



## RIALTO UNIFIED SCHOOL DISTRICT

### Instruction

BP 6163.2(a)

### ANIMALS AT SCHOOL

The Board of Education 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.

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 parent, 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. 5141.22 - Infectious Diseases)
- (cf. 5142 - Safety)
- (cf. 5145.8 - Refusal to Harm or Destroy Animals)
- (cf. 6142.93 - Science Instruction)
- (cf. 6145.8 - Assemblies and Special Events)

#### Use of Service Animals by Individuals with Disabilities

The Board of Education recognizes that service animals can contribute to the district's instructional program by assisting individuals with disabilities to access district programs and activities. Individuals with disabilities may be accompanied by service animals, including specially trained guide dogs, signal dogs, or service dogs on school premises or on school transportation. (Education Code 39839; Civil Code 54.2)

#### Limited Inquiries Related to the Service Animal

The district is permitted to ask two questions related to the service animal: (1) if the animal is required because of a disability; and (2) what work or task the animal has been trained to perform. The district may not, however, require that the parent provide documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. Also, if it is readily apparent that an animal is trained to do work or perform tasks for a disabled person (e.g., the animal is guiding a person who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance), the district may not ask the two questions noted above.

**ANIMALS AT SCHOOL** (continued)

BP 6163.2(b)

- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 3541.2- Transportation for Students with Disabilities)
- (cf. 5131.1 - Bus Conduct)
- (cf. 6159 - Individual Education Program)
- (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
- (cf. 6164.6 - Identification and Education Under Section 504)

Before 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)
- (cf. 5141.23 - Asthma Management)

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)

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

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions

35.136 Service animals

COURT DECISIONS

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

Management Resources:

FEDERAL REGISTER

Rules and Regulations, September 15, 2010, Vol. 75, Number 178, pages 56164-56236

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.aspc.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>

Policy

adopted: September 22, 1999

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revised: September 28, 2011

**revised: August 28, 2019**

**RIALTO UNIFIED SCHOOL DISTRICT**

Rialto, California