



ADA Live! EPISODE 42: FOOD ALLERGIES AND THE RIGHTS OF INDIVIDUALS WITH ALLERGY-RELATED DISABILITIES UNDER THE ADA

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VOICE-OVER ANNOUNCER: Blog Talk Radio. (Music) Welcome to WADA ADA Live! Talk radio. Brought to you by the Southeast ADA Center, your leader for information, training and guidance on the Americans with Disabilities Act. And here's your host.

DONNA DESTEFANO: Good afternoon and welcome to WADA, ADA live. On behalf of the southeast ADA center, Syracuse University and the ADA National Network, welcome. Today's topic is food allergies and the rights of the individuals with allergy related disabilities under the ADA. My name is Donna, and I'm the assistant director of the Tennessee coalition affiliate. Our guests today are Pamela Williamson and Corrine Gilliam. You can submit your questions about food allergies or other ADA live programs at any time on ADAlive.org. Pam and Corrine, welcome to our show.

PAMELA WILLIAMSON: Thank you, Donna. I am so happy to be here.

CORRINE GILLIAM: Thank you, Donna. I'm honored to be on the show. Thank you.

DONNA DESTEFANO: You're welcome. And we're really pleased to have both of you with us. The ADA defines a disability as a mental or physical impairment that substantially limits a major life activity such as walking, talking, our thinking. It can also include eating. Major life activities also include bodily functions such as the functions of the gastro intentional system. Some individuals with food allergies have a disability as defined by the ADA, particularly those with more significant or severe reactions to certain foods.

Pam, as the assistant director of the southeast ADA center, can you describe more about how a food allergy may qualify under the ADA?

PAMELA WILLIAMSON: I'll be happy to do that. Many of us have seen reports on media, TV, Facebook, other places about how some people have very negative reactions to food. And the one that's probably most well-known to people are peanuts. You often hear of people who have severe allergic reactions and either go into an Anaphylactic Shock, have respiratory issues and have a huge reaction to peanuts. And other people have diseases such as Celiac disease and they can have difficulty swallowing, breathing, asthma, and for some folks, it can even cause death if the severity is high enough.

The ADA, as you said, covers people in a lot of ways, and the all of these things that we've talked about, the respiratory system, the gastro intestinal system, they are all covered under the ADA, and these can potentially be areas where a major life function is affected.

DONNA DESTEFANO: Thank you.

DONNA DESTEFANO: Thank you. Pam, you have shared that you also have food allergies. Can you share a bit about that and when they began?

PAMELA WILLIAMSON: My food allergies were first recognized in college. At first, they were known as food sensitivities. It was later found out that I'm allergic to many foods such as chocolate, and yes, you can live without chocolate. Food preservatives like MSG, monosodium glutamate. It is found in Chinese restaurants. I am allergic to nitrates found in deli meats and bacon and now I found out that I'm allergic to dairy, which is really sad for someone who loves ice cream. For me it's a variety of things that I have allergies to and that I've been dealing with for other 30 years.

DONNA DESTEFANO: Wow. Thank you so much for sharing that. How have these allergies affected your day to day life?

PAMELA WILLIAMSON: My food allergies cause severe migraines, stomach cramps, and on occasion, hives. When I have a migraine, a migraine's not just a headache. A migraine really affects your whole body. For me personally, it will take me out of commission for one to three days. And for me, this is lost work time. It may impact social activities with my friends. It could affect my ability to be able to drive.

When I get a food that I am allergic to that then turns around and causes a migraine or hives, you know, it puts me it really impacts me in a huge level. I am truly unable to function.

DONNA DESTEFANO: Wow. Thank you, Pam. That helps us to better understand what the impact is on a person who has food allergies. Do you have any recommendations for our listening audience about requesting food accommodations?

PAMELA WILLIAMSON: Oh, I have learned so much over the years, because food allergies can impact a person in college, when eating at a restaurant, if you're going to a conference where they're serving meals, and so many other areas of your life. So for a person with food allergies, it is so important to know yourself. Know what you can eat, know what you can't eat, and be willing to request those accommodations in these settings. Only you can request the accommodations. I often tell people that we can't expect people to be mind readers. They don't know. So you have to know yourself.

Also, too, remember the ADA, the Americans with Disabilities Act, addresses this issue. It gives you the right as an individual with a disability to request an accommodation. And it's not one meal fits all. Each person's request must be handled on a case by case basis. So I want to encourage you to think about what you need to do to speak up, to know yourself, and to be able to identify the things that cause you problems.

If you have issues that you want more help with, you can always use the resources at ADALive.org. They will provide guidance for you and you can call the toll free number at the southeast ADA center or other ADA centers across the country at 800 929 4232

DONNA DESTEFANO: We appreciate you sharing all of this information with us, Pam. That's just fantastic. Do you have anything else that you would like our audience to know right now?

PAMELA WILLIAMSON: Yeah, I would like to share a little bit of my personal story to give folks an idea of how this might work. I recently attended a conference, and lunch was provided for both days of the conference. So I alerted the conference planners for my need. I listed all the foods that I'm allergic to, and everything that I can't eat. But then I also made some suggestions. I always think that it's best to come with your own solutions. Because it's often difficult for conference planners or chefs to be able to know exactly what you need. For me I suggested that grilled chicken with just a little bit of salt and pepper and olive oil along with fresh steamed vegetables would be something I could eat and something that a restaurant might have on hand. I laughed because on the second day, I had people coming up to me and saying, Your food looks a lot better than mine!

I just smiled and say thank you. For me, the food was definitely better because I would still be able to function for the afternoon. If I had eaten what everyone else had, which happened to be a deli turkey sandwich, I wouldn't have been able to function. So I want to encourage folks to take this ho heart and be willing to take care of yourself and ask for those accommodations

DONNA DESTEFANO: Thank you so much. I really appreciated the story. I think many people in our audience with food allergies can likely relate to checking items off at a conference meal. Thank you very much, Pam.

PAMELA WILLIAMSON: You're very welcome.

DONNA DESTEFANO: You can submit your questions about food allergies and any other ADA live programs at any time at ADALive.org. And now a word from our sponsors.

VOICE-OVER ANNOUNCER: Tennessee Disability Coalition. provides information, training, and guidance on the Americans with Disabilities Act and disability access tailored to the needs of business, government, and individuals at local, state, and regional levels. Tennessee Disability Coalition is located in Nashville, Tennessee and serves as the Tennessee state affiliate of the Southeast ADA Center, a member of the ADA National Network. For answers to your ADA questions, contact the ADA National Network at 1-800-949-4232 (voice/tty).

DONNA DESTEFANO: Welcome back to WADA, ADA Live. We've been talking with Pamela Williamson about her experiences with food allergies. Many, many thanks, Pam. Now we're going to talk with Corrine Gilliam about how Vanderbilt university addresses food allergies. Welcome, again, Corrine. Can you tell us a little bit in general about how common food allergies are?

CORRINE GILLIAM: Food allergy is on the rise. It's still new, so I think they're still gathering data and information. According to foodallergies.org, researchers estimated that up to 15 million Americans have food allergies. And then the centers For Disease Control and Prevention, they did a study in 2013 and noticed that children increased their food allergies approximately 50% between 1997 and 2011.

They also estimated 4 to 6% of children and 4% of adults have food allergies. You can see from the statistics that this is a growing trend and it's a great thing that we have an awareness and that it's covered under the ADA law.

DONNA DESTEFANO: Thank you, Corrine. Why are food allergies critical information for colleges and universities.

CORRINE GILLIAM: In 2012, there was a settlement agreement between the U.S. department of justice and Wesley university in Massachusetts that helped increase awareness that food allergy and Celiac disease may qualify as a disability under the ADA act. Lesley University requires all university students living on campus to participate in and pay for its meal service plan. That's the reason for this lawsuit settlement. If you're required to get a meal plan, you need accommodations, otherwise

they're not going to be able to function like any other student with or without disability. So this settlement was crucial and important, so we know how to set up the policy, practice, and accommodate these students appropriately.

DONNA DESTEFANO: Thank you. That's very interesting and good to know about that settlement agreement. So there were accommodations that are talked about. Can you tell us a little bit more about what those accommodations are?

CORRINE GILLIAM: Yes. From the Lesley University agreement with the U.S., there is a best practice set up that most universities, if not all so we all know how to appropriately accommodate a student. There are several points that we try to follow closely. The first one is a collaborative campus wide approach. Our campus has multiple dining locations, so we make sure that, you know, students have not just one place, but they have several places that they can go to depending on where they class is, where their dorm is located, so they're not having to walk long distance.

The second most important thing we try to follow is a transparent and flexible process of meeting students' needs without being a burden. What we do is we have double ways that students can make meal plans that meet their dietary restriction. They have an app that lets them know at any dining location, you know, if there's gluten free options, vegan. And they can show up and order the specialized meal with a management team. You can also e mail the management team on staff for the whole week, if you want, of your meal plan that you want to eat that week. So we tried to make it as flexible and, you know, in different ways so it's not time consuming and tedious. Like you don't have a disability. Making it the same without extra work.

And the third important thing we try to follow is a comprehensive food allergy policy. We have a clear process for how they can request accommodations or modify their plans, let them know that we need documentation to establish the food allergy.

And the third thing, you know, it tells them how we determine appropriate plans for their food accommodations and how we're going to implement it. We do outreach, marketing, and assessment of services.

And possibly the next most critical thing we try to follow is the emergency response plan and training. We have staff trained as well as the cashier and everyone who works in housing in what to do in an emergency case and how to take care of the student or staff member quickly. We have staff members that are specially trained in how to handle food accommodations. Utensils, etc., the dining staff members are the only ones who handle the dining requests.

Last is confidentiality. We keep the medical information confidential. No one on campus has access to it except for the disability office, and dining staff only knows what they need to provide as the accommodation.

DONNA DESTEFANO: Wow, that's a very comprehensive answer. Thank you so much, Corrine. It's very helpful to know about all the different things you do for modification as well as what you do for policies and some of the procedures.

I know as a student comes in and is accepted into admissions if they request an accommodation, it goes into you. So, you keep that information confidential. Are there other things for students who live on campus that Vanderbilt has in place to help those students?

CORRINE GILLIAM: Yes, so the dining office and our office, as well as the student, we make the RA, housing staff, the residential director and the professor that lives in that house with the students aware of the accommodations. It can be a number of different accommodations. We do different types of accommodations. Sometimes they do dining accommodations, but the student has multiple severe food allergies, so what we've done is upper classmen get to have access to a kitchen within their suite dorm, and that seems to help them tremendously when they're not able to get to a dining hall. When their accommodations are so significant, it's maybe difficult to find accommodations in the dining hall. So the kitchen allows those advantages.

We've also done classroom accommodations. Professors have banned certain snacks and foods for allergies so the student is not forced to leave the classroom due to risk of exposure. You know, if the item were brought into the classroom.

You know, we have done other accommodations like attendance issues like if they had a reaction and it takes them several days to recover, the professors won't penalize them for that. And we're open to other accommodations. We treat everybody case by case.

DONNA DESTEFANO: Thank you. That certainly reinforces what Pam said about being individualized and doing things on a case by case basis. So how common are food allergies? Do you have a lot of students that have these needs for accommodations?

CORRINE GILLIAM: Yes. It's very common. It's a growing trend that we noticed. We also accommodate students on religious requests as well. We have quite a few international students. We have students that are Jewish or Muslim we also have students with chronic medical conditions that require food restriction to heal their body.

DONNA DESTEFANO: Great, great. Thank you. Really helpful information. ADA Live listening audience, you can submit your questions about this or any other live ADA programs at any time on ADAlive.org. And now a word from our sponsor.

VOICE-OVER ANNOUNCER: The Southeast ADA Center is your leader in providing information, training and guidance on the Americans with Disabilities Act and disability access tailored to the needs of business, government and individuals at local, state and regional levels. The Southeast ADA Center, located in Atlanta, Georgia, is a member of the ADA National Network and serves eight states in the Southeast region. For answers to your ADA questions, contact the ADA National Network at 1 800 949 4232.

DONNA DESTEFANO: Welcome back. We're talking with Corrine Gilliam about food allergies in the college settings. You have talked about an emergency response plan. Do you have additional information to share with us about that response plan and key elements that we really need to have right?

CORRINE GILLIAM: Students need to talk to their dining management staff. They talk about, you know, what happens with the food allergy reactions? How is it implemented? They are also told that our staff and cashiers are directed to call 911 immediately because you don't always know if it's a food allergy reaction or if there is something else hidden. Our university is right next to the hospital so we have a pretty quick response from the emergency team. Usually they will call 911 and then also they have a plan set up when that emergency happens with each student. Each one is individualized. Some might have multiple conditions. Others may only have one. So, each emergency plan may or may not be different.

DONNA DESTEFANO: Great. Thank you, Corrine. Really it's about the interaction you have with the students and the student making known what accommodations they might need and then working through that. That's very helpful. Thank you.

I know that there's a link to the food allergy and an flax sis network on the website. What other resources does Vanderbilt have for students and faculty?

We have a trained, licensed dietitian on staff, and she does a one on one meeting with each student to find out what their allergies are and go over what options they have and what their preference. If there are problems, she goes back and re tweaks it. She's able to find creative more options for the student.

DONNA DESTEFANO: Great. So, could you talk a little bit about what kind of training, if any, that are related to food allergies and/or reasonable accommodations that Vanderbilt does for faculty and/or students?

CORRINE GILLIAM: The management team and designing staff is the only selected people to handle food allergies and accommodations. And then they also have chefs and staff members on the dining team that are especially trained in creating and making the meals for students and staff with the dietary restrictions. You know, they operate in separate kitchens, separate utensils. No one else is allowed to handle those type of meals. That way they know there's not any cross contamination and the student feels safer than if, you know, the meal meets the requirements.

DONNA DESTEFANO: Okay. Thank you very much. That's very helpful. Pam and Corrine, I want to thank both of you for being here today and talking to us about food allergies and the rights of those with food allergies under the ADA.

As we wrap up today's show, what would you like listeners to take away from today's show? Pam? I'll start with you.

PAMELA WILLIAMSON: Thanks, Donna. The take away I would like everyone who has food allergies, and especially students in a college or university setting to remember is to know yourself, and to understand that you do have rights under the Americans with Disabilities Act. You have to be willing to ask for those reasonable accommodations to meet your dietary needs so that you can enjoy life, college, anything else to the fullest. So make sure you know yourself and understand the ADA and ask for help when you need it.

DONNA DESTEFANO: Thank you, Pam. That's very helpful. Corrine?

CORRINE GILLIAM: My advice is to advocate for yourself. Don't be afraid to voice your concerns if the meal option is not working. If you saw a contamination issue or you're wishing there were more options available or you need the dining hall to be open at different hours, let them know. Don't be afraid to ask for more help, assistance, and make many requests. The dining team is there to cater to students and staff and make sure that they're safe in eating their meals and enjoying it as well.

So always advocate. Find your voice. Don't be afraid to speak up if there's a problem. Keep at it until it's solved

DONNA DESTEFANO: At this time I would like to thank Pam Williamson and Corrine Gilliam for joining us today on WADA ADA Live. It's been a pleasure to have each of you on the show to talk about food allergies. Pam, you on a personal level, and Corrine, you in your role at Vanderbilt. We appreciate you being with us and sharing such valuable information. The southeast ADA center is grateful for your support and participation in the series of WADA and ADA live broadcasts. Remember, you may submit questions about any of our live topics by going to ADALive.org. If you have

questions about the Americans with disabilities act, please contact your regional ADA center at 800 949 4232.

That's 1 800 949 4232. All calls are free and confidential. Join us again on April 5 at 1:00 for another episode of WADA ADA live when Barry Whaley, Project Director of the Southeast ADA Center will be talking about ADA and employment.

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