

# Food Allergies & Schools



## Understanding The 504 Plan

*In February 2010 the National Scientific Council on the Developing Child, Center on the Developing Child at Harvard University published a paper on persistent fear and anxiety in childhood and its effect on learning. It stated, 'Early exposure to extremely fearful events affects the developing brain, particularly in those areas involved in emotions and learning.'*

Children with anaphylaxis live with the fear of having a reaction. Place them in a classroom without regard to their fears or medical needs may increase anxiety. Parents also feel fear and anxiety since anaphylaxis is life threatening. The U.S. Centers for Disease control reported that 16 to 18% of food allergy reactions happen in school from accidental ingestion.

Parents typically request a 504 plan in order to establish the necessary accommodations that will provide a safer learning environment for their child. A team of school professionals and parents or guardians develop, review, and adjust the plan accordingly.

### Why is it called '504'?

The number 504 is actually the section of the law, the Rehabilitation Act of 1973. There are many sections in this federal law and this is only one of them.



### What does it mean?

The National School Boards Association state in their food allergy and anaphylaxis guidelines – *A life-threatening food allergy can be considered a disability under federal laws such as the Rehabilitation Act of 1973 (Section 504), the Individuals with Disabilities Education Act (IDEA), the Americans with Disabilities Act (ADA), along with the Americans with Disabilities Act Amendments of 2008 (ADAA). If the governing laws are not followed, parents/caregivers can file a civil rights claim on behalf of the student.*

The law states *'no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under' from any school, public or private, that receives federal funding. It also includes other federally funded places of business.'*

According to the ADAA act (go to [www.ada.gov](http://www.ada.gov) for more info) disability means – *A physical or mental impairment that substantially limits one or more major life activities of such individual; there must be a record of that impairment, and it cannot be a secret rather it has to be known or 'regarded' as an impairment.*

## What is the difference Between an IEP and a 504 Plan?

An IEP or Individualized Education Plan is for students with a disability who require specialized services and instruction. Examples of disabilities that need special services are autism and cerebral palsy.

A 504 Plan details special accommodations required for students to receive equitable access to the learning environment in order to ensure the opportunity for academic success.

## What are major life activities?

Major life activities include, but are not limited to the following: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

## What is 'reasonable accommodation'?

'Reasonable' means accommodations are adequate for the student to receive the same educational opportunity as classmates.

The state of Colorado Department of Education uses this language for reasonable accommodation: *Reasonable accommodations shall be made to reduce the student's exposure to agents that may cause anaphylaxis within the school environment.*

Exposure to food allergens and exclusion typically occur during lessons, rewards, treats, and celebrations that include the food allergen or possible cross contact from containers and other food or supplies.



### Meet Edison

*He is a smart, curious, and sensitive 3rd grader. During his first three school years his teachers excluded him from participating in some lessons and sitting with friends during lunch because he has multiple food allergies. Consequently, he did not learn how to work in groups very well.*

*He often feels left out, angry and unsafe which leads to disruptive behavior. He wishes his teacher would think of his feelings before planning lessons that include crafts and foods that contains his allergens. Since reasonable accommodations for Edison have not occurred his mom is requesting a 504 plan meeting.*

*"Inclusion is as much about (special needs) kids reaching their potential as it is about normal kids reaching their compassion potential." By Sky King*

## Examples of accommodations:

- Establishing a no-food or limited food policy in the classroom
- Communicating with the food allergic student's parent or guardian in advance of any food related lesson, celebration, or activity
- Requiring hand washing after eating and using arts and craft materials.
- Cleaning desks after food is consumed and art or craft supplies were used
- Not allowing sharing of food or beverages
- Parents provide a safe snack list and a filled safe snack container for their food allergic child
- Designating a table or safe seating arrangement in the cafeteria
- Specify instructions for cafeteria staff to avoid cross contact with food allergens
- Providing safe menu options at meal time for students who purchase meals
- Read all labels on food, beverages and supplies before purchase and use to avoid allergens
- Emergency treatment education and training

## How can you prepare?

Here are some ideas to establish new classroom routines and organization:

- **Create** a non-food based reward system. This style of positive recognition has a longer lasting impression than food for most students
- **Communicate** with parents about classroom management changes
- **Learn** how to prevent, recognize and treat anaphylaxis
- **Organize** a three ring binder\* with tabs for your students with special needs. Include these items: a recent photo of each student with special accommodations, notes from parents or guardian, classroom organizational notes, safe snack lists, and medical information. Substitute and student teachers will also benefit from using the binder. \*For rotating classes use labeled tabs for each class to better keep track of which student is in which class.
- **Utilize** technology to connect the 504 team

## Build positive character traits in your school community



### Educate

All students about food allergies and other special needs in the classroom



### Incorporate

Lessons on bullying prevention, tolerance, teamwork, trust, honesty, and responsibility into everyday learning



### Advocate

For food allergy education and bullying prevention throughout the school community

*Examples: Bullying prevention assembly,*