

## **Animals At School**

### Use of Animals for Instructional Purposes

Before any student or employee brings an animal to school for an instructional purpose, he/she shall receive written permission from the Human Resources department or designee. The Human Resources department or designee shall give such permission only after he/she 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 other health condition that may be aggravated by the animal, the principal shall take appropriate measures to protect the student from exposure to the animal.

(cf. [3514](#) - Environmental Safety)

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

(cf. 5141.23 - Asthma Management)

All animals brought to school must be in good physical condition and must be appropriately immunized. The teacher shall ensure that the species of animal is appropriate for the instructional purpose and 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. The teacher shall ensure that cages and containers are cleaned regularly and that waste materials are removed and disposed of in an appropriate manner.

(cf. [5141](#) - Health Care and Emergencies)

(cf. [5142](#) - Safety)

The teacher shall ensure that students receive instructions regarding the proper handling of and personal hygiene around animals.

(cf. [5141.22](#) - Infectious Diseases)

Except for service animals, as defined below, all animals are prohibited on school transportation services. (Education Code [39839](#); 13 CCR [1216](#))

(cf. [3541.2](#) - Transportation for Students with Disabilities)

(cf. 5131.1 - Bus Conduct)

### Use of Assistance Animals by Individuals with Disabilities

As established and defined by the Americans with Disabilities Act (ADA) and its accompanying regulations, individuals with disabilities shall be permitted to bring their assistive animals on District property in accordance with this policy. An assistance animal is defined as an animal that is necessary as a reasonable accommodation for a person with a disability pursuant to 2 CCR § 11065.

A "service animal" means any dog that is individually trained to do or perform tasks for the benefit of an individual with a disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or task performed by a service animal must be directly related to the individual's disability. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purposes of this definition. Emotional support animals are not considered "service animals."

An "emotional support animal" means a domesticated animal that is individually necessary for the emotional support, well-being, comfort, or companionship of an individual with a disability. The tasks performed by an emotional support animal must be directly related to the individual's disability. Non-human primates are specifically excluded from this definition.

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. (Education Code [39839](#); Civil Code [54.2](#); 28 CFR [35.136](#))

All requests to bring an emotional support or service animal to a school property and/or facility and/or school function must be made in writing, at least 10 business days prior to the date the staff member plans to bring the animal. The Human Resources department or designee shall, in accordance with this policy, confirm that the animal is authorized under this policy and shall provide the staff member with a copy of this policy and require the staff member to acknowledge in writing that he/she has received a copy of the policy, he/she understand the contents of the policy, and he/she agree to comply with the policy. As part of the approval process, the requester must meet the minimum standards as required by the Human Resources department or designee and outlined below.

The Human Resources department or designee shall review and approve or deny requests to bring an emotional support or service animal to school property and/or facility and/or school function on a case-by-case basis. This approval process shall include an Interactive Process meeting with the Human Resources department or designee, the requester, and if applicable, a representative from the bargaining unit and other individuals deemed appropriate by the District. The purpose of the meeting will be to review the request, letter from a medical professional describing the employees limitation and possible accommodations. If approved, staff will receive the attached formal approval letter.

The Human Resources department or designee shall give such permission to bring an emotional support or service animal to school property and/or facility and/or school function only after he/she has provided written notification to all parents/guardians of students in the affected class(es) and staff in the affected class(es), asking them to verify whether their child or if staff have any known allergies, asthma, or other health condition that may be aggravated by the service animal's presence. When an individual has provided notification that his/her child or the staff member has provided notification that he/she has an allergy, asthma, or other health condition that may be aggravated by the service animal, the Human Resources department or designee shall take appropriate measures to protect the student or staff member from exposure to the service animal. When an individual whose health is aggravated by the service animal's presence and an individual who uses an emotional support or service animal must spend time in the same room or facility (for example, in a school classroom or at a school cafeteria) both individuals should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility. If it is not possible to assign the student or staff member to different locations, the emotional support animal will need to stay home.

Minimum standards for assistive animals include, but are not limited to, the following. Employers may require that an assistive animal in the workplace:

- (A) is free from offensive odors and displays habits appropriate to the work environment, for example, the elimination of urine and feces;

(B) does not engage in behavior that endangers the health or safety of the individual with a disability or others in the workplace including students;

(C) must be under the control of the owner at all times through being confined within the premises of the owner, firmly secured by means of a collar and chain, crate or other device so that it cannot stray beyond the premises on which it is secured, or under the reasonable control of some person(s) and methods, so that the assistive animal cannot approach any human or animal without permission;

(D) does not distract students and employees from their education and work duties;

(E) for dogs, provide annual proof of vaccinations including, but not limited to: DHLPPC (Distemper, Hepatitis, Leptospirosis, Paroinfluenza, Parvovirus, Coronavirus), Bordetella, and Rabies

(F) possess a valid pet's license pursuant to the County of Sonoma; and

(G) does not pose any health or safety risk (*e.g.*, allergies or fear of animals) for students, employees, and other members of the public.

(H) maintain liability insurance of at least \$1,000,000 and assume liability should the animal bit someone on campus.

Further, if an employee requests permission to bring an assistive animal into the workplace as a reasonable accommodation, prior to allowing the animal to be in the workplace, the employer may require that the employee supply:

(1) a letter from the employee's health care provider stating that the employee has a disability and explaining why the employee requires the presence of the assistive animal in the workplace (*e.g.*, why the animal is necessary as an accommodation to allow the employee to perform the essential functions of the job);

(2) confirmation that the animal meets the standards set forth in section 11065(a)(2). Such confirmation may include information provided by the individual with a disability. The employer may challenge that the animal meets that standards set forth in section 11065(a)(2) within the first two weeks the assistive animal is in the work place based on objective evidence of offensive or disruptive behavior. An employer may require an annual recertification from the employee of the continued need for the animal;

(3) disclosure of information related to the animal including, but not limited to, the dog's breed, age, weight, medical history, and history of all altercations, incidents, or events whereby a person may have been harmed or exposed to harm.

## Use of Therapy Animals on Campus

A "therapy dog" is a dog that has been trained to provide comfort to students and staff in times of crisis or a traumatic event on campus. Therapy dogs must be handled by a trained individual the entire time that the dog is on campus. In addition, therapy dogs must comply with items A-H above. Therapy dogs will be allowed on campus only if approved by the Superintendent or designee.

## Use of Facility Animals on Campus

Facility dogs are used for instructional purposes to teach students a sense of responsibility and to promote the humane treatment of animals. Facility dogs are predominantly used in the extensive support needs setting. Anyone wishing to bring a facility dog on campus must show the educational benefit to students in that classroom. In addition, facility dogs must comply with A-H above and be approved by the Superintendent or designee.

Failure to follow or meet any of the above requirements may result in revocation of the District's

permission to bring an assistive animal to District property. Further, complaints made by students, parents, or staff members alleging violation of any of the above requirements may result in immediate revocation of the District's permission to bring an assistive animal until the complaints are reviewed and resolved. When an individual's service animal is excluded, he/she shall be given an opportunity to participate in the service, program, or activity without having the service animal present. (Education Code 39839; Civil Code 54.2; 28 CFR 35.136).

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

(cf. [3541.2](#) - Transportation for Students with Disabilities)

(cf. [6159](#) - Individualized Education Program)

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

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: (28 CFR [35.136](#))

1. The district's 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 and the individual does not take effective action to control it or the animal is not housebroken. When an individual's service animal is excluded, he/she shall be given an opportunity to participate in the service, program, or activity without having the service animal present. (Education Code [39839](#); Civil Code [54.2](#); 28 CFR [35.136](#))

#### Responsibilities of Handler

The owner/handler of the animal shall be liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property (Civil Code 54.2). The District is not responsible for the care or supervision of the animal, such as walking the animal or responding to the animal's need to relieve itself. The owner/handler of the service animal must always carry equipment sufficient to clean up the animal's waste, immediately remove the waste, and be responsible for the proper disposal of the animal's waste.

All animals must be treated for, and kept free of, fleas and ticks and other pests. All animals must be kept clean and groomed to avoid shedding and dander. All service dogs must be spayed or neutered.

#### Regulation SANTA ROSA CITY SCHOOLS

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