

**Introduced by Senator Huff**

February 18, 2016

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An act to add Section 49414.3 to the Education Code, relating to pupil health.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1258, as introduced, Huff. Pupil health: food allergies: school district policy.

Existing law requires school districts, county offices of education, and charter schools to provide emergency epinephrine auto-injectors to school nurses and trained personnel who have volunteered, as specified, and authorizes school nurses and trained personnel to use epinephrine auto-injectors to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction.

This bill would require each school district to develop, in coordination with specified individuals, a comprehensive policy with specified protocols to protect pupils with food allergies. By imposing additional duties on school districts, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 49414.3 is added to the Education Code,  
2 to read:  
3     49414.3. (a) Each school district shall develop a  
4 comprehensive policy to protect pupils with food allergies.  
5     (b) The policy shall include, at a minimum, protocols for pupils  
6 with food allergies that pertain to all of the following:  
7     (1) School stocking of medication, including storage of  
8 medication in classrooms.  
9     (2) School parties.  
10    (3) Lunch time, including seating arrangements.  
11    (4) Food served by the school district.  
12    (5) After school events.  
13    (6) Field trips.  
14    (7) Bullying.  
15    (8) Recess.  
16    (9) Teacher and employee training.  
17    (c) A school district shall create the policy in coordination with,  
18 at a minimum, all of the following individuals:  
19    (1) A school district nurse or health aid.  
20    (2) A member of the food allergy community.  
21    (3) An ad hoc parent.  
22    (4) A director of food services.  
23     SEC. 2. If the Commission on State Mandates determines that  
24 this act contains costs mandated by the state, reimbursement to  
25 local agencies and school districts for those costs shall be made  
26 pursuant to Part 7 (commencing with Section 17500) of Division  
27 4 of Title 2 of the Government Code.

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