



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4524

by Rep. Silvana Tabares

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.149

Amends the School Code. Provides that no later than January 1, 2015, each school board shall require that parents identify and disclose any food allergies of the student. Provides that the required disclosures shall be distributed to all relevant school personnel. Further provides that in the case of a life-threatening food allergy, the school shall implement an individualized health care and food allergy action plan for the student. Effective immediately.

LRB098 17829 OMW 52953 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 2-3.149 as follows:

6 (105 ILCS 5/2-3.149)

7 Sec. 2-3.149. Food allergy guidelines.

8 (a) Not later than July 1, 2010, the State Board of
9 Education, in conjunction with the Department of Public Health,
10 shall develop and make available to each school board
11 guidelines for the management of students with
12 life-threatening food allergies. The State Board of Education
13 and the Department of Public Health shall establish an ad hoc
14 committee to develop the guidelines. The committee shall
15 include experts in the field of food allergens, representatives
16 on behalf of students with food allergies, representatives from
17 the several public school management organizations, which
18 shall include school administrators, principals, and school
19 board members, and representatives from 2 statewide
20 professional teachers' organizations. The guidelines shall
21 include, but need not be limited to, the following:

22 (1) education and training for school personnel who
23 interact with students with life-threatening food

1 allergies, such as school and school district
2 administrators, teachers, school advisors and counselors,
3 school health personnel, and school nurses, on the
4 management of students with life-threatening food
5 allergies, including training related to the
6 administration of medication with an auto-injector;

7 (2) procedures for responding to life-threatening
8 allergic reactions to food;

9 (3) a process for the implementation of individualized
10 health care and food allergy action plans for every student
11 with a life-threatening food allergy; and

12 (4) protocols to prevent exposure to food allergens.

13 (b) Not later than January 1, 2011, each school board shall
14 implement a policy based on the guidelines developed pursuant
15 to subsection (a) of this Section for the management of
16 students with life-threatening food allergies enrolled in the
17 schools under its jurisdiction. Nothing in this subsection (b)
18 is intended to invalidate school district policies that were
19 implemented before the development of guidelines pursuant to
20 subsection (a) of this Section as long as such policies are
21 consistent with the guidelines developed pursuant to
22 subsection (a) of this Section.

23 (c) No later than January 1, 2015, each school board shall
24 require that parents identify and disclose any food allergies
25 of the student. Disclosures required under this subsection (c)
26 shall be distributed to all relevant school personnel. In the

1 case of a life-threatening food allergy, the school shall
2 implement an individualized health care and food allergy action
3 plan for the student.

4 (Source: P.A. 96-349, eff. 8-13-09; 96-1000, eff. 7-2-10.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.