

LIVE ANIMALS AT SCHOOL FOR INSTRUCTIONAL PURPOSES

Instructional staff (not students) may request from the school site administrator to approve the use of live animals prior to the display of the animals in the classroom. This policy is intended for a "class pet" and other appropriate limited use of animals for instructional purposes.

Instructional Staff Responsibility

1. Instructional staff must request permission from the site administrator for the use of animals in the classroom prior to staff bringing any live animals to the school facility/classroom for instructional purposes. Prior to a site administrator providing approval for the use of animals in the classroom, parents of the students in the affected classroom shall be informed in writing as to the specific type of animal that will be in the classroom and parents shall be directed to contact the site administrator if their child has any medical issues or allergies associated with the specific type of proposed animal. The site administrator will then determine the appropriate manner to address the issue.
2. Animals whose bites are poisonous or may cause severe physiological reactions are not permitted at school.
3. Animals should be kept in an appropriate enclosure that provides maximum containment of the animals, clean and sanitary conditions, shelter and protection from the weather, appropriate temperatures, and assures safety for the students. Instructional staff shall not leave the animals at the school facility/classroom over a weekend, holiday, or school break unless the safety and comfort of the animals can be ensured.
4. Staff must instruct students and visitors about inserting fingers in an occupied cage. Any incident in which a student or visitor is bit by animal must be reported to the site administrator immediately.
5. Instructional staff should train students in the care of and appropriate handling of animals, such as mice or guinea pigs, to include instruction not to excite animals or engage in activities such as poking pencils at animals because such activity encourages biting. Every reasonable precaution shall be taken to ensure animals are not teased, abused, mistreated, annoyed, tormented, or in any manner made to suffer by any person or by any means.
6. Instructional staff shall instruct students to thoroughly wash their hands after they finish touching or handling an animal in the classroom to ensure proper hygiene. Students should not eat or drink anything while touching or handling animals.

Legal Reference: (see next page)

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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