



Approved on September 18, 2017

Instruction

BP 6163

Da Vinci Schools ANIMALS AT SCHOOL Board Policy

A charter school is mandated to modify its policies, practices, and procedures to permit an individual with a disability to use a service animal at school, when the work or task performed by the service animal is directly related to the individual's disability. 28CFR 35.136

The Da Vinci Board of Trustees recognizes that animals can contribute to the schools' instructional program by being effective teaching aids to students and by assisting individuals with disabilities to access charter school 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. Non-discrimination in District programs and Activities)

(cf. Individualized Education Program)

(cf. 6164. Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 Identification and Education Under Section 504)

The Chief Executive Officer 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, Da Vinci Schools assumes no liability for the safety of animals allowed on charter school property.

(cf. 2230 Claims and Actions Against the Charter)

(cf 3530 Risk Management/Insurance)

(cf Administering Medication & Monitoring Health Conditions)

(cf 5143. 23 Asthma Management)

Legal References:

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 code

Civil Code:

54.1 Access to public places

54.2 Guide, signal or service dogs, right to accompany



Administrative Regulations
ANIMALS AT SCHOOL

AR 6163

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 principal/designee or CMO Administration. The principal or designee shall give permission only after he/she has provided written notification to all parents/guardians of students in the affected class, program, asking them to verify whether their child has any known allergies, asthma or other health condition that may be aggravated by an animal's presence. When a parent/guardian has provided notification that his or 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.

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 containers suitable for the species. The teacher shall ensure that the cages and/or containers are cleaned regularly and that waste materials are removed and disposed of in an appropriate manner.

The teacher, with the assistance of school nursing staff, shall ensure that students receive instruction regarding the proper handling of personal hygiene around animals.

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

Pursuant to the Americans with Disabilities Act ("ADA"), individuals with disabilities, including students with disabilities, have the right to be accompanied by service animals, both on charter school premises and on school transportation.

Definitions:

Individual with a Disability:

An individual with a disability is a person who has a physical or mental impairment that substantially limits one or more major life activity.

Service Animal:

A service animal is 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.

The CMO or designee may also 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:

1. The charter school'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.

Other species of animals, whether wild or domestic, trained or untrained, are not service animals for purposes of this definition.

Work or Tasks Performed by Service Animals:

The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Notification Requirements/Check-In:

The owner/handler is to notify the appropriate person of the presence of a service animal at charter school facilities. The appropriate person will vary depending on the event/program. For employment or academic classroom activities, the principal is the appropriate person to contact. For special events/programs, including those open to the general public, the Chief Operating Officer is the appropriate person to contact. Once a service animal is approved, the owner/handler will be provided a badge, indicating service animal approval, to wear while at charter school facilities.

The charter school assumes no responsibility or liability for a service animal. The user of the service animal is responsible for its care and conduct at all times. The use of service animals on charter school facilities must comply with all relevant federal and state laws.

Requirements of Service Animals:

1. A service animal must be individually trained to perform work or tasks directly related to the handler's disability.
2. A service animal must be appropriately licensed in accordance with city and county regulations and wear a current vaccination tag.

3. A service animal must be harnessed, leashed or tethered at all times, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.
4. The owner/handler must be in full control of the service animal at all times. The care and supervision of a service animal is solely the responsibility of its owner/handler.
5. The owner/handler must clean up after the service animal. An appropriate area for the service animal to relieve itself will be identified by charter school administrators. The owner/handler will be responsible for immediately and appropriately disposing of the animal's waste.
6. Service animals must be clean and in good health. Preventative measures must be taken for flea and odor control. If the animal is not clean or is ill, the owner/handler will be asked to remove the animal from the charter school facility.
7. A service animal must exhibit appropriate behavior at all times. If a service animal does exhibit inappropriate behavior, (including but not limited to barking, sniffing others, aggressive behavior, running around, causing disruption), the owner/handler is expected to use proper training techniques to correct the behavior. Repeated occurrences may result in the service animal being barred from charter school facilities. Infractions will be handled on an individual basis.

Areas Restricted to Service Animals:

The charter school may prohibit the use of service animals in certain locations due to health or safety restrictions. Such restricted locations may include, but are not limited to, food preparation areas, mechanical rooms/custodial closets, wood/metal/machine shops, areas where protective clothing is necessary, and/or other areas where the animal's presence may constitute a danger or a fundamental alteration of the program or activity conducted in the area. When a service animal is approved, the owner/handler will be advised of any areas restricted to service animals at the particular school facility. Disputes regarding access to restricted areas should be directed to Dr. Chris Jones, Chief Operating Officer at cjones@davincischools.org, or Dr. Mary P. Ring, Chief Student Services Officer, at drmring@davincischools.org. Whether or not admission of the service animal to a restricted area will be granted will be determined on a case-by-case basis.

Conflicting Disabilities:

If an employee or student who will necessarily come into contact with an approved service animal has a disabling condition that involves an allergic reaction to animals, he/she should immediately notify (Insert school name and principal). The person making the complaint must provide supporting medical documentation to support the complaint. The CMO will consider the needs of both individuals and will make every effort to resolve the problem as efficiently and expeditiously as possible.

For More Information:

For questions or more information regarding this policy, please contact Dr. Mary P. Ring, Chief Student Services Officer, at (310) 725-5800.