



WE CAN HELP

The Association's Safe at School® campaign helps students with diabetes start each school day knowing their diabetes needs will be safely met so they can take advantage of all school has to offer.

WHAT YOU CAN DO

Ask for a 504 Plan or IEP: Your child's school principal, special education/section 504 coordinator, a teacher, or school nurse should know your school's process for putting a plan in place. Counselors, social workers, or district administrators may also be able help.

Be persistent and keep asking until somebody helps.

Write It Down: You and the school should create a Section 504 Plan or IEP. Make sure to get a copy. Keep all documents, including emails, letters and medical notes. Keep a log of all relevant conversations, including names and dates.

IF YOU NEED HELP, CALL US AT 1-800-DIABETES (342-2383) and ask how you can speak with an American Diabetes Association legal advocate. These legal advocates are lawyers and other legal professionals who specialize in diabetes discrimination issues, and will help you understand the law and your legal rights. A legal advocate will speak with you about exercising your child's rights, give you tools to use to advocate, work on a resolution of the problem, guide you through the legal process, or, if necessary, help you find a lawyer to take your case.

THE STEPS TO GETTING FAIR TREATMENT

1. Educate: Explain to staff what diabetes is and how it affects your child. Be prepared to provide information to prevent problems and also when problems arise. You can do this through the Section 504 or IEP process, or staff training. The Association has many resources to help.

2. Negotiate: Try to listen to school staff concerns, and clearly communicate yours. Make sure you know about and participate in all Section 504 or IEP meetings. Even after

you have a plan in place, you still may need to educate and work with school staff to make sure your child's needs are being met. It is easier if everyone can work out an agreement.

3. Litigate: If your child continues to be discriminated against, you have the right to file a complaint or lawsuit. The process is different for each law and you may need an attorney.

4. Legislate: If the laws are not protecting children with diabetes, the laws might have to change. Contact us if you think this is necessary.

SAFE AT SCHOOL DISCRIMINATION CHECKLIST

- ✓ Are there trained staff who can give insulin and glucagon at school and school activities?
- ✓ Is your child allowed to do his or her own blood glucose checks and then treat in class?
- ✓ Is your child allowed to go on field trips without a parent?
- ✓ Is your child allowed to take a test at another time if he or she has high or low blood glucose?
- ✓ Can your child attend the school she or he would otherwise attend if not for having diabetes?

If you answered "no" to any of these questions, or your child is having other problems with diabetes care at school or school activities, your child may be experiencing unfair treatment and may not be safe at school.

Free resource packets are available by calling 1-800-DIABETES (342-2383). Additional resources are available online at www.diabetes.org/safeatschool. These include:

- Model Section 504 and Diabetes Medical Management Plans
- Sample letters
- Information on state laws
- Training materials for school staff
- Updates on Safe at School successes that may impact your child

Your School and Your Rights

Protecting Children with Diabetes in Schools





HOW THE LAW PROTECTS CHILDREN WITH DIABETES

There are laws protecting the rights of children with disabilities—such as diabetes. Children with diabetes have the right to enroll and participate in school, just like other kids. They also have the right to the care they need to be safe. Here are some important laws and what they mean for children with diabetes:

Section 504 of the Rehabilitation Act of 1973

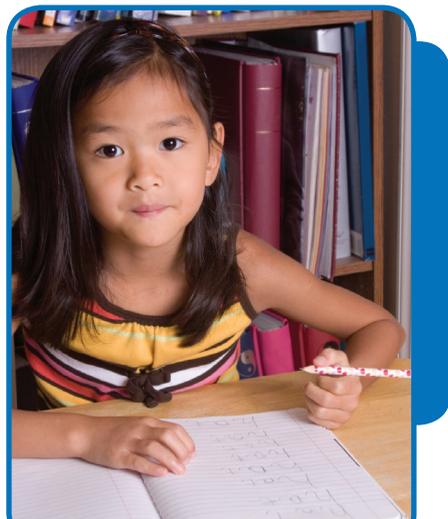
A federal law, often known as “Section 504,” prohibits programs that get federal funding from treating children with disabilities—like diabetes—unfairly. This includes all public schools, and many private and religious schools. Section 504 gives all children with disabilities the right to the care they need to be safe and fully participate.

Under Section 504, diabetes is a disability, so every child with diabetes is protected against unfair treatment. A disability under Section 504 is a “physical or mental impairment that substantially limits one or more major life activities.” Individuals with diabetes are considered to have a Section 504 disability because **their endocrine system, a major life activity that helps regulate bodily functions**, is substantially limited. This is another way of saying your child’s endocrine system does not work correctly because it does not produce and/or use insulin properly. **Your child does not need to be having academic difficulty in order to be protected under Section 504.**

You can make sure your child’s diabetes needs are met at school with a Section 504 Plan. This plan describes how your child’s diabetes needs will be managed at school. Download a sample plan from the American Diabetes Association’s website at www.diabetes.org/504plan or call 1-800-DIABETES.

The Americans with Disabilities Act

Like Section 504, this law prohibits covered schools from discriminating against children with diabetes. However, religious organizations aren’t included under this law. Otherwise, the included disabilities are usually the same and it protects children the same way to Section 504 does.



The Individuals with Disabilities Education Act (IDEA)

Under IDEA, the federal government gives money to state and local education agencies to provide special education services to some children with disabilities. For a child to receive these services, there must be proof a student’s disability is harming his or her ability to learn. Some, but not all, children with diabetes qualify for special education under IDEA. If your child qualifies, you will develop an Individualized Education Program (IEP) with school officials.

State Laws

In addition to federal laws, many state laws provide additional protections. Contact the Association at 1-800-DIABETES to learn more about the laws in your state or visit our website at www.diabetes.org/safeatschool.

YOUR CHILD’S RIGHT TO CARE AND SERVICES

These laws give your child the right to receive diabetes care at school. Each child with diabetes has specific needs the school should be prepared to meet. Talk to your child’s doctor or diabetes educator to decide what your child needs while at school.

Your child’s diabetes care plan, sometimes referred to as a Diabetes Medical Management Plan (DMMP), should be part of a Section 504 Plan or IEP. A sample DMMP is available at www.diabetes.org/dmmp or call 1-800-DIABETES. Some examples of what to write into your child’s Section 504 Plan or IEP.

Your child’s diabetes care needs should be met by trained school staff:

- Staff members trained in monitoring blood glucose and administering insulin and glucagon should always be present.
- All staff members who regularly work with your child should recognize the warning signs of low and high blood glucose (hypoglycemia and hyperglycemia) and know how to get help.
- School staff should provide care during before-and-after school activities, sports and field trips. You should not have to attend.
- Diabetes care should be provided at the school your child would attend if he or she did not have diabetes.

School policies should be modified for your child so he or she is allowed to:

- Check his or her own blood glucose and administer insulin wherever and whenever necessary, including in the classroom, as long as your child has the skills and maturity to do so.
- Eat wherever and whenever necessary.
- Take extra trips to the bathroom or water fountain.
- Postpone academic tests without penalty if his or her blood glucose level is out of range.
- Be excused for absences due to medical appointments and diabetes-related illness.

