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## School attorney: Allergies tops list of 5 biggest issues districts face

### **Key points:**

- Number of children with food allergies continues to rise
- Develop simple, flexible allergy policy in your district
- Review success of last year's 504 plans for students with allergies

The number of children with food and digestive allergies continues to rise. In fact, there was an 18 percent increase in the number of children with such conditions from 1997 to 2007, according to a [report](#) by the [Centers for Disease Control and Prevention](#).

Prepare staff members to make solid decisions regarding students with allergies, especially as more children are being diagnosed with these conditions. To start, share key reminders with them during your next training, including tips for bolstering students' services and determining the "reasonableness" of accommodation requests.

"Every year, I get exponentially more questions from administrators about [allergies]. It tops the list of the top five issues districts face," said [Darcy Kriha](#), a school attorney with [Franczek Radelet](#) in Chicago. Schools are struggling with the complexity of the issue and the changing nature of the law, she said.

For example, "what was once unreasonable is now reasonable. Ten years ago, a peanut-free classroom was unreasonable, but today having a peanut-free table during lunch and a peanut-free classroom are reasonable accommodations," she said.

Kriha will present a session on allergies and chemical sensitivities at the [26th Annual Pacific Northwest Institute on Special Education and the Law](#) from Oct. 5-7 in Seattle.

Special Ed Connection® *related story and resource:*

- [Highlight these case examples during your next training](#) (Aug. 6)
- [SmartStart: Student Allergies to Substances in the School Environment](#)

*Melissa Greenwood covers Section 504 issues for LRP Publications.*

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