

- SUBJECT:** Requiring school districts to request food allergy information
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 8 ayes — Eissler, Hochberg, Allen, Aycock, Dutton, Huberty, Shelton, T. Smith
- 0 nays
- 3 absent — Guillen, Strama, Weber
- WITNESSES:** For — Chris Burnett; Jessica Davila-Burnett (*Registered, but did not testify*: Troy Alexander, Texas Medical Association; Jay Arnold, Texas PTA; Harley Eckhart, Texas Elementary Principals and Supervisors Association; Carrie Kroll, Texas Pediatric Society; Casey McCreary, Texas Association of School Administrators; Ted Melina Raab, Texas AFT; Julie Shields, Texas Association of School Boards)
- Against — None
- DIGEST:** CSHB 742 would require a school district to request that the parent or guardian of a student disclose whether the student had a severe food allergy. The school district would request parents or guardians to disclose the specific food or foods to which the student was allergic and the nature of the allergic reaction. The information would be included in the student's records, but would not be placed in the student's medical files unless the school received documentation from a physician.
- A school district would be required to maintain the confidentiality of the information provided and could disclose the information to teachers, school counselors, school nurses, and other appropriate school personnel only to the extent it was consistent with the district's current policies for such records and permissible under the federal Family Educational Rights and Privacy Act.
- The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011. The bill would apply beginning with the 2011-2012 school year.

**SUPPORTERS  
SAY:**

CSHB 742 would add a layer of security for students with severe food allergies. School districts and teachers often are unaware of potentially life-threatening allergies their students may have. This bill would provide awareness and equip school districts with the information necessary to provide preventative measures. The bill would not be an unfunded mandate on school districts because districts could comply with the bill using existing resources.

**OPPONENTS  
SAY:**

No apparent opposition.