

Regulation 6163.2: Animals At School

Status: ADOPTED

Original Adopted Date: 10/01/1996 | Last Revised Date: 03/01/2011 | Last Reviewed Date: 03/01/2011

Use of Animals for Instructional Purposes

Before any student or employee brings an animal to school for an instructional purpose, he/she shall receive written permission from the principal or designee. The principal or designee shall give such permission only after he/she has provided written notification to all parents/guardians of students in the affected class, asking them to verify whether their child has any known allergies, asthma, or other health condition that may be aggravated by the animal's presence. When a parent/guardian has provided notification that his/her child has an allergy, asthma, or other health condition that may be aggravated by the animal, the principal shall take appropriate measures to protect the student from exposure to the animal.

All animals brought to school must be in good physical condition and must be appropriately immunized. The teacher shall ensure that the species of animal is appropriate for the instructional purpose and age and maturity of the students.

All animals brought to school shall be adequately fed, effectively controlled, humanely treated, and properly housed in cages or containers suitable for the species. The teacher shall ensure that cages and containers are cleaned regularly and that waste materials are removed and disposed of in an appropriate manner.

The teacher shall ensure that students receive instructions regarding the proper handling of and personal hygiene around animals.

Except for service animals, as defined below, all animals are prohibited on school transportation services. (Education Code 39839; 13 CCR 1216)

Use of Service Animals by Individuals with Disabilities

For an individual with a disability, service animal means any dog that is individually trained to do work or perform tasks related to the individual's disability and for his/her benefit. For example, for an individual who is blind or has low vision, a service animal would mean a dog that helps him/her with vision, navigation, and other tasks; for an individual who is deaf or hard of hearing, a service animal would mean a dog that alerts him/her to the presence of people or sounds; and for an individual with psychiatric or neurological disabilities, a service animal would mean a dog that assists him/her by preventing or interrupting impulsive or destructive behaviors. (28 CFR 35.104)

Individuals with disabilities may be accompanied on school premises and on school transportation by service animals, including specially trained guide dogs, signal dogs, or service dogs. (Education Code 39839; Civil Code 54.2; 28 CFR 35.136)

The Superintendent or designee may permit the use of a miniature horse as a service animal when

the horse has been individually trained to do work or perform tasks for the benefit of an individual with a disability, provided that: (28 CFR 35.136)

1. The district's facility can accommodate the type, size, and weight of the horse.
2. The individual has sufficient control of the horse.
3. The horse is housebroken.
4. The horse's presence in the specific facility does not compromise legitimate safety requirements of the facility.

The Superintendent or designee may ask any individual with a disability to remove his/her service animal from school premises or transportation if the animal is out of control and the individual does not take effective action to control it or the animal is not housebroken. When an individual's service animal is excluded, he/she shall be given an opportunity to participate in the service, program, or activity without having the service animal present. (Education Code 39839; Civil Code 54.2; 28 CFR 35.136)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

13 CCR 1216

Civ. Code 54.1

Civ. Code 54.2

Ed. Code 233.5

Ed. Code 39839

Ed. Code 51202

Ed. Code 51540

Gov. Code 810-996.6

Gov. Code 815

Gov. Code 835

Veh. Code 21113

Federal

20 USC 1400-1482

28 CFR 35.104

Description

[Transportation of property](#)

[Access to public places](#)

[Guide, signal, or service dogs; right to accompany](#)

[Teaching of principles](#)

[Transportation of guide dogs, signal dogs, service dogs](#)

[Instruction in personal and public health and safety](#)

[Humane treatment of animals](#)

[Government Claims Act](#)

[Liability for injuries generally; immunity of public entity](#)

[Conditions of liability](#)

[Public grounds](#)

Description

[Individuals with Disabilities Education Act](#)

[Definitions, auxiliary aids and services](#)

28 CFR 35.136	Service animals
29 USC 794	Rehabilitation Act of 1973; Section 504
Management Resources	Description
Court Decision	Sullivan v. Vallejo City USD (1990) 731 F.Supp. 947
CSBA Publication	Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008
CSBA Publication	Asthma Management in the Schools, Policy Brief, March 2008
Federal Register	Rules and Regulations, September 15, 2010, Vol. 75, Number 178, pages 56164-56236
Website	CSBA District and County Office of Education Legal Services
Website	Humane Society of the United States
Website	American Society for the Prevention of Cruelty to Animals
Website	CSBA
Website	U.S. Department of Education, Office for Civil Rights

Cross References

Code	Description
0410	Nondiscrimination In District Programs And Activities
3320	Claims And Actions Against The District
3514	Environmental Safety
3514	Environmental Safety
3530	Risk Management/Insurance
3530	Risk Management/Insurance
3541.2	Transportation For Students With Disabilities
5131.1	Bus Conduct
5131.1	Bus Conduct
5141	Health Care And Emergencies
5141	Health Care And Emergencies
5141.21	Administering Medication And Monitoring Health

Conditions

5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.22	<u>Infectious Diseases</u>
5141.22	<u>Infectious Diseases</u>
5141.23	<u>Asthma Management</u>
5141.23	<u>Asthma Management</u>
5142	<u>Safety</u>
5142	<u>Safety</u>
6142.4	<u>Service Learning/Community Service Classes</u>
6159	<u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u>
6164.4	<u>Identification And Evaluation Of Individuals For Special Education</u>
6164.4	<u>Identification And Evaluation Of Individuals For Special Education</u>
6164.6	<u>Identification And Education Under Section 504</u>
6164.6	<u>Identification And Education Under Section 504</u>