

Students

REFUSAL TO HARM OR DESTROY ANIMALS

The Governing Board recognizes that some students have a moral objection to dissecting or otherwise harming or destroying animals. California law grants these students the right to refrain from participation in instruction which involves such activities.

Students shall not be discriminated against because of a decision to exercise this right.
(Education Code 32255.1)

The Board encourages staff to accommodate students who request alternative educational projects in lieu of those which entail harm or destruction of animals.

At the beginning of each academic year, the district shall notify students and parents/guardians of the students' right to refrain from instruction involving harm or destruction of animals.
(Education Code 48980)

Such notification shall also be given to students by each teacher of a course that uses live or dead animals or animal parts. (Education Code 32255.4)

(cf. 5145.6 – Notifications Required by Law)

Agricultural education classes are exempt from the legal provisions which allow students this right. (Education Code 32255.6)

(cf. 5145.2 – Freedom of Speech/Expression)

Legal Reference:

EDUCATION CODE

32255-32255.6 Pupil's rights to refrain from the harmful or destructive use of animals

48980 Notice at beginning of term

Students

REFUSAL TO HARM OR DESTROY ANIMALS

Any student who has a moral objection to dissecting or otherwise harming or destroying animals shall have the right to refrain from participating in instruction which involves such activities and shall not be discriminated against because of a decision to exercise this right. (Education Code 32255.1)

The right to refrain from instruction involving harmful or destructive use of animals shall apply to all K-12 courses, except classes and activities conducted as part of agricultural education that provide instruction on the care, management, and evaluation of domestic animals. (Education Code 32255.5, 32255.6)

At the beginning of each academic year, the Superintendent or designee shall notify parents/guardians, in writing, of students' right to refrain from instruction involving the harmful or destructive use of animals. (Education Code 48980)

In addition, each teacher of a course that uses live or dead animals or animal parts shall inform students of their right to refrain from the harmful or destructive use of animals. (Education Code 32255.4)

A student who wishes to refrain from such instruction shall notify the teacher and shall provide a note from his/her parent/guardian substantiating the objection. (Education Code 32233.1)

If the teacher believes an adequate alternative project is possible, he/she may work with the student to develop and agree upon an alternative project which would provide the knowledge, information or experience required by the course of study. Alternative projects include, but are not limited to the use of video tapes, models, films, books and computers. The alternative project shall involve time and effort by the student comparable to that required by the original project. (Education Code 32255, 32255.1)

A teacher's determination of whether the student may pursue an alternative project or be excused from the project shall not be arbitrary or capricious. (Education Code 32255.3)

In order to receive course credit, students who participate in an alternative project shall pass all course examinations. Students may request an alternative test, however, if a regular examination requires the harmful or destructive use of animals. (Education Code 32255.1)

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6142.93 - Science Instruction)

(cf. 5145.6 - Parental Notifications)

Legal Reference:

REFUSAL TO HARM OR DESTROY ANIMALS (continued)

EDUCATION CODE

32255-32255.6 Student's right to refrain from harmful or destructive use of animals

48980-48985 Notification of parents/guardians, especially:

48980 Parental notification at beginning of term

51540 Humane treatment of animals

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Science Framework for California Public Schools: Kindergarten Through Grade 12, 2004

Science Content Standards for California Public Schools: Kindergarten Through Grade 12, 1998

WEB SITES

California Department of Education: <http://www.cde.ca.gov>