



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, 12234

OFFICE OF SCIENCE AND INSTRUCTION

Room 860 EBA

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Application Form for Commissioner of Education Waiver Education Law §809(5) Treatment of Live Vertebrate Animals

Education Law §809 (5) provides that no school district, school principal, administrator, or teacher shall permit the performance of certain specified types of lessons or experimental studies on live vertebrate animals in the school or during an activity conducted under the school's auspices. These activities are prohibited whether or not they take place on school premises. For example, a teacher may not allow a student to conduct the prohibited experiments on live vertebrate animals for a school sponsored science fair even if the

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Supervising Science Teacher(s)

§809(5)(b)(ii) provides that the student(s) must be under the supervision of one or more teachers certified in science:

Name(s) of supervising certified science teacher(s)	Science Certification Area(s)
1.	
2.	

Accelerated Course of Study

§809(5)(b)(iii) provides that the student(s) must 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.

Title of accelerated or advanced course of study	Title of State or National Advanced Placement Examination

Written Program Plan §809(5)b

Summarize the Written Program Plan in the spaces provided below.
Each of the following three areas must be addressed in the summary.

1. Educational basis for requesting a waiver:



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2. The objective(s) of the lesson or experiment:

3. The methods and techniques to be used:

Description/Explanation of Procedures Used in the Written Program Plan
New York State Education Law Section 809(5) — Treatment of Live Vertebrate Animals

Please check all that apply and comment where checked.

Treatment of Live Vertebrate Animals		Applicant comments Include a description and explanation of necessity to use this/these procedure(s) in the program plan submitted.
(i) Micro-organisms which cause disease in humans and in animals		
(ii) Ionizing radiation		
(iii) Known cancer producing agents		
(iv) Chemicals at toxic levels		



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(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		
(xvi) Termination of life		



§809(5)(iv) Additional Information Required by the Commissioner

Title of Project _____

1. Attach a typed copy of the Written Program Plan that must include the following detailed information listed below:
 - x Explain and provide more information why live vertebrate animals must be used, including the reasons for the choice of species and the number of animals to be used.
 - x Describe in detail, how the animals will be used. Include methods and procedures, such as experimental design and data analysis.
 - x Provide detailed information on the animal's housing, husbandry, and environment.
 - x Provide a description of any analgesic, anesthetic, or tranquilizing drugs (show dosage in mg/kg of body weight) and comfortable restraining devices used to minimize discomfort, distress, pain, and injury. Also indicate dosage of any drugs or substances used in the animals in mg/kg of body weight.
 - x Explain what will happen to the animal(s) after the project is finished.

2. Is this course and lesson(s) or experimental study intended to be offered on an annual basis?

___ no ___ yes

Explain _____

- x If a waiver is granted for a course that is offered on an annual basis, a school district must submit a new waiver application if the program plan represents substantial changes.

3. Indicate the work site(s) location(s) where the lesson(s) or experimentation on live vertebrate animals will be conducted. (Check all that apply)

___ Research Institution ___ School Other _____



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Appendix A

§ 809 (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 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 nutrient(y)]TJ EMC /LBody <</MCID