five animals (including a llama) she took about New York just to see if she would be called into account. She was not. As she put it so eloquently in her excoriating piece:

Take a look around. See the St. Bernard slobbering over the shallots at Whole Foods? Isn't that a Rottweiler sitting third row, mezzanine, at Carnegie Hall? As you will have observed, an increasing number of your neighbors have been keeping company with their pets in human-only establishments, cohabiting with them in animal-unfriendly apartment buildings and dormitories, and taking them (free!) onto airplanes — simply by claiming that the creatures are their licensed companion animals and are necessary to their mental well-being. No government agency keeps track of such figures, but in 2011 the **National Service Animal Registry**, a commercial enterprise that sells certificates, vests, and badges for helper animals, signed up twenty-four hundred emotional-support animals. Last year, it registered eleven thousand.

NSAR is a commercial outfit that charges for the registration. The registration as of 20 January 2017, is 145,546. The site is a curious one, mixed as it is with confusing elements. It has a link to the ADA law and other pertinent information. What it does not do, however, is make the distinction between service animals (protected by ADA) and emotional service and companion animals, which in most cases are not (even though the names look the same, don't they?). If you go to the ADA site and look at its FAQs, you'll find:

Q3. Are emotional support, therapy, comfort, or companion animals considered service animals under the ADA?

A. No. These terms are used to describe animals that provide comfort just by being with a person. Because they have not been trained to perform a specific job or task, they do not qualify as service animals under the ADA. However, some State or local governments have laws that allow people to take emotional support animals into public places. You may check with your State and local government agencies to find out about these laws.

So, while the NSAR links to ADA, giving one

the impression that all therapy and emotional support animals are ADA protected, they clearly are not in the majority of cases. To say this is confusing to people is an understatement. Most people are simply polite enough not to say anything, and most know that you cannot inquire too deeply into a person's ADA disability. But that is the point, really. All ADA approved animals automatically have a designation as a service animal because those animals have undergone extensive training. ESA animals have not.

As I said before, all you need to register an ESA is money. Most owners of ESAs, to be on the safe side, get some quacksalver to agree to whatever emotional need they have and so provide an official-sounding letter. The letter provides a further patina of science to bolster the quackery. The rest of us are forced simply to kowtow to the individual.

Some of you are doubtless wondering why this is such a big deal since, after all, libraries are exempt from ESAs. While that is true, individual colleges and universities can make their own determinations, and so many are, and increasingly in favor of admitting these animals everywhere. Institutions, obviously scared to death of possible litigation, choose to bow the knee rather than raise a brow. And so, here we are, on our way to campuses (not to mention a culture) that may soon look like Noah's Ark, but without the flooding waters *or* the Ark!

If all of this were not enough to give you pause, the actual "illnesses" might at least raise an eyebrow. In one case I observed, the young person had "test anxiety," among other stressors. The animal in this case helped "alleviate" the problem. What struck me as laughable is that this so called "test anxiety" is what every student — with rare exception — had when I was in school. It made us study harder. Today, a menagerie of creatures are the rescue. Then I witnessed first-hand at least one contributing factor to the so-called test anxiety during testing week. The student in question spent the majority of the time in our building texting friends, reading *People* magazine, and tweeting. Could this have been as much the cause of test anxiety as anything else? Just saying. Another case had to do with a student who had, among other "issues," noise anxiety. Granted to the student, among other accommodations, was the "right" to listen to rock music whenever necessary.

Although I have inquired about these "conditions" regularly, I am not allowed to know the nature, breadth, depth, or diagnoses beyond a very general vagueness. Privacy *uber alles*. I must take it on a gnostic's word that these are legitimate "illnesses" that require these animals in our once ESA-exempt building. I have been assured repeatedly that intense

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community. Also, these new interpretative analyses could be filtered into writing for popular audiences in general trade books, thus enlightening the public at large. The vision included the networking of these different types of publications through a national central system like the **Digital Public Library of America (DPLA)** where they could be linked with similar cultural and historical resources contributed by other states.⁸ Eventually the linkage could be extended internationally, and the **DPLA** has already been working with its European counterpart, Europeana, to begin the long-term job of extending the network of digital library resources worldwide.⁹

How does open access figure into the equation? Although it may be too much to expect that the books at the peak of the pyramid intended as trade books for the public would ever be made available as OA publications, including regional trade books published by university presses that are an important source of revenue now, one can readily envision all the other levels working on an OA model, even including textbooks, which would follow the increasing interest in developing Open Educational Resources (OER). At the base level all of the digitized local collections would be made OA by written agreements with the citizens who contributed original documents. These might even be integrated into university institutional repositories, preferably with all linked into one central system like the state's flagship university. The university presses publishing the monographs drawing on these resources could follow one or another of the OA models already in existence at Amherst, California, Michigan, Penn State, Purdue, and elsewhere. And the journals could be developed to use the Gold OA approach. What copyright status to assign to these different types of OA materials can be debated. As I have argued elsewhere, I think the CC BY-NC-ND license works best for the humanities and social sciences.¹⁰

This dream of an integrated system for regional publishing has yet to reach fruition even at just the state level anywhere I know about.

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vetting has occurred and medical evidence proves these cases. I have argued — to no avail of course — that if these individuals are truly so emotionally unstable as all that, should they be allowed in public, much less in a high stress arena such as a college or university where their anxiety is likely to be forced upon them regularly, every semester, at least four or five times, if not weekly? The inquiry was underappreciated and not answered.

I know I must appear callous and uncaring. I do not wish it so. Nevertheless, I do find it hard to comprehend why young people today are given so much latitude when it comes to

But there are encouraging signs that progress is being made. On April 16, 2016, for instance, the Penn State Libraries announced a new online service hub called PA Digital through the **DPLA**. The press release explained: “DPLA is a platform that brings together the riches of America’s libraries, archives and museums, and makes them freely available to the world. The new Service Hub, called PA Digital, launched on April 13 led by the State Library of Pennsylvania, **Temple University**, **Penn State**, the **University of Pennsylvania**, the **Free Library of Philadelphia**, the Pennsylvania Academic Library Consortium, the Health Sciences Libraries Consortium, the Interlibrary Delivery Service of Pennsylvania, the Philadelphia Consortium of Special Collections Libraries, and a variety of cultural heritage institutions from across the Commonwealth. The Service Hub includes select digital collections from partner libraries ranging from academic to K-12 to special collections and archives.”

The publication of what is commonly called “enhanced” eBooks also has a place in this system. The ODSP had hoped to produce such editions. For example, in the Romance Studies series the idea was to be able to include links in citations of French novels quoted and discussed in English in the monographs to OA editions in French of these novels held in the collections of the Bibliothèque nationale de France. And in the social sciences where a rich set of social survey research underlay the findings of a book, it was our hope to make these results available as a linked database.¹¹ Alas, too many competing priorities and insufficient time and money to pursue them all left these dreams unfulfilled. But the day will arrive, I feel confident, that this kind of dream too will come to pass. 🐾

Sanford G. Thatcher was director of Penn State University Press from 1989 to 2009. He was president of the Association of American University Presses in 2007/8. In retirement he serves as an acquiring editor part-time for books in political science for Lynne Rienner Publishers and the University of Rochester Press.

emotional upset (the recent election an outstanding case in point). While the “suck it up and be an adult” approach has its own inherent problems, it did have the distinct advantage of helping those of us under its tutelage to understand that the slings and arrows of outrageous misfortune are part of regular life. The sooner one adapts to it, learns to cope with it, and moves on, the better.

Not so anymore. We coddle students today; we become their enablers for a legion of disgruntlements and whatever real or imagined ills they have. Those of us charged with helping these young people to become functioning adults make it certain that the unforgiving “real world” awaiting them in four, five or six years, is one they are decidedly *not* prepared for. 🐾

Endnotes

1. http://www.ugapress.org/index.php/books/new_georgia_encyclopedia/http://uncpress.unc.edu/books/T-6125.html
2. http://www.psupress.org/Journals/jnl_PennsylvaniaHistory.html. Strictly speaking, **Penn State** is a “state-related” university, which combines features, legally, of both private and public institutions. But this nicety is not relevant to the publishing done by the Press, except perhaps with respect to copyright law (whether, for instance, it could appeal for Eleventh Amendment protection as a state entity against suits for damages).
3. The background to the establishment of the ODSP is covered in my article “Open-Access Monograph Publishing and the Origins of the Office of Digital Scholarly Publishing at **Penn State University**,” *Journal of Scholarly Publishing* 46/3 (April 2015): 203-223. The creation of the ODSP in the spring of 2005 led to the full administrative merger of the Press and Libraries by December of that year.
4. http://www.psupress.org/books/series/book_SeriesMetalmark.html. These books were reproduced as facsimile texts. Another series that used the combined OA/POD model was Romance Studies, which was a fully branded academic monograph series overseen by faculty from two foreign language departments at **Penn State** as well as the Press’s regular editorial board: http://www.psupress.org/books/series/book_SeriesNewRomStu.html. The main differences between our model and **NAP**’s were that we did not sell an enhanced PDF version in addition to the POD edition and that the chapters of our Romance Studies books were all done as separate PDF files, with only half of the chapters able to be downloaded and printed out, thus incentivizing purchase of a POD by people who wanted to read the whole book in print form, whereas **NAP** set up the pages of its books so that, although the entire books could be printed out, they could be printed only one page at a time and were in a very low DPI (dots per inch) form that resulted in the pages looking like bad newsprint.
5. <https://www.libraries.psu.edu/psul/digital/journals.html>
6. <http://pabook2.libraries.psu.edu/palitmap/litmap.html>
7. <http://www.psupress.org/books/titles/978-0-271-03412-6.html>. The author, **Diane Wenger**, happens to teach in the same department that my father, **Harold W. Thatcher**, chaired for over twenty years from the mid-1940s until 1965.
8. When the idea for the **DPLA** was still being debated via email, conferences, and workshops in 2011 and 2012, before its formal establishment in 2013, I offered this vision as one possible scenario for the **DPLA**’s functioning. <http://dp.la/info/about/history/materials/>
9. <http://www.europeana.eu/portal/>
10. **Klaus Graf** and **Sanford G. Thatcher**, “Point & Counterpoint: Is CC BY the Best Open Access License?,” *Journal of Librarianship and Scholarly Communication* 1/1 (2012): eP1043. <http://dx.doi.org/10.7710/2162-3309.1043>.
11. One such book is **Marcelo Bergman**, *Tax Evasion and the Rule of Law in Latin America* (University Park: Penn State University Press, 2009): <http://www.psupress.org/books/titles/978-0-271-03562-8.html>.