

BILL: Senate Bill 95
TITLE: Public Schools - Anaphylactic Food Allergies - Guidelines and Requirements
DATE: February 3, 2022
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Education, Health, and Environmental Affairs
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports Senate Bill 95 with amendments to address concerns with the prescriptive nature of the some of the bill's mandated procedures.

MABE supports this legislation to the extent that it mandates alignment of local school system policies and procedures with school health guidelines. However, this bill would impose a significant array of procedures designed to reduce the risks to students of anaphylactic allergic reactions caused by exposure to sources of severe allergic reactions in the school setting. MABE's specific concerns with the bill arise from provisions mandating specific types of food allergens, specific modes of the daily notice of food ingredients, a provision regarding who may accompany a student to an allergy-free table, and other processes that are best suited to local operations in accordance with the Maryland State School Health Service Guidelines for the Management of Students at Risk for Anaphylactic Reaction.

MABE also recognizes that to the extent many of the bill's provisions would be more appropriately addressed by updating the Guidelines, such an update appears overdue. For this reason, MABE supports the core provisions of the bill which are clearly consistent with the need to update not only that guidance but also the statute to reflect the school-based practices that address more than peanut and tree-nut allergies.

Local boards of education and school system employees recognize the importance of adopting and implementing policies and procedures to minimize the risks to students of the life-threatening consequences of severe allergic reactions. The sources of these allergic reactions are typically foods which are quite common in school meals, and the homes and bagged lunches of fellow students, and therefore can and do present serious daily challenges.

MABE assures the committee that school principals, nurses, and all staff take very seriously the responsibility to protect the health and welfare of all students, but especially those who are coping with the profound health risks associated with anaphylactic allergic reactions. Local boards of education operate in accordance with the standards and guidelines for school health programs developed by the Maryland State Department of Education and the Maryland Department of Health. MABE believes that this interagency framework is working well and is the appropriate forum in which student health issues such as anaphylactic allergic reactions should continue to be addressed.

For these reasons, MABE requests a favorable report on Senate Bill 95, with the amendments described above.