

ANIMALS ON CAMPUS AND AT WORK

The Mendocino County Board of Education and the County Superintendent of Schools recognize that animals can be an effective teaching aid and that service animals can be a great help and support to citizens, students and staff in regard to basic life functions. The purpose of this policy is to establish when the presence of animals is authorized at Mendocino County Office of Education (MCOE) facilities. Animals may be present under the following conditions:

1. Animals that are a specific part of the instructional process and that are authorized by the school's principal or designee to be on campus.
2. A service animal as defined by the Americans with Disabilities Act (ADA) brought by students who are attending school or by citizens, within their capacity as a citizen, must be provided access and accommodated. For example citizens who are attending MCOE events, attending Board meetings, meeting with instructional staff, or otherwise utilizing MCOE services or participating in MCOE activities. The ADA (Title III, 28 CFR sect 36.104) defines a service animal as:

Any animal that is individually trained to do work or perform tasks for a person with a disability

3. A service animal that meets the above definition and is part of an official accommodation provided to an employee in regard to a disability within the meaning of the ADA and/or Fair Employment and Housing Act of California. An official accommodation shall be established and must be on file in the Human Resources Department.

While an animal is present in the classroom for instructional purposes it shall be the teacher's responsibility to ensure that the animal does not pose a threat or a danger to students or staff and is treated humanely, properly fed and maintained.

The care of service animals is the sole responsibility of their owners and shall be accorded humane treatment by MCOE staff.

*Legal References:**EDUCATION CODE**233.5 Instruction in kindness to pets and humane treatment of living creatures**51202 Instruction in personal and public health and safety**51540 Safe and human treatment of animals at school**GOVERNMENT CODE**810-996.6 California Tort Claims, especially**815 Liability for injuries generally; immunity of public entity**835 Conditions of liability*

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Legal References: (continued)

DISCRIMINATION LAW

Fair Employment and Housing Act, 42 U.S.C. 3601

Americans with Disabilities Act, 42 U.S.C. 12101

Unruh Civil Rights Act, Cal. Civil Code sec. 51 et seq.

Management Resources:

Guidelines for the study of animals in Elementary and Secondary School Biology, HE 1079 – Catalogue of Publications, 1996

Job accommodation Network (JAN) Employee Employment Opportunity Commission (EEOC) Technical Guidance