

**FOOD ALLERGIES/SPECIAL DIETARY NEEDS**

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

The Superintendent or designee shall develop guidelines for the care of food-allergic students. Such guidelines shall include, but not be limited to, strategies for identifying students at risk for allergic reactions, avoidance measures and other means to manage allergies, 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 Superintendent 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)*

Students 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)*
- (cf. 6164.6 - Identification and Education Under Section 504)*

Students shall not be excluded from school activities based solely on their food allergy.

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

**FOOD ALLERGIES/SPECIAL DIETARY NEEDS (Continued)**

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

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

*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*

*Management Resources:*

*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*

*Training Standards for the Administration of Epinephrine Auto-Injectors, December 2004*

*FOOD ALLERGY RESEARCH AND EDUCATION PUBLICATIONS*

*School Guidelines for Managing Students with Food Allergies*

*NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS*

*Legal and Practical Issues Relating to Accommodating Students with Peanut Allergies, Inquiry and Analysis, April 2009*

*U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS*

*Accommodating Children with Special Dietary Needs in the School Nutrition Programs:*

*Guidance for School Food Service Staff, Fall 2001*

*U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS*

*Dear Colleague Letter and Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools, January 2012*

**FOOD ALLERGIES/SPECIAL DIETARY NEEDS (Continued)**

*WEB SITES*

*California Department of Education, Health Services: <http://www.cde.ca.gov/ls/he/hn>*

*Food Allergy Research and Education: <http://www.foodallergy.org>*

*National School Boards Association: <http://www.nsba.org>*

*U.S. Department of Agriculture: <http://www.fns.usda.gov>*

*U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>*

Policy  
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**VACAVILLE UNIFIED SCHOOL DISTRICT**  
Vacaville, California