



Newman Catholic Schools

Special Dietary Accommodation Policy

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OVERVIEW

Newman Catholic Schools aims to provide all participating students with nutritious meals through participation in the USDA Child Nutrition Programs. This includes ensuring students with disabilities as defined under the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Individuals with Disabilities Education Act, have an equal opportunity to participate in and benefit from the USDA Child Nutrition Programs.

U.S. Department of Agriculture (USDA) regulations 7 CFR Part 15b requires the school district will make reasonable modifications to accommodate students with disabilities including providing special dietary accommodations to students with a disability which restricts their diet.

The special dietary accommodation coordinator shall be primarily responsible for managing special dietary accommodations within the food service program.

CONTACT INFORMATION

Special Dietary Accommodation Coordinator

Jennifer Derks, Food Service Coordinator, 1130 W Bridge St, Wausau WI 54401 ,
jderks@newmancatholicschools.com 7115-845-5735

Hearing Official

Jeff Gulan, jgulan@newmancatholicschools.com

ACCESS TO FOOD SERVICE PROGRAMS AND FACILITIES

It is the policy of the school district to ensure that it does not discriminate against any person based on a protected status or classification as identified by law or herein in admission to or access to programs, services or activities offered by the district. The school district will ensure that individuals with disabilities have an equal opportunity to participate in the USDA Child Nutrition Programs and have appropriate access to facilities and areas where meals are provided.

REQUEST FOR A SPECIAL DIETARY ACCOMMODATION

Medical Statement

A parent/guardian requesting special dietary accommodations for a student with a disability that restricts the diet must provide the Medical Statement for Special Dietary Needs signed by a state authorized medical authority. The request must contain the following information:

- An explanation of how the student’s physical or mental impairment restricts the diet
- The food(s) to be avoided
- The food(s) to be substituted

State Authorized Medical Authority

A state authorized medical authority is a licensed health care professional who is authorized to write medical prescriptions under state law. This could include a physician, dentist, optometrist, podiatrist, physician assistant, or nurse practitioner.

Incomplete Medical Statements

If a Medical Statement for Special Dietary Needs is unclear or lacks sufficient detail, the special dietary accommodation coordinator or school district’s healthcare team may seek appropriate clarification from the parent/guardian or the healthcare practitioner so that a safe meal can be provided.

Where to Submit

A special dietary accommodation for a student who has a disability that restricts the student’s diet must be supported by a Medical Statement for Special Dietary Needs, which should be submitted to the Special Dietary Accommodation Coordinator: Jennifer Derks, jderks@newmancatholicschools.com
715-845-5735

Individualized Education Plan (IEP) or 504 Plan

A student with a disability may have an IEP or 504 plan that requires specific instruction, services, or accommodation related to the student’s nutritional needs. If a student’s IEP or 504 plan contains the same information that is required on a Medical Statement for Special Dietary Needs, then it is not necessary to obtain and submit a separate Medical Statement for Special Dietary Needs.

PERSONAL REQUESTS

When a request for a special dietary accommodation is not supported by an authorized Medical Statement for Special Dietary Needs or included in a student’s IEP or 504 plan, the school district cannot provide modified meals that are not in compliance with USDA Child Nutrition Program requirements.

Fluid Milk Substitution: Pearl Organic Soymilk : Creamy Vanilla

- I. The school district shall have no legal obligation to accommodate a student’s or a parent’s/guardian’s preference for a fluid milk substitute if there is no Medical Statement for Special Dietary Needs on file. However, the district will assist the student in choosing a reimbursable meal through offer versus serve (OVS).
- II. The school district shall offer a federally approved milk substitute with a written and signed request from a parent or guardian that identifies the reason for the special dietary accommodation.

Religious Reason

The school district shall have no legal obligation to accommodate a student's or parent's/guardian's request for accommodations based on religious requests. However, the district will assist your student in choosing a reimbursable meal through offer versus serve (OVS).

Personal Request

The school district shall have no legal obligation to accommodate a student's or parent's/guardian's general health, nutrition, or food preferences. However, the district will assist your student in choosing a reimbursable meal through offer versus serve (OVS).

IMPLEMENTATION AND DISCONTINUATION

Review

Upon receipt of a request for a special dietary accommodation, the special dietary accommodation coordinator shall review the request to ensure it is supported as required by federal law and district policy.

Implementation

When the need for a special dietary accommodation is supported by a Medical Statement for Special Dietary Needs signed by a state authorized medical authority, the district will offer a reasonable modification that effectively accommodates the student's disability. Following USDA Child Nutrition Program regulations, the school district may consider factors such as cost and efficiency and is not required to prepare a specific meal, provide a specific brand of food, or provide a meal beyond the meals provided to other students.

For students who have an IEP or 504 plan that requires specific food related accommodations, the school district shall provide the accommodation as required by law, seeking clarifying medical information, as necessary.

A special dietary request will be approved and implemented upon submission of a completed authorized Medical Statement.

Notification

Parents/guardians will be notified of clarifications needed or approval of a special dietary request.

Student Absence

If a student receiving a special dietary accommodation is absent or does not wish to participate in school lunch on a day an accommodation is planned, contact the special dietary accommodation coordinator by 9:00 a.m. the same day.

Renewing A Special Dietary Request

An authorized Medical Statement does not need to be updated annually. However, the special dietary accommodation coordinator may annually seek clarification or updates on special dietary requests.

Discontinuation of a Special Dietary Request

A special dietary request or part of a request may be discontinued by a parent/guardian by submitting the request in writing to the special dietary accommodation coordinator.

PROCEDURAL SAFEGUARDS

The school district staff will collaborate with parents/guardians and the student's healthcare team to appropriately share pertinent information regarding a student's food related disability with the goal of providing a safe environment.

Allergy Related Disability Strategies

The school district shall establish a method of ensuring that relevant information is shared with all supervising persons of a student identified with a life-threatening allergy.

The school district shall establish preventative strategies to minimize allergen risks and provide a safe environment for all students. Strategies may include:

- Carefully monitoring students with allergies.
- Encouraging students not to exchange food or utensils with other students.
- Washing surfaces, toys and equipment clean of allergen containing foods to the extent practicable.
- Provide staff updates, as necessary.
- Encouraging parents/guardians to instruct their children in how to avoid contact with substances to which they are allergic.

Carbohydrate Counting

School food service staff will provide menus, recipes, product labels, and planned portion sizes for various menu items. The student's parents/guardians, health care team or school healthcare team should use this information to determine carbohydrate totals to help ensure a safe meal and proper medication dosage.

Disclaimer

Nutrition information is accurate to the best of our knowledge; however, product substitutions or manufacturer formulas changes can occur. Ingredients and menu items are subject to change. Please consult a medical professional for assistance in planning or treating medical conditions.

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Newman Catholic Schools.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of the complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to the Newman Catholic Schools USDA Child Nutrition Programs Civil Rights Coordinator:

Name: Jennifer Derks
Title: Food Service Coordinator
Phone number: 715-845-5735 Ext 2033
Email: jderks@newmancatholicschools.com

Once a complaint is received, the USDA Child Nutrition Programs Civil Rights Coordinator or designee will meet with the complainant within 15 days of receiving the complaint to discuss the complaint and the possible resolutions. A response will be provided in writing within 15 days of this meeting and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the [School/School District Name] and offer options for substantive resolution of the complaint.

If the response provided to the complainant does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the SFA's Hearing Official or his/her designee.

Within 15 calendar days after receipt of the appeal, the SFA's Hearing Official or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, a response will be provided in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written documentation for the complaint and resolution will be retained on file for three years plus the current year.

USDA NONDISCRIMINATION STATEMENT

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online

at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. **fax:**
(833) 256-1665 or (202) 690-7442; or
3. **email:**
program.intake@usda.gov

This institution is an equal opportunity provider.