
The NYC Public School Settlement on Students with Diabetes: What Diabetes Health Care Providers Need to Know

Victory for kids! The American Diabetes Association® (ADA) achieved a victory for NYC public school students with diabetes in its monumental settlement agreement with NYC public schools. The settlement ensures these students will have access to the care they need to be Safe at School.

On April 21, 2023, the U.S. District Court for the Eastern District of New York approved a settlement agreement to resolve a lawsuit brought by the ADA and three families against the City of New York, the Department of Education, the Department of Health and Mental Hygiene, and the Office of School Health. This settlement agreement is a major victory for students with diabetes and their families and provides 504 process deadlines, requires the training of school nurses and school staff, and ensures a trained school staff member is available to provide care to the child on the bus and during field trips and other school-sponsored activities. The ADA is ready to help families and schools to implement this important ruling.

More information about the history of the lawsuit and information for NYC public school families may be found at diabetes.org/nycstudents.

Under the settlement agreement, NYC public schools must modify their policies, practices, and procedures related to:

- Improving planning for students with diabetes by ensuring Section 504 meetings are scheduled and held, and that Section 504 Plans are created and signed, and that Section 504 Plans include all accommodations decided by the Section 504 Team. Section 504 Plans describe the diabetes-related care and accommodations that students with diabetes need to safely attend school and benefit from their education and related activities. Access the **NYCDOE Diabetes Medical Administration Form (DMAF)** and **NYDOE's template 504 Plan**.
- Training of school nurses, paraprofessionals, aides, teachers, substitutes, bus drivers, bus attendants, and other school staff on diabetes care to meet the needs of students with diabetes. All training materials will be updated as needed in consultation with the ADA.
- Ensuring accommodations are provided in the least restrictive environment to allow the student to interact to the greatest extent possible with their peers who do not have disabilities, with the goals of limiting missed instruction time and separation from classmates.
- Ending the exclusion of students with diabetes from school and school-related activities like field trips, school-sponsored afterschool and extracurricular activities, and school breakfast by requiring that necessary diabetes-related care be provided during those activities.

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What you can do to help:

- Talk to your patient's parents/guardians at each visit about whether their child's school is providing adequate diabetes care. Ask who has been trained and is available to administer insulin and glucagon to their child. Be proactive in finding out if there are problems you can help address, rather than waiting for parents to bring problems to your attention.
- Provide parents/guardians with general information about diabetes and the best model of school diabetes care and give them resources to share with their child's school.
- Be available to respond to questions or requests for information from your patient's school nurse. Schools sometimes have questions about the DMAF or seek information about diabetes treatment therapies.
- Be a resource for training at your patients' schools. Often, schools need help to train personnel about diabetes management and specific care tasks such as insulin and glucagon administration. You can help ensure school staff members are well-prepared to provide needed care to your patients.

Getting Help for Your Patients.

If you are still having a problem, raise it with the school's Section 504 Coordinator. If that is unsuccessful, contact the Borough Health Director or the citywide Section 504 Program Manager [here](#).

Do you have questions about the settlement agreement, your patients' rights at school, or what you should do to keep your patients safe at school? Contact us at **1-800-DIABETES (342-2382)** or email askada@diabetes.org. NYC school-specific information can be found at diabetes.org/nycstudents.