

Accommodating Students with Special Dietary Needs

Sayville Public Schools

Policy & Procedure

Overview

The Americans with Disabilities Act (ADA) Amendments Act made important changes to the meaning and interpretation of the term “disability”. In September 2016 these updates were issued to USDA school meal programs. The ADA Amendments Act simplified the question of whether a child has a disability by requiring a broad interpretation of what constitutes a disability. Under the ADA, anything that substantially limits a major life activity (most physical and mental impairments) constitutes a disability. This includes conditions that impair immune, digestive, neurological, and bowel functions, as well as many others. Schools shall focus on what can be done in order to ensure equal opportunity for all children to participate in school meal programs.

The process of providing modified meals for children with disabilities shall be as inclusive as possible. The school shall work collaboratively with parents and guardians to ensure children receive a safe meal and have an equal opportunity to participate in the school meal programs. The Child Nutrition department shall use a team approach that includes parents and guardians and (as age-appropriate) the child, when providing modified meals.

Accommodating Children with a Disability

Sayville Public Schools will provide food substitutions to a child with a disability when the need for a substitution is supported by a written medical statement or completed CDE medical statement form that is signed by a licensed physician, a physician assistant, or a nurse practitioner.

According to the ADA, 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. General health concerns, such as a parent’s preference that a child eat a gluten-free diet because the parent believes it is healthier for the child, are not disabilities and do not require a modification. All disability considerations must be viewed on a case-by-case basis.

In order to receive reimbursement for meals served to children with disabilities that do **not** meet program meal pattern requirements, the written medical statement must clearly identify/include the following details:

- Disability
- Information about the child’s physical or mental impairment that is sufficient to allow the SFA to understand how it restricts the child’s diet
- Diet prescription or an explanation of what must be done to accommodate the child
- Food or foods to be omitted from his or her diet
- Food or choice of foods that must be substituted in his or her meals

Medical statements are not required to be update on an annual basis. However, when Sayville Public Schools does receive updated medical information, those updates must be reflected in the medical accommodations. If medical accommodations are no longer required, the school will maintain a record of the request to end the medical accommodation, such as a copy of an email from the parent stating that the child no longer needs a meal accommodation.

Accommodating Children without a Disability

Sayville Public Schools is not required but will attempt to provide food substitutions to a child with a special dietary preference that is not considered a disability. An individual who does not have a disability but is unable to consume a particular food because of a non-disability reason, such as religious or moral reasons, is considered to have a food preference. All meals served to students with a food preference **must** meet USDA meal pattern requirements in order to qualify for reimbursement. These accommodations will be considered on a case-by-case basis.

Recordkeeping

The “Medical Statement to Request Special Meals and/or Accommodations” form must be returned to the school nutrition program staff for meal accommodations that do not meet program meal pattern requirements. In addition, special meal accommodations made by cafeteria staff shall be documented on the daily menu production records as part of the record of meals served to students.

Non-Discrimination 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, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the State or local Agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Mail Stop 9410, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

This institution is an equal opportunity provider, employer, and lender.