

FOOD ALLERGIES/SPECIAL DIETARY NEEDS

The Board of Directors desires to prevent students' exposure to foods to which they are allergic or intolerant and to provide for prompt and appropriate treatment in the event that a severe allergic reaction occurs at school.

The CEO or designee shall develop guidelines for the care of food-allergic students. Such guidelines shall include, but are not limited to, strategies for identifying students at risk for allergic reactions, avoidance measures, education of staff regarding typical symptoms, and actions to be taken in the event of a severe allergic reaction.

- (cf. 3550 – Food Service/Child Nutrition Program)*
- (cf. 3552 – Summer Meal Program)*
- (cf. 3554 – Other Food Sales)*
- (cf. 4131 – Staff Development)*
- (cf. 4231 – Staff Development)*
- (cf. 4331 – Staff Development)*
- (cf. 5030 – Student Wellness)*
- (cf. 5141 – Health Care and Emergencies)*
- (cf. 5141.21 – Administering Medication and Monitoring Health Conditions)*

Parents/guardians shall be responsible for notifying the CEO or designee, in writing, regarding any food allergies or other special dietary needs of their child in accordance with administrative regulation.

- (cf. 5125 – Student Records)*

When a student's food allergy or food intolerance substantially limits one or more major life activities, his/her parents/guardians shall be informed of the SCVSFSA's/district's obligation to evaluate the student to determine if he/she requires accommodations pursuant to Section 504 of the federal Rehabilitation Act. The student shall be evaluated in accordance with law and the procedures specified in AR 6164.6 – Identification and Education Under Section 504. If that process results in the development of a Section 504 plan, the SCVSFSA shall provide the accommodations and/or aids and services identified in the plan.

- (cf. 6145 – Extracurricular and Cocurricular Activities)*
- (cf. 6164.6 - Identification and Education Under Section 504)*

If a student's diet restrictions and needed services are addressed in an individualized education program (IEP), the CEO or designee shall ensure compliance with the IEP including any necessary food substitutions. Any student with serious dietary needs that qualify as a disability under Section 504 of the federal Rehabilitation Act or the Individuals with Disabilities Education Act shall be provided reasonable accommodation or services, as appropriate, in accordance with his/her accommodation plan or individualized education program.

- (cf. 6159 - Individualized Education Program)*

FOOD ALLERGIES/SPECIAL DIETARY NEEDS (continued)

Students shall not be excluded from school activities nor otherwise discriminated against, harassed, intimidated, or bullied because of their food allergy.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5131.2 - Bullying)
(cf. 5145.3 – Nondiscrimination/Harassment)

Any complaint of alleged noncompliance with this policy shall be addressed through appropriate SCVSFSA complaint procedures.

(cf. 1312.3 – Uniform Complaint Procedures)
(cf. 3555 – Nutrition Program Compliance)

The SCVSFSA’s food services program may, but is not required to, accommodate individual student preferences or diets that are not supported by a statement from the student’s health care provider.

Legal Reference:

EDUCATION CODE

234.1 Prohibition against discrimination, harassment, intimidation, and bullying

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto-injectors

49423 Administration of prescribed medication for student

CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

15562 Reimbursement for meals, substitutions

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

701-795a Rehabilitation Act, including:

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

1751-1769h National School Lunch Program

1771-1791 Child nutrition, especially:

1773 School Breakfast Program

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

225.16 Meal programs, individual substitutions

FOOD ALLERGIES/SPECIAL DIETARY NEEDS

Definitions

Special dietary needs include food intolerances, allergies, and other medical needs that may require avoidance of specific foods.

Food Allergies are abnormal responses of the body's immune system to certain foods or ingredients.

Anaphylaxis is a potentially life-threatening hypersensitivity to a substance and may be caused by a food allergy. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

Epinephrine auto-injector is a disposable drug delivery system with a spring-activated needle that is designed for emergency administration of epinephrine to provide rapid, convenient first aid for persons suffering a potentially fatal reaction to anaphylaxis. (Education Code 49414)

Notification by Parent/Guardian

The parents/guardians of any student who has a known food allergy or other special dietary need shall notify the CEO or designee, in writing, and provide written medical documentation, signed by the student's health care provider, that describes the nature of the student's condition, instructions, and necessary medications. If the student's condition requires food substitutions or modifications in school meals, the written statement shall also describe the specific foods to be restricted and the foods that should be substituted.

Health Plan

Upon receiving notice of a student's food allergy or other special dietary need, the CEO or designee, in conjunction with the district, shall ensure that a written health plan is developed, in consultation with the student's parents/guardians and health provider, to manage the student's needs while at school or at a school-sponsored activity. The plan shall seek to minimize the student's risk of exposure to the allergen and address actions to be taken if exposure occurs.

As appropriate, the plan may include specific food prohibitions and substitutions, an identification of common school rooms where the student may be exposed, staff responsibilities, information and training to be provided to staff, accommodations and services to facilitate the student's participation in the educational program, and medical/emergency/protocols.

When a student with a food allergy or other special dietary need has been identified as disabled pursuant to Section 504 of the Rehabilitation Act of 1973 or the individuals with

FOOD ALLERGIES/SPECIAL DIETARY NEEDS

Disabilities Education Act, necessary accommodations and services shall be identified as part of the student's Section 504 services plan or individualized education program, as appropriate.

(cf. 5141.24 – Specialized Health Care Services)

(cf. 6159 – Individualized Education Program)

(cf. 6164.6 – Identification and Education Under Section 504)

Prevention Strategies

To minimize students' exposure to foods to which they are allergic, the Chief Executive Officer (CEO) or designee shall, at a minimum, implement the following preventive measures:

1. Food Services

The Santa Clarita Valley School Food Services Agency's (SCVSFSA) food services program shall make food substitutions in breakfasts, lunches, and after-school snacks when students are considered to have a disability under Section 504 that restricts their diet and when a health care provider has signed a statement of need that includes recommended alternate foods. (7 CFR 210.10, 220.8)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3552 – Summer Meal Program)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 5148.2 – Before/After School Programs)

Substitutions may be made on a case-by-case basis for students who do not have a disability under Section 504 but who cannot consume the regular breakfast, lunch, or after-school snack because of medical or other special dietary needs, when supported by a statement of need signed by a health care provider. (7 CFR 210.10, 220.8, 225.16)

The SCVSFSA's Food Service Nutrition Specialist shall check food labels or specifications to ensure that foods do not contain traces of substances to which the student is allergic.

Under no circumstances shall food services staff prescribe nutritional requirements or revise a diet order prescribed by a health care provider.

Food substitutions shall not result in any additional cost to the student.

(8/13) 1/15

Regulation **SANTA CLARITA VALLEY SCHOOL FOOD SERVICES AGENCY**
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