
Children with Diabetes and the Childcare Setting: **What You Need to Know to Protect your Child**

The needs of children with diabetes—including infants, toddlers, and preschoolers—must be safely met in the childcare 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 childcare setting. Fortunately, there are laws to help make sure your child gets the care they need.

Your Child’s Right to Care and Services

Federal and some state laws protect children with diabetes against discrimination by “places of public accommodation,” which include many childcare programs. Children with diabetes have the same right as any other child to attend childcare programs, go to camp, and participate in community recreational activities. Every child with diabetes has specific needs that the childcare 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 prohibits childcare programs, camps, and other childcare centers from treating children with disabilities—including diabetes—unfairly. A disability under the Americans with Disabilities Act 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 the Americans with Disabilities Act 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 Americans with Disabilities Act does not apply to childcare programs run by religious institutions. Some examples of childcare programs required to comply with the Americans with Disabilities Act are a YMCA afterschool program, a town-run summer day camp, national childcare franchise chains, and a sleep-away summer camp.

Section 504 of the Rehabilitation Act of 1973 (Section 504) protects your child if the childcare program receives federal funding. Section 504 protects children the same way the Americans with Disabilities Act 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 have specific guidelines on how childcare programs can administer medication to children in their care. Certain states have laws that spell out who can give medication, such as insulin or glucagon, in the childcare setting.

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 childcare 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 at diabetes.org/childcare.

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What You Can Do

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

Unfair Treatment by Childcare Programs

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

- Your child's childcare program refuses to allow them to return after their diagnosis—even though they've already been enrolled for a year.
- Your child is routinely not allowed to eat a snack with the other children because there is no one to give them their insulin.
- You have to leave work to provide care to your child at the childcare program.

If your child has experienced any of these or other problems, they may be experiencing discrimination. Children with diabetes need childcare like any other child. Unfortunately, childcare program staff sometimes think:

- They don't need to accept children with diabetes
- They are not required to provide diabetes care
- They can refuse to allow a child to return to the program after diagnosis

Under federal law, these actions may be illegal.

The American Diabetes Association is Here to Help

For assistance, call **1-800-DIABETES (800-342-2383)** or email **AskADA@diabetes.org**.

Need information or guidance with a discrimination issue? Have questions about your legal rights? The American Diabetes Association® (ADA) can help. If your issue is within our areas of service, you will receive tailored information and guidance from one of the ADA's legal advocates. Although the ADA cannot represent you or advocate on your behalf, we can help you understand your rights and give you practical tools to solve your problem.