

**Policy 6163.2: Animals At School**

**Status:** PENDING

**Original Adopted Date:** 10/01/1996 | **Last Revised Date:** 01/24/2024 |

The Governing Board 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. Service Animals

The District allows services animals that assist individuals with disabilities consistent with Americans with Disabilities Act (ADA) regulations and California Civil Code section 54.2. A "service animal" is defined as "any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition." (28 CFR 35.104)

B. Therapy Dogs

The Board also recognizes that therapy dogs (or comfort dogs) used on campus can provide physical, social, and emotional benefits to students and employees in the event of a crisis or traumatic event on campus. Therapy dogs must be approved by the Superintendent or designee before they can be permitted on campus.

C. Facility Dogs

Instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures. Facility dogs must be approved by the Superintendent or designee before they can be permitted on campus.

D. Emotional Support Dogs

Emotional support dogs are not service animals and are not covered under the Americans with Disabilities Act. Such animals may, however, be permitted as reasonable accommodations for students under section 504 or for staff by participation in an interactive process with the appropriate district supervisor.

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.

---

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State

13 CCR 1216  
Civ. Code 54.1  
Civ. Code 54.2  
Ed. Code 233.5  
Ed. Code 39839  
Ed. Code 51202  
Ed. Code 51540  
Gov. Code 810-996.6  
Gov. Code 815  
Gov. Code 835  
Veh. Code 21113

### Federal

20 USC 1400-1482  
28 CFR 35.104  
28 CFR 35.136  
29 USC 794

### Management Resources

Court Decision  
CSBA Publication

CSBA Publication  
Federal Register

Website  
Website  
Website  
Website  
Website

### Description

[Transportation of property](#)  
[Access to public places](#)  
[Guide, signal, or service dogs; right to accompany](#)  
[Teaching of principles](#)  
[Transportation of guide dogs, signal dogs, service dogs](#)  
[Instruction in personal and public health and safety](#)  
[Humane treatment of animals](#)  
[Government Claims Act](#)  
[Liability for injuries generally; immunity of public entity](#)  
[Conditions of liability](#)  
[Public grounds](#)

### Description

Individuals with Disabilities Education Act  
Definitions, auxiliary aids and services  
Service animals  
Rehabilitation Act of 1973; Section 504

### Description

Sullivan v. Vallejo City USD, (1990) 731 F.Supp. 947  
Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008  
Asthma Management in the Schools, Policy Brief, March 2008  
Rules and Regulations, September 15, 2010, Vol. 75, Number 178, pages 56164-56236  
[CSBA District and County Office of Education Legal Services](#)  
[Humane Society of the United States](#)  
[American Society for the Prevention of Cruelty to Animals](#)  
[CSBA](#)  
[U.S. Department of Education, Office for Civil Rights](#)

### Cross References

#### Code

0410  
3320  
3320  
3514  
3514  
3530  
3530  
3541.2  
5131.1  
5131.1  
5141  
5141  
5141.21  
5141.21  
5141.22  
5141.22

#### Description

[Nondiscrimination In District Programs And Activities](#)  
[Claims And Actions Against The District](#)  
[Claims And Actions Against The District](#)  
[Environmental Safety](#)  
[Environmental Safety](#)  
[Risk Management/Insurance](#)  
[Risk Management/Insurance](#)  
[Transportation For Students With Disabilities](#)  
[Bus Conduct](#)  
[Bus Conduct](#)  
[Health Care And Emergencies](#)  
[Health Care And Emergencies](#)  
[Administering Medication And Monitoring Health Conditions](#)  
[Administering Medication And Monitoring Health Conditions](#)  
[Infectious Diseases](#)  
[Infectious Diseases](#)

5141.23	<u>Asthma Management</u>
5141.23	<u>Asthma Management</u>
5142	<u>Safety</u>
5142	<u>Safety</u>
6142.4	<u>Service Learning/Community Service Classes</u>
6159	<u>Individualized Education Program</u>
6159	<u>Individualized Education Program</u>
6164.4	<u>Identification And Evaluation Of Individuals For Special Education</u>
6164.4	<u>Identification And Evaluation Of Individuals For Special Education</u>
6164.6	<u>Identification And Education Under Section 504</u>
6164.6	<u>Identification And Education Under Section 504</u>