

Summary of Requirements for Accommodating Special Diets in School Nutrition Programs

This document summarizes the requirements for meal modifications in the U.S. Department of Agriculture’s (USDA) [school nutrition programs](#), which include the National School Lunch Program (NSLP), Afterschool Snack Program (ASP) of the NSLP, School Breakfast Program (SBP), Seamless Summer Option (SSO) of the NSLP, Special Milk Program (SMP), Fresh Fruit and Vegetable Program (FFVP), and Child and Adult Care Food Program (CACFP) At-risk Supper Program implemented in schools. The USDA’s nondiscrimination regulations ([7 CFR 15b](#)) and regulations for the school nutrition programs ([7 CFR 210.10\(m\)](#) and [7 CFR 220.8\(m\)](#)), require reasonable modifications for children whose disability restricts their diet, based on a written medical statement signed by a recognized medical authority.

Under the [Americans with Disabilities \(ADA\) Amendments Act of 2008](#), most physical and mental impairments will constitute a disability. This includes conditions that impair immune, digestive, neurological, and bowel functions, as well as many others. A physical or mental impairment does not need to be life threatening to constitute a disability. Limiting a major life activity is sufficient. For example, a child whose digestion is impaired by a food intolerance (such as lactose intolerance) may be a person with a disability, regardless of whether consuming the food causes the child severe distress. All disability considerations must be reviewed on a case-by-case basis, i.e., specific to the individual medical condition and dietary needs of each child.

School food authorities (SFAs) may choose to make optional modifications (within the USDA’s meal patterns) for children whose dietary restrictions do not constitute a disability. Examples of optional modifications include requests related to religious or moral convictions, general health concerns, and personal food preferences, such as a family’s preference that their child eats a gluten-free diet or organic foods because they believe it is healthier. For information on the requirements for meal modifications, refer to the Connecticut State Department of Education’s (CSDE) guide, [Accommodating Special Diets in School Nutrition Programs](#), and visit the CSDE’s [Special Diets in School Nutrition Programs](#) webpage.

Scenario	Determination of disability	Plan on file	Examples of medical conditions ¹	Modification required?	Required documentation	What medical statement must include
Child is determined to have a disability (physical or mental impairment) under Section 504, and the disability restricts the child’s diet	Section 504 meeting	<ul style="list-style-type: none"> • 504 plan and Individualized Health Care Plan (IHCP) • May also have an Emergency Care Plan (ECP) depending on child’s medical condition 	Medical conditions that substantially limit a major life activity and affect the child’s diet, for example: <ul style="list-style-type: none"> • metabolic diseases, such as diabetes or phenylketonuria (PKU) • food anaphylaxis (life-threatening food allergy) 	Yes	Medical statement signed by recognized medical authority ^{2, 3}	<ul style="list-style-type: none"> • Information about how the child’s physical or mental impairment restricts the child’s diet • An explanation of what must be done to accommodate the child • The food or foods to be omitted and recommended alternatives, if appropriate

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Scenario	Determination of disability	Plan on file	Examples of medical conditions ¹	Modification required?	Required documentation	What medical statement must include
Child is determined to have a disability (physical or mental impairment) under the Individuals with Disabilities Education Act (IDEA), and the disability restricts the child's diet	Planning and Placement Team (PPT) Meeting	<ul style="list-style-type: none"> Individualized Education Program (IEP) and IHCP May also have an ECP depending on child's medical condition 	<p>Medical conditions that meet the IDEA recognized disability categories, require related services under IDEA, and affect the child's diet, for example:</p> <ul style="list-style-type: none"> autism traumatic brain injury other health impairment, e.g., heart condition and diabetes 	Yes	Medical statement signed by recognized medical authority ^{2, 3}	<ul style="list-style-type: none"> Information about how the child's physical or mental impairment restricts the child's diet An explanation of what must be done to accommodate the child The food or foods to be omitted and recommended alternatives, if appropriate
<p>Child is not determined to have a disability (physical or mental impairment) under Section 504 or IDEA, but the child's medical condition:</p> <ul style="list-style-type: none"> meets the definition of disability under the ADA Amendments Act; and the disability restricts the child's diet 	Recognized medical authority	<ul style="list-style-type: none"> IHCP May also have an ECP depending on child's medical condition 	<p>Medical conditions that do not qualify for a disability under Section 504 or IDEA, but may meet the definition of disability under the ADA Amendments Act (i.e., any condition that substantially limits a child's major life activity), for example:</p> <ul style="list-style-type: none"> celiac disease gluten intolerance lactose intolerance non-life-threatening food allergies obesity certain temporary disabilities <p>Note: Not all conditions require meal modifications for all children.</p>	Yes	Medical statement signed by recognized medical authority ²	<ul style="list-style-type: none"> Information about how the child's physical or mental impairment restricts the child's diet An explanation of what must be done to accommodate the child The food or foods to be omitted and recommended alternatives, if appropriate

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Scenario	Determination of disability	Plan on file	Examples of medical conditions ¹	Modification required?	Required documentation	What medical statement must include
Personal food preferences	Not applicable	Not applicable	Not applicable	No ^{4, 5}	Not applicable	Not applicable
Vegetarianism	Not applicable	Not applicable	Not applicable	No ^{4, 5}	Not applicable	Not applicable
Religion	Not applicable	Not applicable	Not applicable	No ^{4, 5}	Not applicable	Not applicable

- ¹ These examples of medical conditions are not all-inclusive and might not require meal modifications for all children. The determination of whether a child has a physical or mental impairment that restricts their diet must be made on a case-by-case basis, i.e., specific to the individual medical condition and dietary needs of each child.
- ² Recognized medical authorities include physicians, physician assistants, doctors of osteopathy, and advanced practice registered nurses (APRNs). The CSDE’s medical statement form, *Medical Statement for Special Diets in School Nutrition Programs*, is available in English and Spanish in the “[Documents/Forms](#)” section of the CSDE’s Special Diets in School Nutrition Program webpage.
- ³ SFAs are not required to obtain a separate medical statement if the child has an IEP or 504 plan that includes the same information required by the USDA, or if the required information is obtained during the development or review of the IEP or 504 plan.
- ⁴ SFAs are not required to make meal modifications for children whose dietary restrictions are based on individual food preferences that are not related to a disability, such as general health concerns and religious, ethnic, and moral reasons. SFAs may choose to make these optional modifications on a case-by-case basis. SFAs may also meet personal preference by offering multiple meal choices and implementing offer versus serve (OVS). All optional meal modifications must comply with the USDA’s meal patterns. For more information, visit the CSDE’s webpages, [Meal Patterns for Grades K-12 in School Nutrition Programs](#), [Meal Patterns for Preschoolers in School Nutrition Programs](#), and [Offer versus Serve for School Nutrition Programs](#).
- ⁵ SFAs may choose to offer one or more allowable milk substitutes for children whose dietary needs do not constitute a disability. The two types of allowable substitutes include: 1) lactose-reduced or lactose-free milk with the appropriate fat content for each grade group, i.e., low-fat milk (unflavored or flavored) and fat-free milk (unflavored or flavored) for grades K-12; whole unflavored milk for age 1; and unflavored low-fat or fat-free milk for ages 2-4); and 2) nondairy milk substitutes that meet the USDA’s nutrition standards for fluid milk substitutes, such as certain brands of soy milk. Nondairy milk substitutes require a written request from a parent or guardian, but they do not require a medical statement. The written request must identify the dietary need that restricts the child’s diet, and the requested allowable milk substitute. For more information, refer to the CSDE’s resource, [Allowable Milk Substitutes for Children without Disabilities in School Nutrition Programs](#).

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Resources

Accommodating Children with Disabilities in the School Meal Programs (USDA):

<https://fns-prod.azureedge.net/sites/default/files/cn/SP40-2017a1.pdf>

Accommodating Special Diets in School Nutrition Programs (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/Special_Diets_Guide_SNP.pdf

Allowable Milk Substitutes for Children without Disabilities in School Nutrition Programs (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/Milk_Substitutes_SNP.pdf

CSDE Operational Memorandum No. 13-17: Requirements for Meal Modifications in the School Nutrition Programs:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2017/OM13-17.pdf>

Managing Food Allergies in the Cafeteria: The Role of School Food Service Managers and Staff (CSDE Presentation):

https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/Managing_Food_Allergies_Cafeteria_SNP_Presentation.pdf

Meal Modifications in School Nutrition Programs (CSDE Presentation):

https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/Meal_Modifications_SNP_Presentation.pdf

Meal Patterns for Grades K-12 in School Nutrition Programs (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Meal-Patterns-School-Nutrition-Programs>

Meal Patterns for Preschoolers in School Nutrition Programs (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Meal-Patterns-Preschoolers-in-School-Nutrition-Programs>

Medical Statements for School Nutrition Programs (“Documents/Forms” section of CSDE’s Special Diets in School Nutrition Programs webpage)

<https://portal.ct.gov/SDE/Nutrition/Special-Diets-in-School-Nutrition-Programs/Documents#MedicalStatements>

Requirements for Meal Modifications in School Nutrition Programs (CSDE Presentation):

https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/Special_Diets_Presentation_SNP.pdf

Requirements for Procedural Safeguards for Meal Modifications in School Nutrition Programs (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/Procedural_Safeguards_SNP.pdf

Self-assessment of Local Practices for Special Diets in School Nutrition Programs (CSDE):

https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/Assessment_Special_Diets_Schools.pdf

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Special Diets in School Nutrition Programs (CSDE webpage):

<http://portal.ct.gov/SDE/Nutrition/Special-Diets-in-School-Nutrition-Programs>

USDA Memo SP 26-2017: Accommodating Disabilities in the School Meal Programs: Guidance and Questions and Answers (Q&As):

<https://www.fns.usda.gov/school-meals/accommodating-disabilities-school-meal-programs-guidance-and-qas>

USDA Memo SP 59-2016: Policy Memorandum on Modifications to Accommodate Disabilities in the School Meal Programs:

<https://www.fns.usda.gov/policy-memorandum-modifications-accommodate-disabilities-school-meal-programs>

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For more information, visit the CSDE's [Special Diets in School Nutrition Programs](#) webpage or contact the [school nutrition programs staff](#) in the CSDE's Bureau of Health/Nutrition, Family Services and Adult Education, 450 Columbus Boulevard, Suite 504, Hartford, CT 06103-1841.

This document is available at https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/Summary_Chart_Special_Diets_SNP.pdf

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- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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