



Feds: KinderCare Must Accommodate Children With Diabetes

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KinderCare, with 26 child care outlets in Connecticut, must comply with federal laws requiring day care centers and summer camps to accommodate children with Type 1 diabetes who require injectable insulin, according to a settlement reached with federal prosecutors on behalf of three local families.

KinderCare was requiring the parents to show up each day to administer insulin, a violation of federal laws that deem diabetes care to be a reasonable accommodation, according to the settlement, announced Wednesday.

Large Child Care Company Settles With U.S. Over Policy Of Excluding Kids With Diabetes

The three northern Connecticut families will each receive \$8,000 in damages. The settlement, arising from a complaint by the Center for Children's Advocacy in Hartford, applies to KinderCare's 1,800 childcare centers nationwide.

At least one of the Connecticut parents faced losing her job because she had to keep showing up at KinderCare, said lawyer Bonnie Roswig, of the children's advocacy center.

The settlement requires that the company follow what has long been prescribed by the Americans With Disabilities Act — that at least some of staff members at each center receive the training in either monitoring an insulin pump or making the injection. The training takes less than two hours and is done by a nurse, based on the individual care plan of each child.

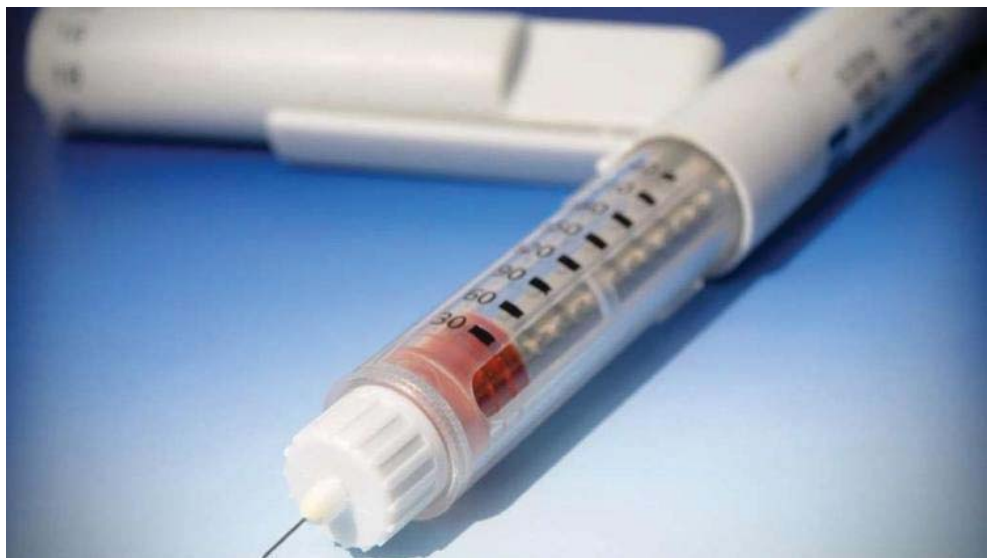
Roswig made headway two years ago in having summer camps, both public and private, comply with the ADA, and her complaint against KinderCare now assures greater access to childcare for children with diabetes.

"It's part of the obligation of doing business in the United States," Roswig said Thursday. "It's well established law that these facilities have to accommodate children who need injectable insulin."

Some Summer Camps Rejecting Diabetic Children

The law applies to schools and public and private childcare centers, camps, and after-care programs. Removing barriers for children with diabetes has been a priority of the U.S. Attorney's Office in Connecticut, first under Deirdra Daly, and now under her successor, John Durham.

"Parents rely on dependable childcare in order to go to work ... and every child should have equal access to childcare educational facilities," Durham said in a statement on Wednesday. He said his staff of prosecutors "will continue to investigate and aggressively enforce violations" of the ADA, particularly those "that affect children and other vulnerable residents."



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For its part, KinderCare agreed to train child-care staff members to “assist with routine diabetes-care tasks, including the administration of insulin by pen, syringe or pump.”

Each child with diabetes has an individual care plan developed by a health practitioner and approved by the state Office of Early Childhood, which licenses and monitors childcare centers.

The early-childhood agency sends to every licensed center a color brochure entitled “Protecting Children with Diabetes — A Child Care Providers Guide to Compliance With Federal Laws.”

Child care centers, camps, and after-school programs “may not refuse participation in any of their programs because a child is a diabetic,” the guide states. “Parents should not be responsible for overseeing a child’s medical treatment while the child is attending the program.”

“So it’s hard to argue ignorance, though some still do,” Roswig said. “And there simply continues to be instances of blatant discrimination against children with disabilities.”

Assistant U.S. Attorney Vanessa Avery, who handled the complaint, has worked with Roswig to inform parents, camp directors and child care operators about ADA laws and training in diabetes care.