

January 2007

Managing Peanut Allergies In Schools: Ethical And Policy Issues

David B. Resnik

NIH/NIEHS, resnikd@niehs.nih.gov

Follow this and additional works at: <https://aquila.usm.edu/ojhe>

Recommended Citation

Resnik, D. B. (2007). Managing Peanut Allergies In Schools: Ethical And Policy Issues. *Journal of Health Ethics*, 9(1). <http://dx.doi.org/10.18785/ojhe.0901.07>

This Article is brought to you for free and open access by The Aquila Digital Community. It has been accepted for inclusion in Journal of Health Ethics by an authorized editor of The Aquila Digital Community. For more information, please contact aquilastaff@usm.edu.

Managing Peanut Allergies In Schools: Ethical And Policy Issues

Cover Page Footnote

This article is the work product of an employee or group of employees of the National Institute of Environmental Health Sciences (NIEHS), National Institutes of Health (NIH). However, the statements, opinions or conclusions contained therein do not necessarily represent the statements, opinions or conclusions of NIEHS, NIH, or the United States government.

MANAGING PEANUT ALLERGIES IN SCHOOLS: ETHICAL AND POLICY ISSUES

David B. Resnik, JD, Ph.D.

National Institute of Environmental Health Science, National Institutes of Health
Box 12233, Mail Crop CU 03, Research Triangle Park, NC, 27709, USA.
resnikd@niehs.nih.gov
Phone: 919 541 5658. Fax: 919 541 9854

Abstract

Protecting children with peanut allergies from harm poses difficult ethical dilemmas for school administrators. Some schools have responded to the peanut allergy problem by implementing bans on peanuts and peanut products, thereby sparking outrage and protests from some parents. School administrators should carefully consider how best to protect allergic children while taking into consideration the interests of non-allergic children, their parents and practical considerations. While it is not realistic to expect that a school setting can be risk-free, every reasonable effort should be made to protect allergic children from harm in order to promote their health and educational attainment.

Keywords: Peanut Allergies, Children, Schools, Ethics, Justice, Disability

Acknowledgments/Disclaimer:

This article is the work product of an employee or group of employees of the National Institute of Environmental Health Sciences (NIEHS), National Institutes of Health (NIH). However, the statements, opinions or conclusions contained therein do not necessarily represent the statements, opinions or conclusions of NIEHS, NIH, or the United States government.

Managing Peanut Allergies In Schools: Ethical And Policy Issues

Peanut allergies are an increasingly common problem among school-age children. Worldwide, the prevalence of peanut allergies in this population increased from less than 0.5% in 1997 to 1-2% today, with the highest rates in industrialized countries, such as the United States, United Kingdom, and Canada (Otsu, Dreskin 2011). In the United States, 6-8% of children younger than four years old and 4% older than ten have an allergy to peanuts (Burks 2008). The severity of the allergy ranges from mild allergic responses, such as a rash or diarrhea, to life-threatening symptoms, such as anaphylaxis (Burks 2008). Food anaphylaxis accounts for approximately 30,000 emergency room visits and 150 deaths each year in the United States, the majority of which are due to allergies to peanuts or tree nuts (Lee, Sheffer 2003; Rudders et al 2010). Peanut allergies have a genetic basis, although the specific genetic variants associated with the condition are not well-understood (Sicherer et al 2000, Madore et al 2013). Furthermore, research indicates that early environmental exposure may also play a role in the development of the allergy (Burks 2008).

Protecting children with peanut allergies from harm poses difficult dilemmas for school administrators. Many children take peanut butter and jelly sandwiches in lunches they bring to school. Children also eat whole peanuts and peanut butter on crackers or in cookies. Peanuts and peanut butter are inexpensive foods with important nutrients, including protein, vitamins, minerals, and dietary fiber (Livestrong.com 2013). Allergic children may be exposed to allergens if they share food with other children or come into contact with peanuts. Some children are so sensitive to peanuts that they can develop a dangerous allergic reaction if they breathe in air containing peanut dust (Burke 2008).

Some schools have responded to the peanut allergy problem by implementing bans on peanuts and peanut products, sparking outrage and protests from some parents (Today.com 2013; Neporent 2011). While peanut bans can protect children with allergies from harm, they cause inconvenience and hardship for children who enjoy these foods, and for parents who are trying to provide their children with a healthy diet on a budget. Bans are difficult to enforce because teachers and staff need to monitor children's lunches and snacks in school and during extracurricular activities (Young et al 2009, Sicherer, Mahr 2010). A Florida school not only banned peanuts but also required children to wash their hands and rinse out their mouths to remove any traces of peanuts before entering school. The school also used a peanut-sniffing dog to enforce its ban (Neporent 2011).

School peanut allergy policies are controversial because they pit the good of the majority of children vs. the good of children with allergies (Resnik 2012, Krogstad 2013). One could argue that equality of opportunity, a principle of social justice, requires that schools protect allergic children from harm. According to this principle, society should take steps to ensure that all people have a reasonable opportunity to obtain essential social goods, such as health, education, and employment (Rawls 1971, Daniels 1985, 2007, Rugger 2012). Children with allergies may be denied opportunities to have good health or obtain an education if schools do not implement policies to protect them from harm. If peanut allergies are treated as a disability under state or federal law, then schools may be legally required to make reasonable accommodations for allergic children to ensure that they have access to education (Krogstad 2013). Under federal disability law, a reasonable accommodation does not create an undue hardship for a covered entity, such as an employer, school, state or federal agency. An

accommodation could potentially create an undue hardship if it leads to substantial difficulties, expenses, or disruptions (Equal Employment Opportunity Commission 2013).

Regardless of whether one views peanut allergy management in schools through the lens of social justice or disability rights, the basic issue is the same: how should schools adjudicate the good of the majority of children (social utility) and the good of vulnerable or disabled children (social justice)? While schools clearly have a duty to protect allergic children from harm, one could argue that there should be some practical limits on this obligation. Measures taken to protect allergic children should not impose excessive burdens on non-allergic children, their parents, or the school system. Policies should strike a reasonable balance between social justice and social utility (Resnik 2012).

Some of the policy options that administrators may consider include: 1) educating and informing teachers, staff, parents, and children about the issue; 2) developing an action plan for identifying children who have allergic reactions, protecting them from exposure, and providing emergency medical treatment; 3) banning certain types of food in school; or 4) providing an alternative way for allergic children to receive an education, such as home schooling (Sicherer, Mahr 2010). Additional factors to consider in formulating reasonable policies include: a) the percentage of children in the school population with an allergy; b) the severity of the allergy; and c) the costs and effectiveness of different policies. If only a small percentage of children (i.e. less than 0.5%) have a severe allergy, then the most appropriate policy may be to educate and inform the school community about the issue and develop an action plan for dealing with allergic reactions. Bans may be appropriate, however, when a higher percentage of children in a school have a severe allergy, and other options are not expected to be effective. Since bans are not likely to be fail-safe, schools should consider implementing action plans to deal with allergic

reactions even in cases where bans are implemented (Sicherer, Mahr 2012). Providing children with an alternative form of education may be appropriate if parents agree to this option and resources are available for home schooling.

In thinking about the management of peanut allergies, school administrators should carefully consider how best to protect allergic children while taking into consideration the interests of non-allergic children, their parents and practical considerations. They should look for ways to minimize the risks to allergic children that do not impose unreasonable burdens on the rest of the school community. Banning peanut products should be an option of last resort to be used only when other options will not provide adequate protection for allergic children.

References

- Burks, A.W. (2008). Peanut allergy. *Lancet* 371, 1538-46.
- Daniels, N. (1985). *Just Health Care*. Cambridge: Cambridge University Press.
- Daniels, N. (2007). *Just Health: Meeting Health Needs Fairly*. Cambridge: Cambridge University Press.
- Equal Employment Opportunity Commission. (2013). Enforcement guidance: reasonable accommodation and undue hardship under the Americans with Disabilities Act. Retrieved from <http://www.eeoc.gov/policy/docs/accommodation.html#general>.
- Krogstad, J.M. (2013, January 10). Court: Disabilities Act covers severe allergies. *USA Today*. Retrieved from <http://www.usatoday.com/story/news/2013/01/09/disabilities-act-covers-severe-allergies/1821999/>.
- Lee, C.W., & Sheffer, A.L. (2003). Peanut allergy. *Allergy and Asthma Proceedings* 24, 259-264.
- LiveStrong.com. (2013) Peanut butter nutrition. Retrieved from <http://www.livestrong.com/article/265211-peanut-butter-nutrition/>.
- Madore, A.M., Vaillancourt, V.T., Asai, Y., Alizadehfar, R., Ben-Shoshan, M., Michel, D.L., Kozyrskyj, A.L., Becker, A., Chan-Yeung, M., Clarke, A.E., Hull, P., Daley, D., Sandford, A.J., & Laprise, C. (2013). HLA-DQB1*02 and DQB1*06:03P are associated with peanut allergy. *European Journal of Human Genetics* Feb 27, 2013 [Epub ahead of print].
- Neporent, L. (2011). School allergy policies can go too far. ABC News, March 30, 2011. Retrieved from <http://abcnews.go.com/Health/kids-food-allergy-policies-trigger-complaints/story?id=13247562#.UUzcc1dbWM0>.

- Otsu, K., & Dreskin, S.C. (2011). Peanut allergy: an evolving clinical challenge. *Discovery Medicine* 12, 319-328.
- Rawls, J. (1971). *Principles of Justice*. Cambridge, MA: Harvard University Press.
- Resnik, D.B. (2012). *Environmental Health Ethics*. Cambridge: Cambridge University Press.
- Rudders, S.A., Banerji, A., Vassallo, M.F., Clark, S., & Camargo, C.A. Jr. (2010). Trends in pediatric emergency department visits for food-induced anaphylaxis. *Journal of Allergy and Clinical Immunology* 126, 385-388.
- Rugger, J.P. (2012). *Health and Social Justice*. New York: Oxford University Press.
- Sicherer, S.H., Furlong, T.J., Maes, H.H., Desnick, R.J., Sampson, H.A., & Gelb, B.D. (2000). Genetics of peanut allergy: a twin study. *Journal of Allergy and Clinical Immunology* 106, 53-56.
- Sicherer, S.H., & Mahr, T. (2010). American Academy of Pediatrics Section on Allergy and Immunology: Management of food allergy in the school setting. *Pediatrics* 126, 1232-1239.
- Today.com. (2013). Schools' peanut bans spark backlash. Retrieved from http://www.today.com/id/26124593/ns/today-back_to_school/t/schools-peanut-bans-spark-backlash/#.UUy9JVdbWM0.
- Young, M.C., Muñoz-Furlong, A., & Sicherer, S.H. (2009). Management of food allergies in schools: a perspective for allergists. *Journal of Allergy and Clinical Immunology* 124, 175–182.