

## Litigation Leads 4 Connecticut School Districts to Train Staff on Use of Insulin Pumps

By Robert Storace | July 23, 2020

In what legal proponents of students with disabilities are calling a groundbreaking mandate, the U.S. Attorney's Office for the District of Connecticut has said that personnel in four Connecticut school districts must comply with the federal Americans with Disabilities Act of 1990 by having school personnel trained to treat students with diabetes.

**"This is most definitely groundbreaking. We haven't had a case like this in Connecticut ever, and as far as we know, the only other case of its kind was in California a few years back and that dealt with a private entity,"** said Bonnie Roswig, who, on behalf of four students with Type 1 diabetes, brought forward a complaint with the U.S. Attorney's Office.

**Roswig and fellow attorney Jonathan Chappell succeeded in getting the government to mandate that personnel in the school districts of Wethersfield, Glastonbury, Stamford and East Lyme be trained in the use of an insulin pump system called a continuous glucose monitor, or CGM.**

The two attorneys represented students who were at risk for either dangerously low or high blood sugar levels and school personnel, for liability reasons, wouldn't help with the CGM if there was a problem with the student's sugar count, Roswig said.

"The nurses have been ignoring it because of their ignorance of the issue," said Roswig, director of the Disability Rights Project with the Center for Children's Advocacy in Hartford. "Now, under the rules set forth by the U.S. Attorney's Office, the schools have an obligation to respond to the CGM alarm."

The CGM alarms—via an app on a phone, watch or tablet—if a student's insulin level gets too high or low.

Roswig said the schools "insisted the child leave their classroom and see the school nurse multiple times per day to have their blood sugar checked by a finger prick. That was discrimination based on a disability, plain and simple."

"The lesson here for attorneys representing school districts is to counsel their schools on the requirements of the ADA," Roswig said. The agreements in the four school districts will now make it easier for the parents in other districts to demand similar training for school staff, Roswig said.

Co-counsel Chappell, an attorney with Feldman, Perlstein & Greene in Farmington, specializes in representing children with disabilities. "This could potentially save a child's life," he said Thursday.

Now, the four school districts, Roswig said, must have personnel trained and approved by the U.S. Attorney's Office in using the CGM.

Chappell said the new Connecticut guidelines could be used nationwide. "I'm ecstatic," he said. "Someone in South Carolina can now say, 'look at what happened in Connecticut'" and can wave these agreements around. If a school pushes back, the parents can cite these agreements."

Representing the school districts in Wethersfield, Glastonbury and East Lyme was Leander Dolphin, a partner with Shipman & Goodwin. Dolphin declined to comment for this story. Representing the Stamford school district was Stamford Corporation Counsel and Director of Legal Affairs Kathryn Emmett, who did not respond to a request for comment Thursday. According to statistics from the American Diabetes Association, more than 34 million Americans, or about 10.5% of the population, had diabetes in 2018.