

NOTE: Colorado school districts are required by law to adopt a policy on this subject and the law contains specific direction as to the content or language. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Students with Food Allergies

The Board recognizes that many students are being diagnosed with potentially life-threatening food allergies. To address this issue and meet state law requirements concerning the management of food allergies and anaphylaxis among students, the Board sets forth the following requirements.

Health care plan

The school nurse, or a school administrator in consultation with the school nurse, shall develop and implement a health care plan (see plan – JLCDA-E) for each student with a diagnosis of a potentially life-threatening food allergy. In the case of an emergency, a copy of the action plan would be given to the emergency medical responders. If a student qualifies as a student with a disability in accordance with federal law, the student's Section 504 plan, Individualized Education Program (IEP), and/or other plan developed in accordance with applicable federal law shall meet this requirement.

Reasonable accommodations

Reasonable accommodations shall be made to reduce the student's exposure to agents that may cause anaphylaxis within the school environment. If a student qualifies as a student with a disability in accordance with federal law, the student's Section 504 plan, Individualized Education Program (IEP), and/or other plan developed in accordance with applicable federal law shall meet this requirement.

Access to emergency medications

Emergency medications for treatment of the student's food allergies or anaphylaxis shall be kept in a secure location accessible to designated school staff. The student's parent/legal guardian shall supply the school with the medication needed for treatment of the student's food allergies or anaphylaxis, unless the student is authorized to self-carry such medication in accordance with Board policy JLCD, Administration of Medications, and its regulation, JLCDA-R.

Staff training

The school nurse, in consultation with the principal or equivalent school administrator, shall determine the appropriate recipients of emergency anaphylaxis treatment training, which shall include those staff directly involved with a student who has a known food allergy during the school day. At a minimum, the training shall prepare staff to have a basic understanding of food allergies and the importance of reasonable avoidance of agents that may cause anaphylaxis, the ability to recognize symptoms of anaphylaxis, and the ability to respond appropriately when a student suffers an anaphylactic reaction. The training shall also include instruction in the administration of self-injectable epinephrine.

Adopted: November 22, 2010

LEGAL REFS.: 20 U.S.C. 1400 *et seq.* (*Individuals with Disabilities Education Improvement Act of 2007*)
29 U.S.C. 701 *et seq.* (*Section 504 of the Rehabilitation Act of 1973*)
42 U.S.C. 12101 *et seq.* (*Americans with Disabilities Act*)
C.R.S. 22-2-135 (*Colorado School Children's Food Allergy and Anaphylaxis Management Act*)
C.R.S. 22-32-139 (*policy required regarding management of food allergies and anaphylaxis among students*)
C.R.S. 25-1.5-109 (*Colorado Department of Public Health and Environment shall develop, maintain and make available a standard form for school districts to gather information concerning students' food allergies*)
1 CCR 301-68 (*State Board of Education rules regarding Administration of Colorado School Children's Asthma and Anaphylaxis Act and Colorado School Children's Food Allergy and Anaphylaxis Management Act*)

CROSS REF.: JLCD, Administering Medications to Students

NOTE: State law requires school districts to provide notice of this policy to the parent/legal guardian of each student enrolled in a district school prior to the beginning of each school year. C.R.S. 22-2-135(3)(b). The notice must include the standard allergy and anaphylaxis form developed by the Colorado Department of Public Health and Environment (CDPHE) pursuant to C.R.S. 25-1.5-109. This form is accessible on CDPHE's website, www.cdphe.state.co.us and the Colorado Department of Education website, www.cde.state.co.us. The notice must also include language that encourages parents/legal guardians of students for whom medication has been prescribed for treatment of a food allergy or anaphylaxis to give a supply of medication to the school nurse or other school administrator, unless the student has an approved treatment plan that authorizes the student to self-administer the medication. C.R.S. 22-2-135(3)(c).

Dolores School District RE-4A, Dolores, Colorado