Orange Southwest Supervisory Union Meal Modification Request Procedure

Introduction

This procedure outlines how households can request modifications to accommodate disabilities and how these requests are handled. Meal modifications to accommodate disabilities must be provided at no additional cost to households. Confidentiality must be maintained throughout the process.

Public Notification

Each year, this procedure will be made publicly available to households by posting the information to the school website, handbooks, direct communication to households via emails/newsletters, and adding it to the back-to-school information packets.

Meal Modification Requirements

Programs must provide modifications to accommodate disabilities. Disability is defined as a physical or mental impairment which substantially limits one or more major life activities, including major bodily functions, has a record of such an impairment, or is regarded as having such an impairment. As a reminder, meal modifications to accommodate disabilities are not limited to food allergies or intolerances. Other examples include food that must be blended to accommodate textural needs or additional food for increased caloric needs.

Participants may also request meal modifications that are for personal reasons and not disability related. This could include lifestyle choices (e.g. vegetarianism and veganism) and religious, cultural, or preferences. These meal modification requests are not required to be accommodated unless due to an underlying disability. We are happy to accommodate vegetarian and vegan dietary requests as well as religious requirements.

Each modification will be made on an individual, case-by-case basis. However, as required by the Integration clause of Section 504 of the Rehabilitation Act of 1973,

across all modifications, the Program will strive to accommodate the disability in the most integrated setting possible.

Meals served and claimed for reimbursement must meet all federally established meal pattern requirements. Households may request meal modifications that meet meal pattern requirements. Meal modifications that meet meal pattern requirements are not required to have a medical statement for the meal to be eligible for reimbursement. However, the household must provide a written request for the accommodation.

Households that request meal modifications that do not meet meal pattern requirements must be supported by a medical statement. It is recommended that Program operators provide households with the Vermont Medical Statement Form. If this information is already captured in the 504 Plan or Individualized Education Program (IEP), a medical statement is not needed. This documentation must be on file for meals served to be eligible for reimbursement.

Medical statements must include the following information:

- Food to be omitted or avoided
- Brief explanation of how exposure to the food affects the participant
- Recommend substitution
- Signature of the state licensed healthcare professional (or RD in CACFP and School Meals)

If the medical statement is unclear or does not include all required information, the Program must reach out to the household for more information. Medical records or charts will not be requested.

To view current meal pattern requirements for the Program(s) operated, please use the links provided below.

- *NSLP Meal Pattern*
- *NSLP Afterschool Snack Service Meal Pattern*
- *SBP Meal Pattern*
- *SFSP Meal Pattern*
- *CACFP Adult Day Centers Meal Pattern*
- *CACFP Meal Pattern Requirements*
- *CACFP At-Risk Afterschool Snack and Supper Meal Pattern*

Orange Southwest Supervisory Union posts the current and upcoming menus under the School Nutrition Section of the district website. Menus containing reheating,

preparation, and good practices in food handling are included in meal bags as well as onsite in camps.

Requesting a Meal Modification

Households that need to request a meal modification should contact:

- Bray Britton (bbritton@orangesouthwest.org) - Food Service Director
- Tammy Maxham (tmaxham@orangesouthwest.org) - Food Service Manager
- Gretchen Kidder (gkidder@orangesouthwest.org) - Nurse

Once a request is made, this information will be communicated to the Food Service Director, Foodservice Staff, Teaching Staff. Programs are not required to provide specific brands. Meal modifications made through the written request of a household will be followed to the best of our ability.

Declining a Meal Modification

A requested meal modification may be declined if it would fundamentally alter the nature of the meal program. In these instances, the food service director will work closely with the household and the Vermont Agency of Education Child Nutrition Programs before considering this decision. A fundamental alteration is a modification so drastic that it would change the essential nature of the program. In the event a requested modification is not provided, households will be provided the right to:

- File a grievance
- Receive prompt and equitable resolution of said grievance
- Request and participate in an impartial hearing to resolve their grievances
- Be represented by counsel at the hearing
- Examine the record; and
- Receive notice of the final decision and a procedure for review, i.e., right to appeal the hearing's decision.

Implementing a Meal Modification

OSSD Food Service and OSSD Nurses are in frequent contact to ensure that requests for modification are acknowledged and taken under consideration quickly. Menus are sent to homes before the start of each month giving families time to review and raise questions with food service. Meetings with parents/guardians are welcomed and encouraged to grow understanding of modifications and to gather feedback. Food Service staff will be trained on modifications as they are implemented with periodic reviews to ensure all food service staff are familiar with the modification process.

Legal Authority

- Section 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act of 1990
- ADA Amendments Act of 2008

Regulatory Guidance Documents for Information on Meal Modifications

- SP 59-2016 Modifications to Accommodate Disabilities in the School Meal Programs
- Accommodating Children with Disabilities in the School Meal Programs Manual
- Policy Memorandum on Modifications to Accommodate Disabilities in the Child and Adult Care Food Program and Summer Food Service Program
- Vermont Agency of Education Child Nutrition Programs Civil Rights Information

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 (including gender identity and sexual orientation), 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, audiotape, 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/ad-3027.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.