

## **ANIMALS IN SCHOOLS (INSTRUCTIONAL PURPOSES)**

The board recognizes that there are educational and psychosocial benefits to having animals in the classroom.

Use of animals in the classroom, requires that permission be obtained from the Building Principal before animals are brought into the school or classrooms. It is the Principal's responsibility to ensure that there is an appropriate educational purpose if any animal is housed in a classroom. Animals are not to be transported on school buses with the exception of animals certified to assist persons with disabilities.

Also, given the health and safety concerns of animals in the classroom, the building principal may choose to prohibit "casual visits" by pets brought into the school building by staff, students and parents.

### **Study and Care of Live Animals**

Any school which cares for or uses animals for study shall ensure that each animal in the school be afforded the following:

- a) Appropriate quarters;
- b) Sufficient space for the normal behavior and postural requirements of the species;
- c) Proper ventilation, lighting, and temperature control;
- d) Adequate food and clean drinking water; and
- e) Quarters which shall be cleaned on a regular basis and located in an area where undue stress and disturbance are minimized.

Only the teacher or those students designated by the teacher are to handle the animals.

It shall be the responsibility of the teacher or his/her designee to develop a plan of care for those animals housed in school in the event of an emergency school closing or in the event the animals remain in the classroom on days when school is not in session.

### **Dissection of Animals**

Any student expressing a moral or religious objection to the performance or witnessing of the dissection of an animal, either wholly or in part, shall be provided the opportunity to undertake and complete an alternative project approved by the student's teacher; provided, however, that such objection is substantiated in writing by the student's parent or legal guardian. Students who perform alternative projects shall not be penalized.

### **Instruction in the Humane Treatment of Animals**

Students in elementary school must receive instruction in the humane treatment and protection of animals and the importance of the part they play in the economy of nature as well as the necessity of controlling the proliferation of animals that are subsequently abandoned and caused to suffer extreme cruelty.

This instruction may be joined with work in literature, reading, language, nature study, or ethnology. In accordance with [Education Law Section 809\(1\)](#) and Commissioner's Regulations [8 New York Code of Rules and Regulations (NYCRR) Section 100.2(c)(8)], students in elementary school must receive instruction in the humane treatment and protection of animals and the importance of the part they play in the economy of nature as well as the necessity of controlling the proliferation of animals that are subsequently abandoned and caused to suffer extreme cruelty. Such weekly instruction may be divided into two or more periods, and may be joined with work in literature, reading, language, nature study or ethnology.

### **Treatment of Live Vertebrate Animals**

Section 809(5) of Education Law provides that no school district, school principal, administrator or teacher shall require or permit the performance of certain specified types of lessons or experimental studies on live vertebrate animals in the school or during an activity conducted under the school's auspices. These activities are prohibited whether or not they take place on school premises. For example, a teacher may not allow a student to conduct the prohibited experiments on live vertebrate animals for a school sponsored science fair even if the experiment is conducted at a research institution.

However, under certain circumstances, the Commissioner of Education may grant a waiver from this restriction upon a school's submission of a written program plan. The school district must obtain a waiver *before the lesson or experimentation begins*. Instructions for applying for such a waiver and the appropriate forms can be found by going to:

[http://www.emsc.nysed.gov/ciai/mst/science/809\(5\)waiver.htm](http://www.emsc.nysed.gov/ciai/mst/science/809(5)waiver.htm)

Districts that subscribe to our Administrative Update Service will receive an accompanying regulation on the Treatment of Live Vertebrate Animals.

### **Additional Health and Safety Concerns**

If live animals are to be used in the schools for instructional purposes, guidance should be provided to appropriate staff and students for their well being and safety. For example, precautions should be taken to eliminate or avoid allergic reactions, animal bites or other injuries to staff and students, while permitting the use of only healthy and properly inoculated animals.

Children with allergies or those with immune deficiencies may be especially susceptible to diseases transmitted by animals or allergic reactions; therefore, special precautions may be needed to minimize risks. Parents of children with allergy and/or asthma concerns should be directed to notify the school of those concerns at the start of the school year, or upon admission, so appropriate measures can be taken to ensure the well-being of such children. Consultation with the school nurse and the child's parents about precautionary measures is also advised.

With regard to requests by organizations to allow an animal to visit a school setting (such as for an exhibition), the same guidelines should be followed as those utilized when approving the use of an animal for instructional purposes.

It is recommended that parents be notified prior to housing an animal in the classroom and/or having an animal present for educational purposes, exhibition, or "visitation" in the class. Safe alternatives for students unable to be in contact with visiting animals should be provided.

### **Other Situations**

1. Animals under the control of public safety officers may have access to school property as use of these animals by such officials is under the jurisdiction of federal and state law as

applicable.

2. Animals trained to assist individuals with disabilities (e.g., service dogs) are permitted on district property and at district events when being used for that purpose pursuant to law. The school principal should receive prior notification about the presence of such a service animal in order to implement any necessary precautions. Again, parents should be notified and student health records should be reviewed for health conditions, such as allergies, that may present a problem for students.

Ref: [Americans with Disabilities Act](#),  
[42 United States Code \(USC\) Section 12101 et.](#)  
[Education Law Section 809](#)  
8 New York Code of Rules and Regulations  
(NYCRR) Section 100.2©(8)

Adopted Date: March 9, 2010