

CENTRAL UNION SCHOOL DISTRICT
Board Policy

BP 6163.2 (a)

Instruction
Animals At School

The Governing Board recognizes that animals can be an effective teaching aid and can help support the District's instructional program. In addition, instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures.

A teacher may bring an animal to school or arrange for students in his/her class to bring an animal to school for instructional purposes upon written permission from the principal or designee and subject to administrative regulation and other reasonable health, safety, and sanitation precautions. Teachers shall be responsible for ensuring that animals are strictly controlled and for ensuring that all such precautions are observed so as to protect both the students and the animal.

(cf. 5141 - Health Care and Emergencies)

(cf. 5142 - Safety)

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5131.1 - Bus Conduct)

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education Under Section 504)

2. As used in Civil Code 54.1, "guide dog" means any guide dog that was trained by a person licensed under Chapter 9.5 (*commencing with Section 7200*) of Division 3 of the Business and Professions Code or as defined in the regulations implementing Title III of the Americans with Disabilities Act of 1990 (*Public Law 101-336*).
 - a. As used in this subdivision, "signal dog" means any dog trained to alert an individual who is deaf or hearing impaired to intruders or sounds.
 - b. As used in this subdivision, "service dog" means any dog individually trained to the requirements of the individual with a disability, including, but not limited to, minimal protection work, rescue work, pulling a wheelchair, or fetching dropped items.

Every individual with a disability has the right to be accompanied by a guide dog, signal dog, or service dog, especially trained for the purpose, in any of the places specified in Section 54.1 without being required to pay an extra charge or security deposit for the guide dog, signal dog, or service dog. However, the individual shall be liable for any damage done to the premises or facilities by his or her dog.

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Individuals who are blind or otherwise visually impaired and persons licensed to train guide dogs for individuals who are blind or visually impaired pursuant to Chapter 9.5 (*commencing with Section 7200*) of Division 3 of the Business and Professions Code or as defined in regulations implementing Title III of the Americans with Disabilities Act of 1990 (*Public Law 101-336*), and individuals who are deaf or hearing impaired and persons authorized to train signal dogs for individuals who are deaf or hearing impaired, and individuals with a disability and persons who are authorized to train service dogs for the individuals with a disability may take dogs, for the purpose of training them as guide dogs, signal dogs, or service dogs in any of the places specified in Section 54.1 without being required to pay an extra charge or security deposit for the guide dog, signal dog, or service dog. However, the person shall be liable for any damage done to the premises or facilities by his or her dog.

These persons shall ensure the dog is on a leash and tagged as a guide dog, signal dog, or service dog by an identification tag issued by the county clerk, animal control department, or other agency, as authorized by Chapter 3.5 (*commencing with Section 30850*) of Title 14 of the Food and Agricultural Code.

A violation of the right of an individual under the Americans with Disabilities Act of 1990 (*Public Law 101-336*) also constitutes a violation of this section, and nothing in this section shall be construed to limit the access of any person in violation of that act.

As used in this section, the terms "guide dog," "signal dog," and "service dog" have the same meanings as specified in Section 54.1.

Nothing in this section precludes the requirement of the showing of a license plate or disabled placard when required by enforcement units enforcing disabled persons parking violations pursuant to Sections 22507.8 and 22511.8 of the Vehicle Code.

When any animal is brought into the classroom, the principal or designee shall provide 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 affected by the animal's presence.

(cf. 3514 - Environmental Safety)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

The District assumes no liability for the safety of animals voluntarily brought to school.

(cf. 3530 - Risk Management/Insurance)

Guide dogs, signal dogs, and service dogs trained to provide assistance to individuals with a disability may be transported in a schoolbus when accompanied by disabled pupils enrolled in a public or private school or by disabled teachers employed in a public or private school or community college or by persons training the dogs.

No animals except those specified in Civil Code Section 54.2 shall be transported in a school bus, SPAB, or youth bus. In such cases, the driver may determine whether the animal should be muzzled. *(Legal Reference: Title 13, California Code of Regulations, Section 1216 (d))*

Every individual with a disability has the right to be accompanied by a guide dog, signal dog, especially trained for the purpose, in any of the places specified in California Civil Code 54.1 without being required to pay an extra charge or security deposit for the guide dog, signal dog, or service dog. However, the individual shall be liable for any damage done to the premises or facilities by his or her dog. *(Legal Reference: California Civil Code, Section 54.2 (a))*

As used in this section, the terms “guide dog,” and “service dog” have the same meanings as specified in California Civil Code, 54.1 *(Legal Reference: California Civil Code, Section 54.2 (c))*

Legal Reference:

EDUCATION CODE

233.5 Instruction in kindness to pets and humane treatment of living creatures

39839 Transportation of guide dogs, signal dogs, service dogs

51202 Instruction in personal and public health and safety

51540 Safe and humane treatment of animals at school

CIVIL CODE

54.1 Access to public places

54.2 Guide, signal, or service dogs, right to accompany

GOVERNMENT CODE

810-996.6 California Tort Claims Act, especially:

815 Liability for injuries generally; immunity of public entity

835 Conditions of liability

VEHICLE CODE

21113 Public grounds

CODE OF REGULATIONS, TITLE 13

1216 Transportation of property

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

COURT DECISIONS

Sullivan v. Vallejo City USD, 731 F.Supp. 947 (1990)

Management Resources:

CSBA PUBLICATIONS

Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008

Asthma Management in the Schools, Policy Brief, March 2008

WEB SITES:

CSBA: <http://www.csba.org>

American Society for the Prevention of Cruelty to Animals: <http://www.asPCA.org>

Humane Society of the United States: <http://www.hsus.org>

U.S. Department of Education, Office of Civil Rights:
<http://www.ed.gov/about/offices/list/ocr>