

## 115TH CONGRESS 2D SESSION H. R. 6196

To amend the Elementary and Secondary Education Act of 1965 to require local educational agencies to implement a policy on allergy bullying in schools.

## IN THE HOUSE OF REPRESENTATIVES

June 22, 2018

Mr. Cartwright introduced the following bill; which was referred to the Committee on Education and the Workforce

## A BILL

To amend the Elementary and Secondary Education Act of 1965 to require local educational agencies to implement a policy on allergy bullying in schools.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Alerting Local Leaders
- 5 and Ensuring Responsible Guidelines for Youth Act" or
- 6 the "ALLERGY Act".

1	SEC. 2. REQUIREMENT FOR POLICIES ON ALLERGY-RE-
2	LATED BULLYING.
3	Part F of title VIII of the Elementary and Secondary
4	Education Act of 1965 (20 U.S.C. 7901 et seq.) is amend-
5	ed by adding at the end the following:
6	"Subpart 6—Policies on Allergy Bullying
7	"SEC. 8581. REQUIREMENTS.
8	"(a) In General.—As a condition of receiving funds
9	under this Act, a local educational agency shall establish
10	and implement a policy on allergy bullying in the schools
11	served by the local educational agency, which, at a min-
12	imum, requires that each such school—
13	"(1) educate students, school personnel, and
14	parents about allergy bullying, and that such bul-
15	lying is against the rules of the school;
16	"(2) clearly define what the punishment or re-
17	sponse may be for a violation of the rule against al-
18	lergy bullying, which may include a therapeutic re-
19	sponse, where appropriate;
20	"(3) have in effect policies and procedures that
21	encourage each victim of allergy bullying to report
22	such bullying to school personnel; and
23	"(4) in carrying out the requirements of para-
24	graphs (1) through (3), is in compliance with the re-
25	quirements of the Individuals with Disabilities Edu-
26	cation Act (20 U.S.C. 1400 et seq.) and the Ameri-

- cans with Disabilities Act of 1990 (42 U.S.C. 12101
- 2 et seq.).
- 3 "(b) CERTIFICATION.—As a condition of receiving
- 4 funds under this Act, a local educational agency shall cer-
- 5 tify in writing not later than October 1 of each year to
- 6 the State educational agency involved that the local edu-
- 7 cational agency has established and implemented the pol-
- 8 icy described in subsection (a). The State educational
- 9 agency shall report to the Secretary not later than Novem-
- 10 ber 1 of each year a list of those local educational agencies
- 11 that have not filed a certification or against which com-
- 12 plaints have been made to the State educational agency
- 13 that the local educational agency is not in compliance with
- 14 this section.
- 15 "(c) Definition.—The term 'allergy bullying' means
- 16 unwanted, aggressive behavior by a student toward an-
- 17 other student with an allergy and includes—
- 18 "(1) a real or perceived imbalance of power due
- 19 to such other student's allergy, such as physical
- strength, access to embarrassing information, or
- 21 popularity, to control or harm such other student;
- 22 and
- 23 "(2) actions such as making threats, spreading
- rumors, physical or verbal attacks, and excluding
- such other student from a group on purpose.".

## 1 SEC. 3. TABLE OF CONTENTS.

- 2 The table of contents for the Elementary and Sec-
- 3 ondary Education Act of 1965 (20 U.S.C. 6301 et seq.)
- 4 is amended by inserting after the item relating to section
- 5 8574, the following:

"SUBPART 6—POLICIES ON ALLERGY BULLYING

"Sec. 8581. Requirements.".

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