

Animals at School

The Solano County Office of Education (SCOE) recognizes that animals can contribute to its instructional program by being effective teaching aids to students and assisting individuals with disabilities to access SCOE's 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 County Superintendent or designee has developed the following 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, SCOE assumes no liability for the safety of animals voluntarily brought to its property. Failure to abide by these rules and procedures creates liability associated with animal attacks, bites, infections from microbiological pathogens, and allergic reactions by sensitive individuals.

Use of Animals for Instructional Purposes

Before any student or employee brings an animal to school for an instructional purpose, s/he shall receive written permission from the Cabinet-level program administrator or designee. The administrator or designee shall give such permission only after s/he 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 health condition that may be aggravated by the animal, the principal shall take appropriate measures to protect the student from exposure to the animal.

The use of a live animal as a classroom pet or mascot is prohibited. "Show-and-tell" activities shall use photographs or videos rather than a live animal. Animals that are poisonous, aggressive, vicious, prone to biting, or have unusual maintenance, dietary, or supervisory needs are also prohibited on SCOE property.

All animals brought to school must be in good physical condition and appropriately immunized. The teacher shall ensure that the species of animal is appropriate for the instructional purpose as well as the 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. Animals must not be allowed to roam freely on campus or within classrooms. The teacher shall ensure that cages and containers are cleaned regularly to prevent bacteria, viruses, fungi, and other pests. Animal waste materials shall be disposed of properly in a separate bag placed directly in the dumpster and not thrown in the classroom trash receptacle.

To protect the students, staff, and animals, the teacher shall supervise all student contact with animals to ensure that appropriate equipment is worn when needed (e.g., gloves, etc.); students receive instructions regarding the proper care and handling of, and personal hygiene around, animals; and reasonable health, safety, and sanitation precautions are followed.

Except for service animals, as defined below, all animals are prohibited on school transportation services.

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

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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.

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. All other animals are prohibited on school transportation services.

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:

1. The 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, the individual does not take effective action to control it, or the animal is not housebroken. When an individual's service animal is excluded, s/he shall be given an opportunity to participate in the service, program, or activity without having the service animal present.

SCOE is not responsible for the care or supervision of a service animal or miniature horse.

Control of Stray Animals

To prevent or minimize animal attacks and diseases, such as rabies, on students and staff, it is important that stray animals are not brought onto, and are promptly removed from, SCOE property. The local animal control department should be contacted if removal assistance is needed.

These guidelines shall be followed when an animal strays onto SCOE property:

1. Immediately report the presence of the stray animal to the site manager. Report any unusual behavior the animal exhibits.
2. Never approach an unfamiliar animal. Consider all stray animals as potentially dangerous, and keep student away.
3. Do not disturb an animal that is sleeping, eating, or caring for its young.
4. If bitten or scratched, immediately report the injury to the site manager and begin initial first aid treatment while determining whether emergency medical assistance is needed.

Pets

Pet owners are prohibited from bringing their pets or allowing them to roam freely on SCOE property. Appropriate signs should be posted at property entry points, and violating pet owners should be courteously informed of this policy.

OFFICE OF THE SOLANO COUNTY SUPERINTENDENT OF SCHOOLS

Policy 6163.2 (Continued)

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 *et seq.* California Tort Claims Act

LABOR CODE

- 6401.7 Responsibilities and Duties of Employers and Employees

VEHICLE CODE

- 21113 Public grounds

CODE OF REGULATIONS, TITLE 8

- 3203 Injury and Illness Prevention Program

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

UNITED STATES CODE, TITLE 42

- 12101 *et seq.* Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

- 35.104 Definitions
- 35.136 Service Animals (as amended by 75 Fed. Reg. 178)

COURT DECISIONS

- Sullivan v. Vallejo City Unified School District, (E.D. Cal. 1990) 731 F.Supp. 947

Policy Cross-Reference:

- 0410 Nondiscrimination in District Programs and Activities
- 3320 Claims and Actions Against the District
- 3514 Environmental Safety
- 3530 Risk Management/Insurance
- 3541.2 Transportation for Students with Disabilities
- 5131.1 Bus Conduct
- 5141 Health Care and Emergencies

Administering Medication and Monitoring Health Conditions
Infectious Diseases

Asthma Management 5142 Safety

Service Learning/Community Service Classes

Environmental Education

- 6159 Individualized Education Program
- 6164.4 Identification and Evaluation of Individuals for Special Education
- 6164.6 Identification and Education Under Section 504