

Regulation Code: JLCG-R Students with Food Allergies

Pursuant to the following guidelines and plans, the district will address the increasing frequency and intensity of allergic reactions to foods by certain students and the impact these reactions may have on all students in the educational environment.

General Guidelines

1. The district will develop educational information that is made available to CMS staff regarding the prevention and management of allergic reactions to food.
2. Information regarding the prevention and management of allergic reactions to food shall be made available to CMS students and their parents ¹ through the Student Handbook and by other means, such as principal newsletters and PTSA communications.
3. The district will make all reasonable efforts to no longer purchase or use products containing nuts for the preparation of food in school cafeterias. Further, the district will make its best efforts to purchase only products prepared in nut-free environments for use in preparing food in school cafeterias.
4. Principals will prohibit the sale of nut products in vending machines to which students have access in all schools.

Plans for Students with Severe Allergies to Foods

CMS recognizes that it is not possible for the district to totally eliminate the risk of exposure of students with severe allergies (“identified students”) to foods that trigger allergic reactions. However, the district takes seriously its responsibility to take reasonable steps to protect the safety of all students. Therefore, in an effort to identify students with severe allergies to foods, implement safety precautions to avoid allergic reactions for these students and prepare school staffs to deal with such allergic reactions should they occur, CMS adopts the following guidelines:

1. Parents of a student with a severe allergy to a food must provide the school principal with documentation from a licensed healthcare provider describing the specific allergic condition of the child.
2. After receiving the required documentation, the school shall work with the parents of the identified student to develop a healthcare plan to minimize the specific risks to the student. Special accommodations related to high-risk allergies should be evaluated in collaboration with school administrators, the school nurse, After School Enrichment Site Coordinator (when applicable) and Child Nutrition Services. A Section 504 eligibility review meeting shall be scheduled and a

¹ Throughout this regulation, references to “parent” or “parents” includes one or both parents, the legal guardian or legal custodian of a student.

service plan will be developed, if needed. Schools should also work with the parents to develop an Emergency Action Plan (EAP) for use in the event of an allergic reaction by the identified student.

3. The healthcare plan should address various ways to limit the identified student's exposure to food(s) containing the specific allergen. While not exhaustive, following are examples of provisions that may be considered for inclusion in a healthcare plan: ²

- a. A special diet developed by Child Nutrition Services;
- b. In elementary schools, the requirement that the identified student's teacher supervise all students in the class in washing their hands before and after eating;
- c. The provision of information to the identified student's classmates and their parents regarding the dangers presented by the inclusion of foods containing the identified allergen in lunches brought to school;
- d. If the allergen is transmitted through contact, the provision of separate art supplies for the identified student;
- e. If the allergen is transmitted through contact, designation of a specific computer keyboard and monitor that the identified student is to use only after it has been thoroughly cleaned;
- f. Strict enforcement of CMS rules requiring that only commercially-prepared foods with complete ingredient labels are to be sent to school by parents for students to share during classroom events;
- g. Restrictions on the kinds of tasks assigned to the identified student (such as cleaning off tables in the classroom or the cafeteria);
- h. In elementary schools, storing the lunch boxes of classmates of the identified student's class outside of the classroom;
- i. Distributing the identified student's photograph to school staff designated by the principal and explaining the allergic condition to them.

4. The development and implementation of such healthcare plans shall be carried out in a supportive manner that protects student confidentiality. If a student has an Individual Health Care Plan (IHP), it must be included in the provisions of a Section 504 Plan. An IHP should not be considered a replacement for holding a

² This list is intended to be illustrative; only the provisions that are appropriate should be included in the healthcare plan and other accommodations should be added, as necessary. Each healthcare plan must be tailored to the needs of the individual identified student.

Section 504 Eligibility Review and/or developing a Section 504 Student Service Plan.

5. Schools at which there is an identified student(s) must provide a table in the cafeteria that is kept free of the types of allergen(s) that impact the identified student(s) (e.g. a “nut-free” or Allergen Safe table). While this table shall be available to the identified student(s), they shall not be required to eat only at this table.

6. Principals should make reasonable efforts to assure that all school staff who have substantial direct contact with an identified student are made aware of the student’s Emergency Action Plan (EAP) and are trained to recognize the symptoms of and respond to an allergic reaction. This requirement applies to staff providing transportation and before/afterschool care, and to substitute teachers.

7. Should an identified student be suspected of having an allergic reaction, school staff should immediately call 911 and contact the student’s parent. All staff who have been trained to perform first aid or a lifesaving technique are authorized to provide treatment according to the student’s EAP or 911 guidance.

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Legal Reference: [20 U.S.C. § 1400](#) *et seq.*, [29 U.S.C. § 794\(a\)](#); [N.C.G.S. §§ 143-508\(11\)](#) & [-509 \(9\)](#); [10A N.C.A.C. 13P .0509](#)

Cross Reference: [IHBA](#), [JL](#), [JL-R](#), [JLCD](#), [JLCE](#), [JLCG](#)

Charlotte-Mecklenburg Schools