

Students

Students with Special Health Care Needs

Accommodating Students with Special Dietary Needs

Accommodating Disabled Students with Special Dietary Needs (Modified Meals for Disabled Students)

Students who require modified school lunch menus due to a disability, as defined by Section 504 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Act (IDEA), or life threatening food allergies, are eligible for special accommodations. USDA regulations require a written statement from a licensed health care professional that includes:

- The child's disability;
- An explanation of why the disability restricts the child's diet;
- The major life activity that is affected by the disability; and
- The food or foods to be omitted from the child's diet, and the food or choice of foods that must be substituted.

The Amity Regional School District No. 5 (ARSD) Board of Education recognizes the United States Department of Agriculture's Policy Memorandum, SP 59-2016, "Modifications to Accommodate Disabilities in the School Meal Programs," as well as the regulations governing the National School Lunch and Breakfast Program, require substitution or modifications in meals for children considered disabled under Section 504 or IDEA, whose disabilities restrict their diet, when the need is certified in writing by a licensed health care professional.

If special diet modifications are part of an Individualized Education Program (IEP), the school is required to comply with those modifications. An extra charge may not be added. The ARSD Board recognized that the medical statements allow the student's meal to be claimed for reimbursement even when it does not meet current food program requirements.

The ARSD Board, through its School Nutrition Program, shall make reasonable modifications to accommodate children with disabilities. The Board will provide a modified diet/meal to students with a disability or medical condition that limits a major life activity. Modifications will be made on a case-by-case basis when supported by a written statement from a licensed health care professional who is authorized to write prescriptions under state law. The school food service shall not modify any student's meal without clear, written documentation from a recognized medical authority on the appropriate district-supplied form(s).

The Superintendent of Schools or his/her designee shall develop procedures for notifying parents/guardians of the process for requesting meal modifications, and arrange for an impartial hearing process to resolve grievances related to requests for modifications based on a disability.

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The ARSD Board is not required to make food substitutions for children with non-disabling conditions. The District may accommodate students without disabilities who are medically-certified as having a special medical or dietary need on a case-by-case basis. An example is food intolerances or allergies that do not cause life-threatening reactions. The decision must be based upon a written medical statement signed by a licensed health care professional who is authorized to write prescriptions under state law.

Optimum handling of special diet modifications of school meals requires communication between school food service managers, parents, students, school staff, and medical authorities.

The ARSD Board is unable to accommodate special diets based on personal preferences or religious convictions. This is addressed by the food service program offering a variety of menu options daily in the form of choices.

(cf. 5141 - Student Health Services)
(cf. 5141.21 - Administering Medication)
(cf. 5141.23 - Students with Special Health Care Needs)
(cf. 5141.25 - Food Allergy Management)
(cf. 5141.3 - Health Assessments)
(cf. 5145.4 - Nondiscrimination)

Legal Reference: Connecticut General Statutes
10-15b Access of parent or guardian to student's records.
10-154a Professional communications between teacher or nurse and student.
10-207 Duties of medical advisors.
10-212a Administrations of medications in schools.
10-212c Life threatening food allergies; Guidelines; district plans, as amended by P.A. 12-198.
Guidelines for Managing Life-Threatening Food Allergies in Connecticut Schools, Connecticut State Department of Education (2006)
Federal Legislation
Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794 § 504; 34 C.F.R. § 104 et seq.)
Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. §12101 et seq.; 29C.F.R. §1630 et seq.
The Family Education Rights and Privacy Act of 1974 (FERPA)
The Individuals with Disabilities Education Act of 1976 (IDEA) (20 U.S.C. § 1400 et seq.); 34 C.F.R. § 300 et seq.

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USDA Guidance SP59-2016- Modifications to Accommodate Disabilities
in the School Meal Programs

USDA regulations at CFR 15b-Nondiscrimination on the Basis of handicap
in Programs and Activities Receiving Federal Financial Assistance