



Children with diabetes have the same right to attend child care, go to camp and participate in community recreational activities as any other child.

UNFAIR TREATMENT BY CHILD CARE PROGRAMS

Has your child had any of the following experiences in the child care setting?

- Your daughter's child care program refuses to allow her to return after her diagnosis – even though she's already been enrolled for a year.
- Your son is routinely not allowed to eat a snack with the other children because there is no one to give him his insulin.
- You have to leave work to provide care to your child at the child care program.

If your child has experienced any of these or other problems, he or she may be experiencing discrimination. Children with diabetes need child care like any other child. Unfortunately, child care programs sometimes think they don't need to accept children with diabetes; that they are not required to provide diabetes care; or that they can refuse to allow a child to return to the program after diagnosis. Under federal law, these actions may be illegal.

FOR MORE INFORMATION OR WHERE TO GET HELP

Call the American Diabetes Association (Association) at 1-800-DIABETES (342-2383) for free information and to be put in touch with a legal advocate. The Association's legal advocates specialize in diabetes discrimination issues and will help you to understand the law and your child's rights. Additional resources are available online at www.diabetes.org/forparentsandkids.

3093-23



CHILDREN WITH DIABETES & THE CHILD CARE SETTING

WHAT YOU NEED TO KNOW TO PROTECT YOUR CHILD

Safe at School®

The needs of children with diabetes – including infants, toddlers and pre-schoolers – must be safely met in the child care setting. Since very young children cannot take care of their own diabetes, it is crucial for parents/guardians to make sure their child’s diabetes is well-managed in the child care setting. Fortunately, there are laws to help make sure your child gets the care he or she needs.

YOUR CHILD’S RIGHT TO CARE AND SERVICES

Federal and some state laws protect children with diabetes against discrimination by “places of public accommodation” such as many child care programs. Children with diabetes have the same right to attend child care, go to camp and participate in community recreational activities as any other child. Every child with diabetes has specific needs that the child care program should be prepared to meet. The following are some important laws and resources, and what they mean for children with diabetes:

The Americans with Disabilities Act (ADA) prohibits child care programs, camps and other child care centers from treating children with disabilities – including diabetes – unfairly. A disability under the ADA is a “physical or mental



impairment that substantially limits one or more major life activities.” People with diabetes are considered to have a disability under ADA because their endocrine system, a major life activity, is substantially limited. This is another way of saying your child’s endocrine system does not work because it does not make and/or use insulin properly. The ADA does not apply to child care programs run by religious institutions. Some examples of child care programs required to comply with the ADA are a YMCA after-school program, a town-run summer day camp, national child care franchise chains and a sleep-away summer camp.

Section 504 of the Rehabilitation Act of 1973 (Section 504) protects your child if the child care program receives federal funding. Section 504 protects children the same way the ADA does where it applies. Head Start is an example of a federally funded program that must comply with Section 504.

State Laws. In addition to federal laws, some states require child care programs to administer medication, such as an insulin injection, to children in their care. Many states have laws that spell out who can give insulin or glucagon in the child care setting. Contact the American Diabetes Association at 1-800-DIABETES to learn more about the laws in your state or visit our website at www.diabetes.org/childcare.

A written care plan developed by your child’s diabetes health care provider(s) describes how your child’s diabetes management needs will be met in the child care setting. This written plan, sometimes referred to as a Diabetes Medical Management Plan (DMMP) will help keep your child safe and healthy. Download a sample plan from the Association’s website at www.diabetes.org/childcare or call 1-800-DIABETES.

WHAT YOU CAN DO

- Work with your child’s health care program to prepare a written care plan or DMMP.
- Review the care plan with the child care program to determine how your child’s diabetes needs will be met while he or she attends their program.
- Make sure to provide all diabetes supplies, equipment, snacks, and insulin, or other diabetes medication to the child care program.
- Be a resource for the child care program by recruiting a diabetes trainer to train and be prepared to provide training to child care staff.
- Make sure all child care staff who interact with your child receive basic diabetes information, including training on recognition and treatment of low and high blood glucose and who to contact for help.
- Make sure at least one staff member is trained and present to give your child insulin, glucagon and check blood glucose.
- Become familiar with federal and state laws that protect your child’s right to safely attend and participate in a child care program.
- Write it down. Keep all documents, including e-mails, letters and notes. Keep a log of all relevant conversations with child care staff including names and dates.