

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 673

H.P. 465

House of Representatives, February 26, 2013

An Act To Ensure the Least Restrictive Learning Environment in Public Schools for Students with Food Allergies

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative TREAT of Hallowell.
Cosponsored by Senator JOHNSON of Lincoln and
Representatives: FOWLE of Vassalboro, MASTRACCIO of Sanford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §6305** is enacted to read:

3 **§6305. Student food allergies**

4 **1. Food allergy documented.** A food allergy of a student must be documented in
5 writing by a qualified health care practitioner and that documentation must be provided to
6 the superintendent.

7 **2. Information to parents.** Upon receiving documentation of a student food allergy
8 under subsection 1, a superintendent shall send out a food allergy awareness information
9 sheet under subsection 3 to all parents of students who attend school with the student who
10 has the allergy:

11 **A. Immediately after the documentation of a student food allergy is received by the**
12 **superintendent; and**

13 **B. If the student with the allergy is still attending that school, at a reasonable time**
14 **before an event or occasion for which students or parents bring food to the school.**

15 **3. Food allergy awareness information sheet.** A food allergy awareness
16 information sheet must state that a student at the school has a particular food allergy and a
17 request that a parent of a student who attends that school refrain from bringing or sending
18 with that parent's student that type of food to school. A food allergy awareness
19 information sheet may not forbid a parent from bringing or sending with that parent's
20 student a type of food to school because a student at the school is allergic to that type of
21 food.

22 **4. Information for parents of allergic students.** A superintendent shall provide a
23 parent of an allergic student under subsection 1 with a brochure containing information to
24 educate the parent on coping with food allergies at schools, including a copy of Section
25 504 of the federal Rehabilitation Act of 1973.

26 **SUMMARY**

27 This bill requires a school superintendent who receives documentation that a student
28 has a food allergy to send a food allergy awareness information sheet to all parents of
29 students at the school asking them not to bring or send with their students that type of
30 food to school and a brochure to the parent of the allergic student containing information
31 to educate the parent on coping with food allergies at schools.