

By Senator Stewart

17-00246A-24

202452__

1 A bill to be entitled
2 An act relating to anaphylaxis in public schools;
3 amending s. 1001.23, F.S.; requiring the Department of
4 Education to publish on its website each district
5 school board's anaphylaxis policy; amending s.
6 1006.07, F.S.; requiring each district school board to
7 adopt an anaphylaxis policy; providing requirements
8 for such policy; defining the term "school personnel";
9 requiring a certain percentage of specified school
10 personnel to receive certain training within a
11 specified timeframe; authorizing the State Board of
12 Education to adopt rules; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Subsection (5) is added to section 1001.23,
17 Florida Statutes, to read:

18 1001.23 Specific powers and duties of the Department of
19 Education.—In addition to all other duties assigned to it by law
20 or by rule of the State Board of Education, the department
21 shall:

22 (5) Publish on its website each district school board's
23 anaphylaxis policy in accordance with s. 1006.07(12).

24 Section 2. Subsection (12) is added to section 1006.07,
25 Florida Statutes, to read:

26 1006.07 District school board duties relating to student
27 discipline and school safety.—The district school board shall
28 provide for the proper accounting for all students, for the
29 attendance and control of students at school, and for proper

17-00246A-24

202452__

30 attention to health, safety, and other matters relating to the
31 welfare of students, including:

32 (12) ANAPHYLAXIS POLICY.—

33 (a) Each district school board shall adopt an anaphylaxis
34 policy for implementation at each school within the district.

35 (b) The policy must:

36 1. Meet the requirements established by State Board of
37 Education rule.

38 2. Be reviewed and, if necessary, updated at least every 3
39 years.

40 3. Be published on the school district's website.

41 4. Include a procedure and treatment plan, including
42 emergency protocols and responsibilities for school nurses and
43 other appropriate school personnel, for responding to an
44 allergic reaction, including anaphylaxis.

45 5. Include training requirements for school personnel on
46 preventing and responding to an allergic reaction, including
47 anaphylaxis. The requirements for such training must include
48 training in the use of an epinephrine autoinjector. For purposes
49 of this paragraph, the term "school personnel" includes
50 employees and contracted personnel providing care in before-
51 school and after-school programs at schools within the district.
52 At least 50 percent of school personnel providing care in
53 before-school and after-school programs must complete the
54 training required by this subparagraph within 3 months after the
55 date of employment. Completion of such training must be
56 documented in the school employee's employment file.

57 6. Include a procedure and guidelines for the development
58 of individualized emergency health care plans for students with

17-00246A-24

202452__

59 a food allergy or other allergy that could result in an allergic
60 reaction, including anaphylaxis.

61 7. Include a communication plan for:

62 a. The intake and dissemination of information regarding
63 students with a food allergy or other allergy, including a
64 discussion of methods, treatments, and therapies to reduce the
65 risk of an allergic reaction, including anaphylaxis.

66 b. Discussing with students, in a developmentally
67 appropriate manner, and parents information relating to safe and
68 unsafe foods for students with a food allergy and strategies to
69 avoid exposure to unsafe foods.

70 8. Include strategies for reducing the risk of exposure to
71 food allergens or other allergens that may cause an allergic
72 reaction, including anaphylaxis.

73 9. Include an annual notification to parents of enrolled
74 students which includes the anaphylaxis policy and contact
75 information for school district employees who can provide
76 parents and students with further information.

77 (c) The State Board of Education may adopt rules to
78 administer this subsection.

79 Section 3. This act shall take effect July 1, 2024.