

## LIFE-THREATENING FOOD ALLERGY

The Greenfield Public Schools (GPS) recognizes the increasing prevalence of student food allergies and the life-threatening nature of allergies for some students. The goals of this policy are to ensure Greenfield Public Schools has regulations, protocols, and procedures to minimize the risk of exposure to allergens that pose a threat to students, to educate all members of the school community, and to plan for the individual needs of students with significant or life-threatening food allergies. It is also a goal of this policy, and the necessary regulations, protocols, and procedures, to assist students with assuming more individual responsibility for their health and safety as they grow older, as well as to provide for their full participation in educational programs and school-sponsored activities.

For purposes of this policy, the school day is defined as the hours of the day that students must attend their education program in school. After school hours include GPS sponsored activities, clubs, athletics, community education programs, and parent or community sponsored events.

Regulations, protocols, and procedures for the Management of Life-Threatening Food Allergies (LTA) in the GPS will be reviewed and modified as appropriate, and will include the following elements and guidelines:

1. Regulations or protocols concerning the responsibilities of parents/guardians under this policy will include a) the reporting and provision of documentation concerning a student's significant or life threatening food allergies and b) the provision of written authorizations to allow school staff to follow this policy.
2. District-wide and building-based education will be provided annually to school personnel, including transporters, about the management of student allergies, recognition of signs of an allergic reaction, activation of the emergency response plan, and administration of epinephrine via auto injector.
3. An individualized health care plan (IHP), updated periodically, including accommodations for prevention, management, and emergency response will be developed for each student with a medically diagnosed, significant, life-threatening allergy. The plan will include warning signs, types of allergens, and medications to administer. The IHP will be supported by appropriate physician documentation of allergy and medication needed.
4. The school will register with the Department of Public Health for Epi-Pen administration by non-licensed staff for situations such as emergencies and accidental exposure.
5. Established guidelines will be followed by food service and classroom staff in cafeterias and classrooms to minimize the risk of exposure to allergens that pose a threat to students.
6. Non-curriculum-related classroom celebrations and parties will be food free.

7. Inclusion of food for curriculum, instruction, and related activities or special grade-wide events will require strict adherence to the food allergy management protocol, consultation with the nurse, and approval of the principal.
8. The use of food as a reward or incentive during the school day is prohibited, except as indicated in a student's Individualized Education Program.
9. Sales of competitive food or beverages (including bake sales), not sold/provided via School Breakfast or Lunch Programs, are not permitted during the school day nor beyond school hours in Pre-K through grade 5. Sales of competitive food or beverages (including bake sales), not sold/provided via School Breakfast or Lunch Programs, are not permitted during the school day but are permitted beyond school hours, in grades 6 to 12.
10. GPS staff and transporters employed by GPS to supervise and/or coach students who are participating as members of school-sponsored athletic teams, clubs, and other extracurricular activities beyond the school day are responsible for implementing the applicable portions of the Food Allergy Policy and related protocols and procedures for the management of students with significant LTA while the students are under the staff's supervision.
11. Unless otherwise required by law, the GPS staff is not responsible for implementing the Food Allergy Policy and related regulations, protocols, and procedures during programs or events on Greenfield Public School property that are sponsored by various parent, community, and private groups.
12. While complying with state recommended guidelines, Greenfield's Life-Threatening Food Allergy regulations, protocols, and procedures shall consider flexibility to allow quick response to emergency situations.

The Superintendent, with appropriate personnel, shall assure compliance with this policy.

Policy Subcommittee discussion and review 9.29.2016

1<sup>st</sup> Reading, School Committee 11.09.2016

Policy Subcommittee discussion 4.18.2017 and rewording review 5.4.2017 revisions

Legal Ref Review: 5.7.2017

2<sup>nd</sup> reading & vote by School Committee 05.30.17

Administrative References:

Managing Life-Threatening Food Allergies in Schools, Department of Education, Fall 2002

Legal Ref:

**105 CMR 210.000 The Administration of Prescription Medications in Public Schools**

**210.005 Medication Administration Plans**

**210.100 Administration of Epinephrine in Life-Threatening Situations**

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### **Section 504, Rehabilitation Act of 1973**

Section 504 of the Rehabilitation Act of 1973 specifically mandates that *"...no otherwise qualified individual with a disability shall solely by reason of his or her disability be excluded*

*from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”* This mandate has been incorporated in 7 CFR Part 15b, USDA regulations implementing this law, as well as the Department of Education’s Section 504 regulation at 34 CFR Part 104. Thus, schools receiving Federal funding must make accommodations to enable students with disabilities to participate in the child nutrition programs.

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**Individuals with Disabilities Education Act** (IDEA) assists States and school districts in making a “*free appropriate public education*” available to eligible students. Under IDEA, a “free appropriate public education” means special education and related services provided under public supervision and direction, in conformity with an individualized education program, at no cost to parents. A student who has a food allergy and who is making effective educational progress in the regular education program, does not need a special education evaluation, an IEP, or special education services. Whether such a student is in regular education or special education, however s/he has the right to have the school make reasonable accommodations for his/her disability, under section 504 (discussed above) and the ADH (discussed next page).

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**USDA Federal Regulation - 7 CFR 210.10 (1)** Exceptions for medical or special dietary needs.

**Schools must make substitutions in lunches and afterschool snacks for students who are considered to have a disability under 7 CFR part 15b and whose disability restricts their diet.** Schools may also make substitutions for students who do not have a disability but who cannot consume the regular lunch or afterschool snack because of medical or other special dietary needs. Substitutions must be made on a case by case basis only when supported by a statement of the need for substitutions that includes recommended alternate foods, unless otherwise exempted by FNS. Such statement must, in the case of a student with a disability, be signed by a physician or, in the case of a student who is not disabled, by a recognized medical authority.

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**Massachusetts General Laws Chapter 71, Section 55A No public school teacher** and no collaborative school teacher, no principal, secretary to the principal, nurse or collaborative school employee who, in good faith, renders emergency first aid or transportation to a student who has become injured or incapacitated in a public school building or collaborative school building or on the grounds thereof **shall be liable in a suit for damages as a result of his acts or omissions either for such first aid** or as a result of providing emergency transportation to a place of safety, nor shall such person be liable to a hospital for its expenses if under such emergency conditions he causes the admission of such injured or incapacitated student, nor shall he be subject to any disciplinary action by the school committee, or collaborative board of such collaborative for such emergency first aid or transportation. Added by St.1938, c.265, s.3: amended by St.1973, c.660; St.1983, c.114; St1984, c.328; St.1985, c.111.