

## **Lewis Center for Educational Research**

### **AR 6163.2    INSTRUCTION                  ANIMALS AT SCHOOL**

**Adopted:        December 13, 2021**

**Revised:**

### **Live Animals for Instructional Use**

The Board of Directors (“Board”) for the Lewis Center for Educational Research (“LCER”) shall allow use of animals for instructional purposes as follows:

1. Before any student or employee brings an animal to school for an instructional purpose, he/she shall receive written permission from the principal or designee.
2. The principal or designee shall give such permission only after the teacher 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. The teacher shall also notify staff members within the same building if the animal is to be brought to school. Staff members must be allowed to verify that they do not have known allergies to the animal species to be brought to school.
3. The teacher must assume primary responsibility for the humane treatment of the animal while in the classroom. Only the teacher or student designated by the teacher are to handle the animal. The animal is to be a specific component of the school-approved curriculum.
4. 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, age, and maturity of the students. Poisonous animals are prohibited.
5. All animals brought to school shall be adequately fed, effectively controlled, 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. The teacher must make provisions for the care and maintenance of the animal during the days when school is not in session.
6. The teacher shall ensure that students receive instructions regarding the proper 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 and in any manner made to suffer by any person or by any means. If an individual is bitten or scratched by an animal and the skin is broken, the affective area should be cleaned thoroughly with soap and water and reported to the Principal or designee.
7. The teacher shall ensure that students receive instructions regarding the proper personal hygiene prior to and after handling the animals. For instance, students shall be required to wash their hands with anti-bacterial soap prior to feeding the desert tortoises, due to the reptiles being susceptible to pneumonia and other respiratory ailments. Animals are not

permitted in areas where food is prepared or served. Any species/animal found to be at large may be reason for removal.

Due to health concerns, safety concerns, and in order to avoid disruption of school activities all animals, insects and reptiles are prohibited from school property, school facilities, school transportation and school functions except when the animal has been permitted as a service animal, or a live animal in the classroom used for instructional purposes as described in this regulation.

If a teacher desires for a community and/or volunteer group to bring animals onto campus, a request for permission must be submitted in writing to the Principal or designee no less than 30 calendar days before the intended date of the animal's presence on campus. The community and/or volunteer group providing the animals shall describe, in writing, its qualifications to handle the animals and demonstrate that it will be able to control and clean up after the animals, should permission be granted to bring the animals onto campus. The community and/or volunteer group must provide care, supervision and will be solely responsible for handling the animal. The animal must be in good health. The community and/or volunteer group must always carry equipment sufficient to clean up, immediately remove and properly dispose of the animals waste.

The Principal or designee may approve or deny the request for the animal to be on campus, depending on many factors to include, but not limited to, the dangerousness of the animal, the purpose of the animal being on campus, the length of time the animal will be on campus, the qualification of the community or volunteer group, and the potential liability caused by the animals presence.

### **Service Animals**

The LCER Board acknowledges the its responsibility to permit students and/or adults with disabilities to be accompanied by a service animal on school property and/or facilities and/or at school functions as required by applicable federal and state laws, subject to the rules and procedures described in this regulation. This regulation only applies to members of the public, students, and staff with disabilities who are requesting to be accompanied by a service animal to a LCER school property and/or facility and/or school function.

1. For an individual with a disability, a service animal must be a dog or, in limited specific circumstances, a miniature horse. No other species of animal will be permitted as a service animal. A service animal must be required for the individual with a disability and the service animal must be individually trained to do work or a task for the individual with a disability. These tasks may include, but not be limited to, guiding an individual with a disability, alerting individuals with impaired hearing, pulling a wheelchair, or fetching dropped items. The task performed by the service animal must be directly related to the functional limitation of the individual's disability. Service animals are working animals and are not pets.
2. If it is obvious what service the animal provides to the individual with a disability, then staff should not make any further inquiries regarding the tasks performed by the service animal (i.e. a guide dog for an individual with impaired vision). Only limited inquiries are allowed by LCER staff to determine if a dog is a service animal when it is not obvious what service the dog provides and staff may ask only the following two questions:

- a. Is the service animal required because of a disability?
  - b. What work or task has the service animal been trained to perform?
3. Staff cannot ask about the individual's disability, require medical documentation, require a special identification card or training documentation for the service animal, require the service animal to wear an identifying vest, or ask that the service animal demonstrate its ability to perform the work or task.
4. Therapy, comfort, or companion animals are not service animals. Therapy, emotional comfort or companion animals will be treated as non-service animals, and any person wishing to bring such non-service animals on campus must receive permission by the principal or designee as set forth in this administrative regulation.
5. When an individual brings a service animal on school property, the individual shall be responsible for ensuring:
  - a. All animals are treated for, and kept free of, fleas and ticks or other pests.
  - b. All animals must be kept clean to avoid shedding and dander.
  - c. The owner/handler of the animal is liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.
  - d. All animals must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the animal's safe, effective performance of work or tasks, in which case the animal must be otherwise under the handler's control.
  - e. The owner/handler of the service animal is responsible for the care and conduct of the service animal at all times. The LCER is not responsible for the care or supervision of the service 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.
  - f. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis at the discretion of the Principal or designee. Students with service animals or the student's parent(s) are expected to care for and supervise their animal. In the case of a young child or a student with disabilities who is unable to care for or supervise the service animal.
  - g. If the request is for a service dog, the person making the request must provide annual proof of the vaccinations required in California and the County of San Bernardino.
  - h. If the request is for a service miniature horse, the person making the request must provide annual proof of the vaccinations required by California and San Bernardino County.
6. The Principal or designee may ask any individual who brings a service animal to a school property and/or facility and/or school function to remove the service animal if any one of the following circumstances occurs:
  - a. The animal is out of control and the animal's handler does not take effective action to control it;
  - b. The animal is not housebroken; and/or
  - c. The animal's presence would pose a direct threat pursuant to 28 CFR 35.104, which is defined as a significant risk to the health and safety of others that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services.

7. 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.
8. All requests for a student, employee or member of the public to bring a service animal to school property and/or facility and/or school function must be directed to the Principal or designee. The Principal or designee shall, in accordance with this policy, confirm that the animal is a service animal and shall, upon the request of the individual, provide the individual with a copy of this policy.
9. When practically possible, a member of the public requesting to bring a service animal to a school property and/or facility and/or school function is encouraged to make the request in writing 10 business days prior to the date the owner/handler plans to bring the service animal. However, the individual cannot be required to provide this advance written notice in order to bring a service animal to a school property and/or facility and/or school function.
10. All requests for a student or staff member to bring a service animal to a school property and/or facility and/or school function must be made in writing 10 school days prior to the date the student/employee plans to bring the service animal.
11. The Principal or designee shall, in accordance with this policy, confirm that the animal is a service animal and shall provide the student's parents/employee with a copy of this policy and require the student's parents/employee to acknowledge in writing that the parent(s)/employee has received a copy of this policy, and parent(s)/employee understands the contents of the policy, and the parent(s)/employee agrees to comply with the policy. As part of the approval process, the student's parent(s)/employee must provide proof that the service animal has received all required vaccinations. The Principal or designee shall review and approve or deny requests to bring a service animal to school property and/or facility and/or school function on a case-by-case basis.
12. The Principal or designee shall give such permission to bring a 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/staff in the affected class(es)/areas asking them to verify whether their child/staff have any known allergies, asthma, or other health condition that may be aggravated by the service animal's presence. When a staff member or parent of child has provided notification that his/her child has an allergy, asthma, or other health condition that may be aggravated by the service animal, the Principal or designee shall take appropriate measures to protect the student or staff from exposure to the service animal.

Allergies and fear of dogs are not valid reasons for denying access or refusing service to individuals using service animals. When an individual whose health is aggravated by the service animal's presence and an individual who uses a 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 accompanied by assigning them, if possible, to different locations within the room or different rooms in the facility. All requests for permission of an employee with a disability to bring a service animal or assistive animal into the workplace as a reasonable accommodation will be addressed through the interactive process in accordance with the California Code of Regulations.