
NEW YORK STUDENT RIGHTS OPTION

What Does the Law Say?

The Pupil's Right of Refusal: Animal Dissection and Vivisection

State Consolidated Laws: Education, Article 17

(4) Dissection of animals.

Any student expressing a moral or religious objection to the performance or witness 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.

(5) Treatment of live vertebrate animals.

a.) Except as provided for in this subdivision, no school district, school principal, administrator, or teacher shall require or permit the performance of a lesson or experimental study on a live vertebrate animal in any such school or during any activity conducted under the auspices of such school whether or not the activity takes place on the premises of such school where such lesson or experimental study employs: (i) micro-organisms which cause disease in humans or animals, (ii) ionizing radiation, (iii) known cancer producing agents, (iv) chemicals at toxic levels, (v) drugs producing pain or deformity, (vi) severe extremes of temperature, (vii) electric or other shock, (viii) excessive noise, (ix) noxious fumes, (x) exercise to exhaustion, (xi) overcrowding, (xii) paralysis by muscle relaxants or other means, (xiii) deprivation or excess of food, water or other essential nutrients, (xiv) surgery or other invasive procedures, (xv) other extreme stimuli, or (xvi) termination of life.

b.) Notwithstanding any inconsistent provision of this section, the commissioner may, upon the submission of a written program plan, issue to such school a written waiver of such restrictions for students subject to the following provisions: (i) the student shall be in grade ten, eleven, or twelve; and (ii) the students shall be under supervision of one or more teachers certified in science;

and (iii) the student shall be pursuing an accelerated course of study in the sciences as defined by the commissioner in preparation for taking a state or national advanced placement examination. The commissioner shall issue a waiver of such restrictions for any teacher certified in science instructing such student. The written program plan shall include, but not be limited to: i) the educational basis for requesting a waiver; (ii) the objective of the lesson or experiment; (iii) the methods and techniques to be used; and (iv) any other information required by the commissioner.



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This law was enacted in New York in 1994.