



Research and Supporting Information for Guidance to Local Education Agencies on Animal Dissection Opt-Out Choice for District Students

Research/Development Timeline:

- February 15, 2012 - Posted a query on the BCSSE/CSSS ListServ asking State Science Supervisors to share their state's policy/guidance on animal dissection.
- February 28, 2012 - Reviewed email responses from Maryland and Virginia.
- March, 2012 - Reviewed websites for state's policy and guidance.
 - <http://www.cde.ca.gov/pd/ca/sc/documents/scisafebk2012.pdf#search=animal%20dissection&view=FitH&pagemode=none>
 - http://www.doe.virginia.gov/boe/guidance/instruction/alternatives_dissection.pdf
 - <http://www.doe.mass.edu/news/news.aspx?id=5621>
- April, 2012 - Updated guidance documents
- May, 2012 - Revised guidance documents
- June, 2012 - Final meeting prior to submission

STATUTES

West's Ann.Cal.Educ.Code § 32255.1 (CALIFORNIA)

(a) Except as otherwise provided in Section 32255.6, any pupil with a moral objection to dissecting or otherwise harming or destroying animals, or any parts thereof, shall notify his or her teacher regarding this objection, upon notification by the school of his or her rights pursuant to Section 32255.4.

(b) If the 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, 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.

(c) The alternative education project shall require a comparable time and effort investment by the pupil. It shall not, as a means of penalizing the pupil, be more arduous than the original education project.

(d) The pupil shall not be discriminated against based upon his or her decision to exercise his or her rights pursuant to this chapter.

(e) Pupils choosing an alternative educational project shall pass all examinations of 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, similarly, seek alternative tests



pursuant to this chapter.

(f) A pupil's objection to participating in an educational project pursuant to this section shall be substantiated by a note from his or her parent or guardian.

West's F.S.A. § 1003.47 (FLORIDA)

(1) It is the intent of the Legislature with respect to biological experiments involving living subjects by students in grades K through 12 that:

(a) No surgery or dissection shall be performed on any living mammalian vertebrate or bird. Dissection may be performed on nonliving mammals or birds secured from a recognized source of such specimens and under supervision of qualified instructors. Students may be excused upon written request of a parent.

105 ILCS 5/2-3.122 (ILLINOIS)

Dissection alternatives. The State Board of Education shall make available to school districts sources of information concerning alternatives to the dissection of animals. Such information may include, but need not be limited to, names, addresses, and contact personnel of organizations that offer free instructional and teaching materials as alternatives to dissection.

McKinney's Education Law § 809 (NEW YORK)

4. Dissection of animals. Any student expressing a moral or religious objection to the performance or witnessing of the dissection of an animal, either wholly or in part, shall be provided the opportunity to undertake and complete an alternative project that shall be approved by such student's teacher; provided, however, that such objection is substantiated in writing by the student's parent or legal guardian. Students who perform alternative projects who do not perform or witness the dissection of animals shall not be penalized. The board of education or trustees of a school district shall develop a policy to give reasonable notice to all students enrolled in a course that includes the dissection of an animal and students' parents or legal guardians about their rights under this subdivision. Such notice shall be made available upon request at the school and distributed to parents and students enrolled in a course that includes dissection at least once at the beginning of the school year.

O.R.S. § 337.300 (OREGON)

(1) A kindergarten through grade 12 public school student may refuse to dissect any vertebrate or invertebrate animal or the parent or legal guardian of a kindergarten through grade 12 public



school student may refuse to allow the student to dissect any vertebrate or invertebrate animal.

(2) A school district that includes dissection as part of its coursework shall permit students to demonstrate competency in the coursework through alternative materials or methods of learning that do not include the dissection of animals. These alternative materials and methods may include but are not limited to:

- (a) Videotapes, DVDs and CD-ROMs;
- (b) Models;
- (c) Films;
- (d) Books;
- (e) Computer programs;
- (f) Clay modeling; and
- (g) Transparencies.

(3) A kindergarten through grade 12 public school teacher may not discriminate against a student or lower the grade of a student for not participating in the dissection of an animal.

(4) A school district shall notify students who have dissection as part of their coursework and the parents and legal guardians of those students about the provisions of this section.

24 P.S. § 15-1523 (PENNSYLVANIA)

(a) Public or nonpublic school pupils from kindergarten through grade twelve may refuse to dissect, vivisect, incubate, capture or otherwise harm or destroy animals or any parts thereof as part of their course of instruction.

(b) Schools shall notify incoming pupils and their parents or guardians of the right to decline to participate in an education project involving harmful or destructive use of animals and authorize parents or guardians to assert the right of their children to refuse to participate in those projects. Notice shall be given not less than three (3) weeks prior to the scheduled course exercise which involves the use of animals.

(c) A pupil who chooses to refrain from participation in or observation of a portion of a course of instruction in accordance with this section shall be offered an alternative education project for the purpose of providing the pupil an avenue for obtaining the factual knowledge, information or experience required by the course of study. If tests require harmful or destructive use of animals, pupils shall be offered alternative tests. A pupil shall not be discriminated against based upon his or her decision to exercise the right afforded that pupil by this section, and lowering a grade because a pupil has chosen an alternative education project or test is strictly prohibited.

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:



(1) "Alternative education project" shall include, but is not limited to, the use of video tapes, models, films, books and computers which would provide an alternate avenue for obtaining the knowledge, information or experience required by the course of study in question. The term also includes "alternative test." A pupil has the right to refuse any alternative education project or test which may involve or necessitate any harmful use of an animal or animal parts.

(2) "Animal" shall mean any living organism of the kingdom animalia in the phylum chordata, organisms which have a notochord. The term also includes an animal's cadaver or severed parts of any animal's cadaver.

(3) "Pupil" shall mean a person twenty-one (21) years of age or under who is matriculated in a course of instruction in an educational institution from kindergarten through grade twelve. For the purpose of asserting the pupil's rights and receiving any notice or response pursuant to this section, the term also includes the parents or guardian of the matriculated minor.

Gen.Laws 1956, § 16-22-20 (RHODE ISLAND)

(a) A parent(s) or legal guardian of any student in a public or nonpublic primary or secondary school may refuse to allow their child to dissect or vivisection any vertebrate or invertebrate animal, or any part of a vertebrate or invertebrate animal.

(b) A school that offers dissection or vivisection as a learning activity shall permit those students whose parent(s) or legal guardian refuse to allow them to participate to demonstrate competency through an alternative method of learning the material that would be covered in the activity. Alternative materials and methods may include but not be limited to: video tapes, models, films, books, computer programs, clay modeling or transparencies.

(c) A teacher shall not discriminate against a student for not participating in dissection or vivisection and shall not lower a grade because a student's parent or legal guardian has chosen an alternative education project.

VA Code Ann. § 22.1-200.01 (VIRGINIA)

Local school divisions shall provide students with alternatives to animal dissection techniques within the relevant public school curriculum or course. The Board of Education shall establish guidelines to be implemented by local school divisions regarding such alternative dissection techniques. Such guidelines shall address, but shall not be limited to, (i) the use of detailed models of animal anatomy and computer simulations as alternatives to dissection; (ii) notification of students and parents of the option to decline to participate in animal dissection; and (iii) such other issues as the Board deems appropriate.

16 V.S.A. § 912 (VERMONT)



(a) A student in a public elementary or secondary school or an approved independent school shall have the right to be excused from participating in any lesson, exercise, or assessment

requiring the student to dissect, vivisect, or otherwise harm or destroy an animal or any part of an animal, or to observe any of these activities, as part of a course of instruction.

(b) Each school district and approved independent school shall adopt and implement policies regarding a student's right to be excused under this section, which shall include:

(1) Procedures by which the school shall provide:

(A) Timely notification to each student enrolled in the course and to the student's parent or guardian of the student's right to be excused from participating in or observing the lesson; and

(B) The process by which a student may exercise this right.

(2) Alternative education methods through which a student excused under this section can learn and be assessed on material required by the course.

(3) A statement that no student shall be discriminated against based on his or her decision to exercise the right to be excused afforded by this section.

(c) As used in this section, the word "animal" means any organism of the kingdom animalia and includes an animal's cadaver or the severed parts of an animal's cadaver.

State Opt-Out Policies:

Science Safety Handbook for California Public Schools (2012 Edition)

<http://www.cde.ca.gov/pd/ca/sc/documents/scisafebk2012.pdf#search=animal%20dissection&view=Fi tH&pagemode=none>

Virginia Department of Education Guidelines

Alternatives to Animal Dissection

http://www.doe.virginia.gov/boe/guidance/instruction/alternatives_dissection.pdf

Massachusetts Curriculum Frameworks – Policy on Dissection and Dissection Alternative Activities

<http://www.doe.mass.edu/news/news.aspx?id=5621>