Special Dietary Needs

USDA Child Nutrition Programs support access to healthy meals to all children, including children with disabilities who have special dietary needs. Under the law, a disability is an impairment which substantially limits a major life activity, which can include allergies and digestive conditions, but does not include personal diet preferences.

Requirements:

✓ Make reasonable modifications to meal(s) on a case-by-case basis to accommodate disabilities which restrict a child’s diet
  o Meals must be provided at no extra charge
  o Accommodations must be made on a case by case basis
  o It is not necessary to offer specific brands or fundamental alterations to the program

✓ The request for meal modifications must include:
  o Food(s) to be omitted/avoided from the child’s diet
  o How the ingestion of the food impacts the child
  o Food(s) to be substituted

✓ Requests for meal modification must be signed by a State-recognized medical authority, a licensed health care professional authorized to write medical prescriptions in Hawaii:
  ▪ Medical Doctor (MD)
  ▪ Doctor of Osteopathy (DO)
  ▪ Physician’s Assistant (PA) with prescriptive authority
  ▪ Naturopathic Physician
  ▪ Advanced Registered Nurse Practitioner (ARNP)

✓ A Medical Statement for Students with Unique Mealtime Needs form is available for your use.
  o This form is not required – but other documents that request for meal modifications must include the items indicated above

✓ Develop and implement processes and procedures for requests for meal modifications:
  o Ensure that parents / guardians are informed of:
    ▪ How to request meal modifications
    ▪ The process for resolving disputes about meal modifications
  o Provide an impartial process to address grievances related to the request for modification
    ▪ Give opportunity to the child’s parent / guardian to participate and be represented by counsel

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Special Dietary Needs Reference Sheet

- Notify parents / guardians of final decision and procedure for review
  - Train food service staff on procedures for handling requests for meal modifications
  - Coordinate with school district’s Section 504 Coordinator to ensure compliance with any additional Section 504 requirements

✓ Schools are highly encouraged to develop a team approach to providing modifications for children with disabilities
  - Potential team members: Section 504 Coordinator, school nurse, school principal and school food service staff

✓ Document meals/milk served to students with special dietary needs on production records.
  - Production records can reference a special diet recipe or list each of the special dietary items provided

Adapted from Washington State OSPI Child Nutrition Programs Reference Sheet, "Special Dietary Needs"

Reference:
✓ Section 504 of the Rehabilitation Act
✓ Title II and Title III of the Americans with Disabilities Act (ADA)
✓ SP40-2017 2017 Edition of Accommodating Children with Disabilities in the School Meal Programs
✓ SP26-2017 Accommodating Disabilities in the School Meal Programs: Guidance and Q&As
✓ SP59-2016
✓ Title 18 RCW – Businesses and Professionals

Acronym Reference

- CACFP Child and Adult Care Food Program
- CFR Code of Federal Regulations
- CNS Child Nutrition Services
- LEA Local Education Agency
- OSPI Office of Superintendent of Public Instruction
- SFSP Summer Food Service Program
- SP School Programs
- USDA United States Department of Agriculture

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