

# MODESTO CITY SCHOOLS

## Board Policy

**BP 6163.2**

### INSTRUCTION

#### Animals at School

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.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 6142.4 - Service Learning/Community Service Classes) (N/A)*

*(cf. 6159 - Individualized Education Program)*

*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*

*(cf. 6164.6 - Identification and Education Under Section 504) (N/A)*

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) (N/A)*

*(cf. 3530 - Risk Management/Insurance) (N/A)*

*(cf. 5141.21 - Administering Medication and Monitoring Health Conditions) (N/A)*

*(cf. 5141.23 - Asthma Management) (N/A)*

#### 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*

**BP 6163.2 (a)**

## **INSTRUCTION**

### **Animals at School**

#### **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.asPCA.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>*

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**ADOPTED:**