

WESTMORLAND UNION ELEMENTARY SCHOOL DISTRICT

Board Policy No. 5029: RIGHTS TO REFRAIN FROM THE HARMFUL OR DESTRUCTIVE USE OF ANIMALS

- A. The California Legislature generally has provided that a pupil with a moral objection to dissecting or otherwise harming or destroying animals may lawfully choose to refrain from participation in an education project involving the harmful or destructive use of animals. Classes and activities, conducted as a part of a program in agricultural education that provide instruction on the care, management and evaluation of domestic animals are exempt. This Board Policy applies to all levels of instruction.

- B. Each teacher teaching a course that utilizes live or dead animals or animal parts shall inform the pupils of their rights under current law to refrain from participation in an education project involving the harmful or destructive use of animals. A pupil's objection shall be substantiated by a note from the parent or legal guardian.

- C. If a pupil chooses to refrain from participation in an education project involving the harmful or destructive use of animals, and if the teacher believes that an adequate alternative education project is possible, then the teacher may work with the pupil to develop and agree upon an alternate education project for the purpose of providing the pupil an alternate avenue for obtaining the knowledge, information, or experience required by the course of study in question. The alternative education project shall require comparable time and effort by the pupil, and shall not be more arduous than the original education project as a means of penalizing the pupil. Pupils choosing an alternative education project shall pass all examinations in the respective course of study in order to receive credit for that course of study. However, if tests require the harmful or destructive use of animals, a pupil may seek alternative tests.

- D. A teacher's decision in determining if a pupil may pursue an alternative education project or be excused from the project shall not be arbitrary or capricious. A pupil shall not be discriminated against based upon a decision to exercise rights under this Board Policy and current law.

Legal Reference:

Education Code sections 32255-32255.6

Date Policy Adopted By The Board: November 8, 1994

Date Policy Revised By The Board: October 9, 2003 (formerly B.P. 5024)