

March 10, 2015

Chairman Fleischman, Chairman Slossberg, and Members of the Education Committee,

My name is Erin Spaulding from Branford, CT, and I am writing in support of *HB 6975 AN ACT ESTABLISHING A TASK FORCE TO STUDY LIFE-THREATENING FOOD ALLERGIES IN SCHOOLS*. Two of my three children, ages 10 and 8, have multiple life-threatening food allergies with history of rapid-onset anaphylaxis. Their reactions stem from both contact with and ingestion of their allergens.

As a parent, I have guided my children as they navigated the challenges of living with life-threatening allergies to food. Over the years, I have collaborated with their doctors, teachers, school nurses, bus drivers and administrators to put a safe plan in place for them during their school day, which includes transportation. In December of 2011, my then 5-year-old son was handed a store-bought cookie from his bus driver, and because all of the other kids on the bus were eating them, he started to eat it. Luckily, his older sister was sitting with him on the bus and told him not to, as it contained egg, to which he has had an anaphylactic reaction. I learned of this when the children got off the bus, and when I spoke with the driver about my son's allergies, he replied that he didn't know and was indifferent to the situation. Note that at the beginning of each school year I always had provided pictures of my children and listed their allergies at the request of the head of the bus company in Branford, so that the drivers would be informed. Also note that the bus company has a "no food on the bus" policy. As I started looking deeper into the issue, and exploring how the bus drivers were informed of medical conditions of the children and how they were trained to handle such emergencies, I was horrified. What if my son ate the cookie, and within minutes he was having a reaction? The answer I received from the bus company, "our drivers pull the bus over and radio dispatch to call 911" was not sufficient or reassuring, so I pulled my children off their regular bus for fear of their safety and well-being. A child experiencing anaphylaxis frankly does not have that amount of time. What resulted from that day was a lot of research into bus driver training, bus safety, the role of the school, the role of administration, and the role of the bus company in keeping children with food allergies safe on the bus. I met with the school principal, the superintendent, the Board of Education in Branford. My children wrote letters to the BOE and read them on camera at a meeting. Sarah Cody, who wrote an article in the Hartford Courant and filmed a segment for Fox CT news, picked up our story. This was a two-year, collaborative effort, but finally in September 2014 my children were able to return to riding their regular bus, as Branford put mandatory training of bus drivers into their contract negotiations with First Student. To my knowledge, we are the first school district in CT to have such language in the contract with First Student.

In addition to my role as a mom of food allergic children, I am also the Vice President of the Food Allergy Education Network (FAEN), a non-profit organization based in Branford that raises awareness of food allergies and provides support to food allergic children and families. In my role with FAEN (and mom), I met with then Senator Ed Meyer and former Rep. Deborah Henrich to advocate for the safety of children with food

allergies in the school setting. Myself, and other board members of FAEN, were instrumental in the development of a Task Force to look at food allergy management in the Branford Public Schools. I am attaching the letter I wrote to the Superintendent outlining my concerns, which were heard on the district level and addressed. In addition to mandating bus driver training, Branford Public Schools also updated its policies concerning life-threatening food allergies.

But Branford is only one school district in the State of CT. It is imperative that ALL school districts across CT have consistent policies when it comes to managing food allergies in the school (including transportation). From my experience advocating on the local level, I am lending my voice of concern with countless other parents across the state to urge you to pass laws on the state level which will protect our children no matter in which school district they live. Our neighboring states Massachusetts and Rhode Island have passed laws (see attached article about Rhode Island law)...it is now time for Connecticut to do the same. I thank you for your consideration of this important issue.

**Attachment 1:**

April 12, 2012

Mr. Hamlet Hernandez, Superintendent of Branford Public Schools  
1111 Main Street  
Branford, CT 06405

Dear Superintendent Hernandez,

I am writing on behalf of my children, Conor and Caroline Spaulding (students at John B. Sliney School), in addition to other children attending Branford Public Schools who have life-threatening food allergies and other medical conditions. In recent weeks, I have addressed my ongoing concerns regarding bus safety and food allergy safety with Dr. Iwanicki-Smith and Barbara Neigel at First Student. I was told that my concerns were shared via email with you; however I am writing to you as I feel that the events that unfolded should be brought forward and used as an example of changes that need to be made in current Branford Public School and First Student policies.

A short-term plan was formulated last week for Conor and Caroline to no longer ride their regular bus but to ride on Van J (where there is an existing paraprofessional trained in epi pen administration). While I am appreciative of the efforts of everyone involved to quickly address the concerns, I think more needs to be done to keep children with special health care needs safe, both on the bus and in school.

As a concerned parent and Vice-President of the Food Allergy Education Network (FAEN), I would like to advocate for a more in-depth review of the current bus safety policies along with the district policies regarding students with special health care needs.

Attached is a more in-depth summary of my concerns. I welcome discussion with you and First Student and look forward to hearing from you.

Thank you for your consideration of this timely and important matter.

**PARENT CONCERNS REGARDING FOOD ALLERGY  
POLICIES IN BRANFORD PUBLIC SCHOOLS AND FIRST STUDENT BUSES**

*Addressed to Superintendent of Branford Public Schools Hamlet Hernandez,  
and Barbara Neagel, Director of First Student*

Peanut allergies have tripled since 1997 and now 1 in 13 children born will have a food allergy. While great strides have been made at individual schools to address some of these concerns, I believe that the priority of our school district should always be the safety and inclusion of ALL students whether it is on the bus, in the classroom, or at school-sponsored events, regardless of which school they attend. The Branford Public Schools Food Allergy Management Plan needs to align the policies and protocols at the DISTRICT level not at the individual school level. Guilford Public Schools is one area district that has adopted such policy and is referenced as an example.

**CONCERN 1: BUS SAFETY**

**Reference: BPS Policy 5131.1 (Bus Conduct)**

- There needs to be a statement in the BPS policy that no food/drink is allowed on the bus. It is not included in the above referenced policy. First Student has verbally shared that they have a no food/drink policy but there needs to be consistency. Not only is food on the bus a choking hazard for any child, for a child with a contact, ingestion, or inhalation food allergy it is a potential life threatening risk.
  
- **#3. Students will consider themselves (as they are) under school supervision until they are safely home.**
  - If this is the case, then individual emergency health care plans or 504 plans which state that children must have access to an adult trained in the administration of epi pen/medication, should apply when children ride the bus. Using Guilford Public Schools ‘*Managing Student’s Food Allergies*’ policy as an example:
    - *17. Collaborate with the district transportation administrator to assure that school bus driver training includes symptom awareness and what to do if a reaction occurs;*
    - *18. Develop and implement an emergency plan for food allergic-students on school buses, the Emergency Care Plan with photo should stay with the bus driver, (a copy to be given to EMT/first responder);*

- 19. *Inform substitute bus drivers of students with life-threatening food allergies;*
  - 20. *Require that all buses have communication devices in case of emergency;*
  - 21. *Enforce a “no eating” policy on school buses with exceptions made only to accommodate students with special needs under federal or similar law.*
- Both the national and local First Student Company has verbally shared that their company policy in the event of a medical emergency is that the bus driver would pull the bus over and radio dispatch, who would then call 911 to the bus location. For a child whose airway is rapidly closing due to a choking incident or an anaphylactic reaction this is not sufficient; it is critical that a bus driver be trained how to respond in a life-threatening situation as it could simply save a life. I am advocating that First Student and Branford Public Schools adopt similar policies to the Guilford Public Schools and their bus company as outlined above.

**Reference: BPS Policy 5141.25 (Students with Special Health Care Needs:**

**Life-Threatening Food Allergies)**

- BPS makes reference to CGS 52-557b-Good Samaritan Law as well as PA 05-144 and 05-272-An Act Concerning the Emergency Use of Cartridge Injectors. Guilford Public Schools state these laws directly in their policies and I feel Branford Public Schools and First Student should as well. With bus driver training the Good Samaritan Law would apply in the event of any medical emergency on a bus. State law cannot prohibit a student with life-threatening food allergies from carrying their epinephrine auto-injector on school transportation. While some children can self-administer, in the event when they cannot (for any reason) a driver should be trained and required to respond to the emergency.

**CONCERN 2: DISTRICT-WIDE POLICIES REGARDING FOOD IN SCHOOLS AND SCHOOL-SPONSORED PTA EVENTS**

- Food safety on the school buses is only one of many concerns that I have as a parent of children with food allergies. There needs to be clear and consistent policies and protocols in place **across the district** to address the safety and inclusion of children with food allergies. **Each school should be following the same policies and protocols.** Using Guilford Public Schools Schools ‘*Managing Student’s Food Allergies*’ again as an example:

- *Enforce a “no eating” policy for birthdays and similar spontaneous celebrations in the school setting to ensure adequate opportunity for planning and notification of parents of food-allergic students.*

By enforcing a ‘no eating’ policy not only is the threat of an allergic reaction removed, ALL children are included.

### **CONCERN 3: DISTRICT-WIDE POLICY REQUIRING ALL SCHOOL STAFF (INCLUDING SUBSTITUTE TEACHERS BE TRAINED IN EPI-PEN ADMINISTRATION**

- Currently, there is no consistency in how school staff is trained; it varies school to school.
- Substitute teachers are not required to be trained in epi-pen administration or the warning signs of anaphylaxis/allergic reaction.

### **CONCERN 4: DISTRICT-WIDE USE OF CLEANING PROCEDURES AND MATERIALS IN CLASSROOMS AND LUNCHROOMS**

- It is a myth that most allergic reactions occur from ingestion; in a school setting a reaction is more likely to occur due to cross-contamination or direct contact with the allergen (especially in a child who is touch sensitive). This year Sloney changed their cleaning products and protocols; I would like to see all schools required to use the same cleaning materials and procedures to ensure safety across the district.

### **CONCERN 5: NEED FOR FORMATION OF A DISTRICT FOOD ALLERGY TASK FORCE**

- By forming a Food Allergy Task Force we ensure that the needs of children with life-threatening food allergies are addressed now and in the future. The Task Force can not only advocate for the changes outlined above but also can collaborate with and serve as an educational resource to school leaders, staff and families within the district. Members of the Food Allergy Education Network met with you last summer and provided a resource that outlines how a school district collaborated with parents to form such a group. I would like to also advocate for the formation of this task force and I know that there are other parents in the Branford school district who are willing to join.

## **Attachment 2:**

### **Bill For EpiPens on School Bus OKd By William Rupp (Patch Staff)**

*Helping students with anaphylaxis, the bill, sponsored by Sen. Walter S. Felag Jr. of Warren/Bristol and Rep. Jan P. Malik of Barrington/Warren, now goes to Gov. Lincoln Chafee for approval.*

May 24, 2012

The following is a press release:

Anaphylaxis is a life-threatening allergic reaction that does not always pick an appropriate time or place to appear. Legislation approved this week by the General Assembly will add school buses to the places where help is nearby for a student overcome by an allergic reaction.

The bills, [2012-S 2173Aaa](#) and [2012-H 7447A](#), will allow school bus drivers and monitors, after receiving proper training, to administer an epinephrine auto-injector (marketed under trade names such as the commonly known EpiPen) to an affected student while in transit to or from school or a school event.

Sponsored by Sen. Walter S. Felag Jr. (D-Dist. 10, Warren, Bristol, Tiverton) and by Rep. Jan P. Malik (D-Dist. 67, Barrington, Warren), the legislation will also allow students, who are permitted to carry an auto-injector at school, to have the item in their possession while on a school bus.

“This bill goes a long way toward putting the needs of our children first,” said Felag. “When a child is overcome, what is needed is someone close by to help. School children spend lots of hours on buses, which pretty clearly explains the importance of this legislation.”

“There cannot be any gaps in the safety of children while they are at school or in transit to or from,” said Malik. “This bill ensures safety for children from the time they step on a school bus in the morning until they get home at the end of the school day.”

The bill, which now goes to Gov. Lincoln Chafee, requires school bus providers to be given medical documentation by parents of students for whom epinephrine is prescribed. Such notification is already required to be provided to schools.

The bill also makes bus drivers and monitors who may administer epinephrine immune from liability, as are teachers, school administrators, school health personnel and other school personnel who are currently allowed to administer epinephrine to an identified student having an allergic reaction.