Diabetes Care Tasks at School: What Key Personnel Need To Know

LEGAL CONSIDERATIONS

American Diabetes Association
GOAL: OPTIMAL STUDENT HEALTH AND LEARNING

Protecting students’ legal rights is a vital piece of a comprehensive plan.
LEARNING OBJECTIVES

Participants will be able to understand:

- Federal laws that protect students with diabetes
- Impact of state laws upon diabetes care in the school setting
- Recommendations for 504 Plans and IEPs
NEEDS OF CHILDREN WITH DIABETES IN SCHOOL SETTING...

• A medically safe environment for students with diabetes

• Equal access to educational and school-sponsored opportunities

• Safe and supported transition to independent diabetes self-management
FEDERAL LAWS: EQUAL ACCESS

Section 504 - Section 504 of the Rehabilitation Act of 1973

ADA - Americans with Disabilities Act

IDEA - Individuals with Disabilities Education Act
Prohibits discrimination against people with disabilities by public schools and most private schools.

Related aids and services are required to meet the individual needs of a student with a disability.

Students must be given equal opportunity.
WRITTEN PLANS

- Diabetes Medical Management Plan (DMMP)
- Individualized Health Care Plan (IHP)
- 504 Plan
- Individualized Education Program (IEP)
- Emergency Care Plan for Hypoglycemia
- Emergency Care Plan for Hyperglycemia
NEEDS ADDRESSED BY 504 PLAN/IEP

- Location and timing of blood glucose monitoring and insulin administration
- Identity of trained diabetes personnel
- Location of diabetes supplies
- Free access to water and restroom
- Nutritional needs, meals and snacks
- Full participation in all school-sponsored activities
- Access to blood glucose checks and treatment supplies during exams
- Alternative times for academic exams if student is experiencing hypoglycemia or hyperglycemia
- Absences without penalty for doctors’ appointments and diabetes-related illness
- Maintenance of confidentiality and student’s right to privacy
State and local laws and regulations vary regarding who may perform various aspects of diabetes care.

Become familiar with state and local laws that impact school diabetes care.

Regardless of state and local law, the requirements of federal laws must be met.

For your state’s laws go to www.diabetes.org/kidswin.
Module 17  Pre – and Post – Tests: LEGAL CONSIDERATIONS

This tool may be freely duplicated and distributed for training purposes
1. Which of the laws below does not provide protection children with diabetes in the school setting?
   a. Section 504
   b. Affordable Care Act
   c. Americans with Disabilities Act
   d. Individuals with Disabilities Education Act

2. Which of the following is a reasonable accommodation for a student with diabetes?
   a. Send student to a school with other students with diabetes in order to receive care
   b. Require another student to walk student to the clinic when experiencing hypoglycemia
   c. Require a self-managing student going to clinic to do blood glucose monitoring
   d. Providing a school nurse or other trained school staff member to accompany student on a field trip

3. Regardless of state law, the requirements of federal laws must be met.
   a. True
   b. False
WHERE TO GET MORE INFORMATION

American Diabetes Association
1-800- DIABETES
www.diabetes.org/safeatschool