

Use of Animals in District Schools and in Curricular Programs

The Bismarck School Board believes there are medical and physical dangers associated with allowing interaction with and/or use of animals in the educational program and in District schools. The Board, however, also recognizes that animals may be an effective teaching aid and/or their presence may be required to reasonably accommodate students and staff with disabilities.

Definitions

For purposes of this policy:

- *Disability* is defined in 28 CFR Part 35.108 with respect to an individual, as a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.
- *Service animal* is defined in NDCC 25-13-01.1 as any dog, trained to do work, perform tasks, or provide assistance for the benefit of an individual with a disability. The term includes a dog trained to provide assistance to an individual with a disability, pull a wheelchair, lend balance support, retrieve dropped objects, or provide assistance in a medical crisis.
- *School property* is defined in NDCC 15.1-19-10(6)(b) as all land within the perimeter of the school site and all school buildings, structures, facilities, and school vehicles, whether owned or leased by a school district, and the site of any school-sponsored event or activity.

Use of Animals for Educational Purposes

Before a teacher may use an animal as part of the educational program or participate in an activity involving animals (e.g., a field trip), the teacher must submit a request to the building principal in accordance with administrative regulations. The principal shall consider such requests on a case-by-case basis based upon criteria established by the Superintendent.

Use of Service Animals by Individuals with a Disability

A qualified individual with a disability may be granted use of a service animal on school property, provided the work or tasks performed by the service animal are directly related to the individual's disability. The Superintendent shall make such determinations on a case-by-case basis based on the following criteria.

Would the presence of the service animal:

1. Impose an undue financial or administrative burden on the District;

2. Require a fundamental alteration to an educational program;
3. Impact legally protectable rights of others.

A disabled student's parent may be given the option of changing the student's educational placement if alternative placement will remedy the infringement of other's rights.

The individual with a disability or designated handler is responsible for the proper care and supervision of the service animal while on school property.

Revocation of Animal Use

The decision to allow any type of animal in school may be revoked if:

1. The animal poses a direct health and/or safety threat to others.
2. The animal is not properly controlled.
3. The animal's presence has fundamentally altered an educational program or activity.

The District may offer alternatives to using a service animal (such as employing an aide), provided the alternatives effectively meet the student's needs.

Animal-Related Injuries

The principal and parent/guardian (if a student is involved) must be notified as soon as possible if an animal injures an individual on school property or if an animal-related incident occurs on school property that could have an adverse effect on an individual's physical or emotional health.

Complementary Documents

- ACBC-AR, Use of Animals in Curricular Programs

End of Bismarck Public School District Policy ACBC

Adopted: 1/13/2022