Sec. 1. STUDENTS AT RISK FOR ANAPHYLAXIS

a) *Welfare Plan*

The Board shall adopt and implement a plan for the care of students with a diagnosed food allergy at risk for anaphylaxis based on "*Guidelines for the Care of Students With Food Allergies At-Risk for Anaphylaxis*," as developed by the Commissioner of State Health Services.

The Board shall annually review and, as necessary, revise its policy for the care of students with a diagnosed food allergy risk for anaphylaxis to ensure the policy is consistent with the most current version of the "*Guidelines for the Care of Students With Food Allergies At-Risk for Anaphylaxis*."

The adoption and implementation of such plan does not waive any liability or immunity of Midland Academy Charter or its officers or employees, or create any liability for or cause of action against Midland Academy Charter or its officers or employees.

b) *Required Website Posting*

Each school year, Midland Academy Charter shall post a summary of the "*Guidelines for the Care of Students With Food Allergies At-Risk for Anaphylaxis*" on the Midland Academy Charter website, including instructions on obtaining access to the complete guidelines document. The Midland Academy Charter website must be accessible by each enrolled student and a parent or guardian of each student.

Any forms used by Midland Academy Charter requesting information from a parent or guardian enrolling a child with a food allergy must include information to access on Midland Academy Charter's website a summary of the guidelines and instructions on obtaining access to the complete guidelines document.

Education Code 38.0151(b).

Sec. 2. FOOD ALLERGY MANAGEMENT

The Superintendent or designee shall develop and implement a student food allergy management plan for students at risk for anaphylaxis that incorporates the following components:

a) *General Procedures*

Procedures to limit the potential health risks to students with food allergies will include:

1. Specialized training for the employees responsible for the development, implementation, and monitoring of Midland Academy Charter's food allergy management plan;

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2. Training for employees regarding signs and symptoms of food allergies and emergency response in the event of an anaphylactic reaction;
3. General strategies to reduce the risk of exposure to common food allergies;
4. Methods for requesting and obtaining food allergy information from the parent of a student with a diagnosed food allergy; and
5. The annual review of Midland Academy Charter's food allergy management plan.

b) ***Students at Risk for Anaphylaxis***

Procedures for the care of students with diagnosed food allergies who are at risk for anaphylaxis will include:

1. Development and implementation of food allergy action plans, emergency action plans, and Section 504 plans, as appropriate;
2. Training, as necessary, for employees, including strategies for reducing student risk of exposure to diagnosed allergens; and
3. Periodic review of general procedures to limit the potential health risks to students.

c) ***Distribution***

The Superintendent shall distribute information regarding this policy and Midland Academy Charter's food allergy management plan annually in the student handbook. Information will also be made available at each Midland Academy Charter campus.

Sec. 3. <u>SEIZURE MANAGEMENT AND TREATMENT PLANS</u>

a) ***General Requirements***

The parent or guardian of a student with a seizure disorder may seek care for the student's seizures while the student is at school or participating in a school activity by submitting to Midland Academy Charter a copy of a seizure management and treatment plan developed by the student's parent or guardian and the physician responsible for the student's seizure treatment. The plan must be submitted to and reviewed by Midland Academy Charter:

1. Before or at the beginning of the school year;
2. On enrollment of the student if the student enrolls after the beginning of the school year; or
3. As soon as practicable following a diagnosis of a seizure disorder for the student.

Education Code 38.032(a).

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b) ***Seizure Management and Treatment Plan Requirements***

A seizure management and treatment plan must:

1. Identify the health care services the student may receive at school or while participating in a school activity;
2. Evaluate the student's ability to manage and level of understanding of the student's seizures; and
3. Be signed by the student's parent or guardian and the physician responsible for the student's seizure treatment.

Education Code 38.032(b).

c) ***Immunity Protections***

The care of a student with a seizure disorder by a Midland Academy Charter employee under a seizure management plan is incident to or within the scope of the duties of the employee's position of employment and involves the exercise of judgment or discretion on the part of the employee for purposes of Education Code 22.0511. *Education Code 38.032(c).*

The immunity from liability provided by Education Code 22.0511 applies to an action or failure to act by a Midland Academy Charter employee in administering a medication, assisting with self-administration, or otherwise providing for the care of a student under a seizure management plan submitted for the student. *Education Code 38.032(d).*

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