

Policy 6163.2: Animals At School

Status: DRAFT

Original Adopted Date: 06/10/2019

The Board of Trustees recognizes that animals can contribute to the district's instructional program by being effective teaching aids to students and by assisting individuals with disabilities to access district programs and activities. 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.

The California Education Code provides guidelines for animals on school campuses. Specifically, California Education Code Section 48205 permits students with disabilities to bring trained service animals onto school grounds and participate in all school activities. Additionally, Section 48204.5 permits the use of trained service animals in training in schools if an authorized trainer-raiser accompanies the animal.

Regarding classroom pets, California Education Code Section 32255 allows for animals to be used in classroom instruction, provided they are not dangerous to students or staff and do not disrupt the educational environment. Service Animal requirements: Animals are defined as dogs individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting or protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability.

Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

Based on these guidelines, MVLA guidance for animals on campus should include the following:

1. Service Dogs: Service dogs are allowed on campus with their handlers, who may be students or staff members. The handler is responsible for the care and supervision of the service dog at all times.
2. Service Dogs in Training: Service Dogs in training are allowed on campus with authorized raisers. The raiser is responsible for the care and supervision of the service dog in training at all times.
3. Emotional Support Animals: Currently, with appropriate documentation from a health professional, emotional support animals are allowable if they are part of a mutually agreed upon interactive plan.
4. Classroom Pets: Classroom pets are allowed in accordance with California Education Code Section 32255. Teachers must ensure that the animal is not dangerous to students or staff and does not disrupt the educational environment. Before bringing any animal into the classroom, the teacher must receive written approval from the school principal.
5. Animal Behavior: All animals on campus must be well-behaved and properly trained. Any animal that poses a danger to students or staff will not be permitted on campus.
6. Health and Hygiene: All animals on campus must be clean, healthy, and free of parasites. Handlers/trainers/raisers are responsible for ensuring their animals are up-to-date on vaccinations and treatments.
7. Disruptions: In the event that an animal disrupts the educational environment, the handler/trainer may be asked to remove the animal from campus.
8. Liability: The school is not liable for any injuries or damages caused by animals on campus. Handlers/trainers are responsible for any damages caused by their animals.
9. Except for Service animals, the animal's handler is responsible for notifying those who may interact with the animal. Students with allergies, phobias, or other circumstances prohibitive to this interaction must be considered and given priority when determining whether an animal should be allowed on campus. Under the Americans with Disabilities Act, allergies and fear of dogs are not valid reasons for denying access to people with disabilities using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room, they should both be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility. If a person has a mental health, medical, or other disability that prevents that person from being near a service animal, that person and the person using the service animal both need to be accommodated.

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

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

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

The Superintendent or designee shall develop rules and procedures to ensure that when animals are brought to school, the health, safety, and welfare of students, staff, and the animals are protected. However, the district assumes no liability for the safety of animals allowed on district property.

(cf. 3320 - Claims and Actions Against the District)

(cf. 3530 - Risk Management/Insurance)

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

(cf. 5141.23 - Asthma Management)
