

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 911
House Committee Substitute Favorable 8/21/02

Short Title: Care for School Children With Diabetes Act.

(Public)

Sponsors:

Referred to:

April 5, 2001

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT AND
2 DISSEMINATE GUIDELINES FOR THE DEVELOPMENT AND
3 IMPLEMENTATION OF INDIVIDUAL DIABETES CARE PLANS AND TO
4 REQUIRE LOCAL BOARDS OF EDUCATION TO IMPLEMENT THESE
5 GUIDELINES.
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 115C-47 is amended by adding a new subdivision to read:

9 "(31) To Adopt Guidelines for Individual Diabetes Care Plans. – The State
10 Board shall adopt guidelines for the development and implementation
11 of individual diabetes care plans. The State Board shall consult with
12 the North Carolina Diabetes Advisory Council established by the
13 Department of Health and Human Services in the development of
14 these guidelines. The State Board also shall consult with local school
15 administrative unit employees who have been designated as
16 responsible for coordinating their individual unit's efforts to comply
17 with federal regulations adopted under Section 504 of the
18 Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794. In its
19 development of these guidelines, the State Board shall refer to the
20 guidelines recommended by the American Diabetes Association for
21 the management of children with diabetes in the school and day care
22 setting and shall consider recent resolutions by the United States
23 Department of Education's Office of Civil Rights of investigations into
24 complaints alleging discrimination against students with diabetes.

25 The guidelines adopted by the State Board shall include:

26 a. Procedures for the development of an individual diabetes care
27 plan at the written request of the student's parent or guardian,
28 and involving the parent or guardian, the student's health care
29 provider, the student's classroom teacher, the student if

1 appropriate, the school nurse if available, and other appropriate
2 school personnel.

3 b. Procedures for regular review of an individual care plan.

4 c. Information to be included in a diabetes care plan, including the
5 responsibilities and appropriate staff development for teachers
6 and other school personnel, an emergency care plan, the
7 identification of allowable actions to be taken, the extent to
8 which the student is able to participate in the student's diabetes
9 care and management, and other information necessary for
10 teachers and other school personnel in order to offer appropriate
11 assistance and support to the student. The State Board shall
12 ensure that the information and allowable actions included in a
13 diabetes care plan as required in this subdivision meet or exceed
14 the American Diabetes Association's recommendations for the
15 management of children with diabetes in the school and day
16 care setting.

17 d. Information and staff development to be made available to
18 teachers and other school personnel in order to appropriately
19 support and assist students with diabetes.

20 The State Board shall ensure that these guidelines are updated as
21 necessary and shall ensure that the guidelines and any subsequent
22 changes are published and disseminated to local school administrative
23 units."

24 **SECTION 2.** G.S. 115C-47 is amended by adding a new subdivision to read:

25 "(42) To Implement Guidelines to Support and Assist Students With
26 Diabetes. – Local boards of education shall ensure that the guidelines
27 adopted by the State Board of Education under G.S. 115C-12(31) are
28 implemented in schools in which students with diabetes are enrolled.
29 In particular, the boards shall require the implementation of the
30 procedures set forth in those guidelines for the development and
31 implementation of individual diabetes care plans. Local boards also
32 shall make available necessary information and staff development to
33 teachers and school personnel in order to appropriately support and
34 assist students with diabetes in accordance with their individual
35 diabetes care plans."

36 **SECTION 3.** The State Board of Education shall report no later than
37 September 1, 2003, to the Joint Legislative Education Oversight Committee on the
38 Board's progress regarding the adoption, dissemination, and implementation of the
39 guidelines under Sections 1 and 2 of this act.

40 **SECTION 4.** This act is effective when it becomes law. The guidelines
41 under Section 1 of this act shall be adopted no later than January 15, 2003, and shall be
42 implemented under Section 2 of this act beginning with the 2003-2004 school year.