



Accommodating Students with Disabling Special Dietary Needs

Schools participating in a federal Child Nutrition Program (School Lunch, School Breakfast or After School Snack Program) are required to make accommodations for children who are unable to eat the school meals because of a disability* that restricts their diet. To make modifications or substitutions to the school meal, schools must have a written Medical Statement on file that is signed by a licensed physician or other State licensed health care professional authorized to write medical prescriptions under State law. The statement must identify:

- The child's disability
- An explanation of why the disability restricts the child's diet
- The major life activity affected by the disability
- The food(s) to be omitted from the child's diet
- The food or choice of foods that must be provided as the substitute

*Only a physician can declare if a student has a disability.

Accommodating Students with Non-Disabling Special Dietary Needs

The school food authority may, at their discretion, make substitutions for students who have a special dietary need, but do not meet the definition of disability. Examples include food intolerances or allergies that do not cause life threatening reactions. The decision to accommodate a student's special dietary need can be determined on a case-by case basis, however, the school should remain consistent with accommodating special dietary needs. To make modifications or substitutions to the school meal, schools must have a written Medical Statement signed by a recognized medical authority* identifying the following:

- An identification of the medical or other special dietary condition which restricts the child's diet
- The food or foods to be omitted from the child's diet
- The food or choice of foods to be substituted

*A recognized medical authority includes a physician, physician assistant, and nurse practitioner.

Milk Substitutions for Students with Non-Disabling Special Dietary Needs

For students with non-disabling special dietary needs which restrict their intake of fluid milk, the following applies.

- Parents/guardians or a recognized medical authority (physician, physician assistant, or nurse practitioner) may request a fluid milk substitute for a student with a non-disabling medical dietary need, such as milk intolerance, or due to cultural, religious or ethnic beliefs. The request must be made in writing.
- The written request from a parent/guardian or medical authority must identify the student's medical or special dietary need that prevents them from consuming cow's milk. Specifically referring to milk substitutions, a "special dietary need" can refer to cultural, ethnic, or religious needs, as well as medical needs.

- The decision to accommodate a student's special dietary need can be determined on a case-by-case basis, however, the school should remain consistent with accommodating special dietary needs.
- Nondairy beverages offered as a fluid milk substitute must meet the established nutrient standards.
- Juice and water cannot be substituted for fluid milk as part of the reimbursable meal even when requested by a physician. Some schools may routinely offer fruit or vegetable juices on their menus as options for a fruit or vegetable choice. Fruit and/or vegetable juices cannot be offered in place of milk, but only as a fruit or vegetable choice for all students. All juice must be 100% full strength.

Additional Resources:

USDA's Accommodating Children with Special Dietary Needs in the School Nutrition Programs:

http://www.fns.usda.gov/cnd/guidance/special_dietary_needs.pdf.

USDA Memo SP 32-2015: Statements Supporting Accommodations for Children with Disabilities in the Child

Nutrition Programs: http://www.fns.usda.gov/sites/default/files/cn/SP32_CACFP13_SFSP15-2015os.pdf

Medical Association of Georgia. Georgia Prescribers Chart.

<http://www.mag.org/sites/default/files/downloads/georgia-prescribers-chart.pdf>

USDA Memo SP 36-2013: Guidance Related to the ADA Amendments Act

<http://www.fns.usda.gov/sites/default/files/SP36-2013os.pdf>

USDA Memo SP07-2010: Q & As: Milk Substitution for Children with Medical or Special Dietary Needs:

http://www.fns.usda.gov/sites/default/files/SP_07_CACFP_04_SFSP_05-2010_os.pdf

USDA Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

De conformidad con la Ley Federal de Derechos Civiles y los reglamentos y políticas de derechos civiles del Departamento de Agricultura de los EE. UU. (USDA, por sus siglas en inglés), se prohíbe que el USDA, sus agencias, oficinas, empleados e instituciones que participan o administran programas del USDA discriminen sobre la base de raza, color, nacionalidad, sexo, discapacidad, edad, o en represalia o venganza por actividades previas de derechos civiles en algún programa o actividad realizados o financiados por el USDA.

Las personas con discapacidades que necesiten medios alternativos para la comunicación de la información del programa (por ejemplo, sistema Braille, letras grandes, cintas de audio, lenguaje de señas americano, etc.), deben ponerse en contacto con la agencia (estatal o local) en la que solicitaron los beneficios. Las personas sordas, con dificultades de audición o discapacidades del habla pueden comunicarse con el USDA por medio del Federal Relay Service [Servicio Federal de Retransmisión] al (800) 877-8339. Además, la información del programa se puede proporcionar en otros idiomas.