

## **Students with Special Health Care Needs**

### **Accommodating Students with Special Dietary Needs (Food Allergy Management)**

The purpose of this policy is to minimize the risk of accidental exposure to life threatening food allergens and to ensure prompt and effective medical response should a child suffer an allergic reaction while at school. In accordance with applicable law, it is the policy of LEARN to provide all students, through necessary accommodations where required, the maximum opportunity to participate in all school programs and activities.

The Board recognizes the need to help the allergic child avoid foods to which the child is allergic and to establish emergency procedures to treat allergic reactions that may occur. In some cases, a student's disability may prevent him/her from eating meals prepared for the general school population.

Substitutions to the regular meal will be made for students who are unable to eat school meals because of their disabilities, when that need is established as part of the student's Individual Health Care Plan ("IHCP"). Meal service shall be provided in the most integrated setting appropriate to the needs of the disabled student.

A student's IHCP should be developed by a group of individuals, which shall include the parents, and appropriate school personnel. Such personnel may include, but are not limited to, the school nurse, school or food service administrator(s), classroom teacher(s) and the student, if appropriate. The school may also consult with the school's medical advisor, as needed. The team developing the IHCP shall review the nature of the student's disability, the reason the disability prevents the student from eating the regular school meals, including foods to be omitted from the student's diet, indication of the major life activity affected by the disability, the specific diet prescription along with the substitute(s) needed, as well as any additional information specifically described in written documentation signed by a licensed physician of the student. The district, in compliance with USDA Child Nutrition Division guidelines, will provide substitute meals to food-allergic students when required by the student's IHCP.

All schools are also responsible for developing and implementing IHCPs for students with life threatening food-allergies in accordance with applicable law and LEARN regulations concerning same. LEARN shall develop general guidelines for food allergy management which shall include, but not be limited to, staff development, strategies for identifying students at risk for life-threatening allergic reactions, and training in specific implementation of IHCPs for students identified as having life threatening allergies.

Legal Reference:       Connecticut General Statutes  
                              10-15b Access of parent or guardian to student's records  
                              10-154a Professional communications between teacher or nurse and

student

10-207 Duties of medical advisors

10-212a Administrations of medications in schools

10-212a (d) Administration of medications in schools by paraprofessional

10-220i Transportation of students carrying cartridge injectors

52-557b Good Samaritan Law. Immunity from liability for emergency medical assistance, first aid or medication by injection.

PA 05-104 An Act Concerning Food Allergies and the Prevention of Life-Threatening Incidents I Schools

PA 05-144 and 05-272 An Act Concerning the Emergency Use of Cartridge Injectors

The Regulations of Connecticut State Agencies section 10-212a through 10-212a-7

Federal Legislation

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794 §504; 34 C.F.R. § 104 et seq.) Americans With Disabilities Act (ADA) of 1990 (42 U.S.C. § 12101 et seq.; 29 C.F.R. § 1630 et seq.)

The Family Education Rights and Privacy Act of 1974 (FERPA)

The Individual with Disabilities Education Act of 1976 (IDEA) (20

U.S.C. § 1400 et seq.) 34 C.F.R. § 300 et seq.)

FCS Instruction 783-2, Revision 2, Meal substitute for medical or other special dietary reasons.

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