

Summary of Requirements for Accommodating Special Diets in School Nutrition Programs

This document summarizes the requirements for meal modifications in the U.S. Department of Agriculture’s (USDA) [school nutrition programs](#), which include the National School Lunch Program (NSLP), Afterschool Snack Program (ASP) of the NSLP, School Breakfast Program (SBP), Seamless Summer Option (SSO) of the NSLP, Special Milk Program (SMP), Fresh Fruit and Vegetable Program (FFVP), and Child and Adult Care Food Program (CACFP) At-risk Supper Program implemented in schools. The USDA’s regulations require that reasonable modifications for children whose disability restricts their diet, based on a written medical statement signed by a recognized medical authority.

Under the [Americans with Disabilities \(ADA\) Amendment Act of 2008](#), 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. A physical or mental impairment does not need to be life threatening to constitute a disability. It is sufficient that it limits a major life activity. For example, a child whose digestion is impaired by a food intolerance (such as lactose intolerance or gluten intolerance) may be a person with a disability, regardless of whether consuming the food causes the child severe distress. All disability considerations must be reviewed on a case-by-case basis.

The USDA does not require meal accommodations for religious or moral convictions, personal preference, or general health concerns. For example, a parent’s preference that a child eats a gluten-free diet because the parent believes it is healthier for the child does not meet the definition of disability, and does not require a modification. Schools and institutions may choose to make accommodations for children without disabilities on a case-by-case basis. All meal modifications for children without disabilities must comply with the USDA’s meal patterns for school nutrition programs. For information on the requirements for meal modifications, see the Connecticut State Department of Education’s (CSDE) guide, [Accommodating Special Diets in School Nutrition Programs](#), and visit the CSDE’s [Special Diets in School Nutrition Programs](#) webpage.

Scenario	Determination of disability	Plan on file	Examples of medical conditions ¹	Modification required?	Required documentation	What medical statement must include
Child is determined to have a disability (physical or mental impairment) under Section 504, and the disability restricts the child’s diet	Section 504 meeting	<ul style="list-style-type: none"> • 504 plan and Individualized Health Care Plan (IHCP) • May also have an Emergency Care Plan (ECP) depending on child’s medical condition 	Medical conditions that substantially limit a major life activity and affect the child’s diet, for example: <ul style="list-style-type: none"> • metabolic diseases, such as diabetes or phenylketonuria (PKU) • food anaphylaxis (life-threatening food allergy) 	Yes	Medical statement signed by recognized medical authority ^{2,3}	<ul style="list-style-type: none"> • Information about how the child’s physical or mental impairment restricts the child’s diet • An explanation of what must be done to accommodate the child • The food or foods to be omitted and recommended alternatives, if appropriate

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Scenario	Determination of disability	Plan on file	Examples of medical conditions ¹	Modification required?	Required documentation	What medical statement must include
Child is determined to have a disability (physical or mental impairment) under the Individuals with Disabilities Education Act (IDEA), and the disability restricts the child's diet	Planning and Placement Team (PPT) Meeting	<ul style="list-style-type: none"> Individualized Education Program (IEP) and IHCP May also have an ECP depending on child's medical condition 	<p>Medical conditions that meet the IDEA recognized disability categories, require related services under IDEA, and affect the child's diet, for example:</p> <ul style="list-style-type: none"> autism traumatic brain injury other health impairment, e.g., heart condition and diabetes 	Yes	Medical statement signed by recognized medical authority ^{2, 3}	<ul style="list-style-type: none"> Information about how the child's physical or mental impairment restricts the child's diet An explanation of what must be done to accommodate the child The food or foods to be omitted and recommended alternatives, if appropriate
<p>Child is not determined to have a disability (physical or mental impairment) under Section 504 or IDEA, but the child's medical condition:</p> <ul style="list-style-type: none"> meets the definition of disability under the ADA Amendments Act; and the disability restricts the child's diet 	Recognized medical authority	<ul style="list-style-type: none"> IHCP May also have an ECP depending on child's medical condition 	<p>Medical conditions that do not qualify for a disability under Section 504 or IDEA, but may meet the definition of disability under the ADA Amendments Act (any condition that substantially limits a child's major life activity), for example:</p> <ul style="list-style-type: none"> celiac disease gluten intolerance lactose intolerance ⁴ non-life-threatening food allergies obesity certain temporary disabilities <p>Note: Not all conditions require meal accommodations for all children. ¹</p>	Yes	Medical statement signed by recognized medical authority ²	<ul style="list-style-type: none"> Information about how the child's physical or mental impairment restricts the child's diet An explanation of what must be done to accommodate the child The food or foods to be omitted and recommended alternatives, if appropriate

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Scenario	Determination of disability	Plan on file	Examples of medical conditions ¹	Modification required?	Required documentation	What medical statement must include
Personal Food Preferences	Not applicable	Not applicable	Not applicable	No ⁵	Not applicable	Not applicable
Vegetarianism	Not applicable	Not applicable	Not applicable	No ⁵	Not applicable	Not applicable
Religion	Not applicable	Not applicable	Not applicable	No ⁵	Not applicable	Not applicable

- ¹ These examples of medical conditions are not all-inclusive and may not require meal accommodations for all children. The determination of whether a child has a physical or mental impairment that restricts their diet must be made on a case-by-case basis.
- ² Recognized medical authorities include physicians, physician assistants, doctors of osteopathy, and advanced practice registered nurses (APRNs). The CSDE's [Medical Statement for Special Diets in School Nutrition Programs](#) applies to requests for meal accommodations for children participating in the USDA's school nutrition programs.
- ³ If the child's Section 504 plan or IEP includes the same information required in the medical statement, or if the school obtains the required information during the development or review of the Section 504 plan or IEP, a separate medical statement is not required.
- ⁴ Schools and institutions may choose to provide lactose-free or lactose-reduced milk without a medical statement, if it contains the appropriate fat content for each grade group. Milk must be low-fat milk (unflavored or flavored) and fat-free milk (unflavored or flavored) for grades K-12; whole unflavored milk for age 1; and unflavored low-fat or fat-free milk for ages 2-4. Schools and institutions may also choose to provide one or more nondairy milk substitutes that meet the USDA's nutrition standards for fluid milk substitutes, such as certain brands of soy milk. Nondairy milk substitutes for grades K-12 may be flavored or unflavored. Nondairy milk substitutes for preschoolers (ages 1-4) must be unflavored. Nondairy milk substitutes require a written request from a parent or guardian, but they do not require a medical statement. The written request must identify the special dietary need that restricts the child's diet, and the requested allowable milk substitute. For more information, see the CSDE's handout, [Allowable Milk Substitutes for Children without Disabilities in School Nutrition Programs](#).
- ⁵ The USDA's regulations do not require meal modifications for children without disabilities, such as religion, personal preference, or general health concerns. Schools and institutions may choose to make these accommodations on a case-by-case basis, or by offering multiple meal choices and implementing offer versus serve (OVS). All meal modifications for children without disabilities must comply with the USDA's meal patterns. For more information, see the CSDE's webpages, [Meal Patterns for Grades K-12 in School Nutrition Programs](#), [Meal Patterns for Preschoolers in School Nutrition Programs](#), and [OVS](#).

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Resources

Accommodating Children with Disabilities in the School Meal Programs (USDA):

<https://www.sde.ct.gov/sde/lib/sde/pdf/deps/nutrition/sdn/USDAspdietguide.pdf>

Accommodating Special Diets in School Nutrition Programs (CSDE):

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/SpecialDietsGuide.pdf>

Allowable Milk Substitutes for Children without Disabilities in School Nutrition Programs:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/Milksub.pdf>

CSDE Operational Memorandum No. 13-17: Requirements for Meal Modifications in the School Nutrition Programs:

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/Memos/OM2017/OM13-17.pdf>

Meal Patterns for Grades K-12 in School Nutrition Programs (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Meal-Patterns-School-Nutrition-Programs>

Meal Patterns for Preschoolers in School Nutrition Programs (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Meal-Patterns-Preschoolers-in-School-Nutrition-Programs>

Medical Statement for Special Diets in School Nutrition Programs (CSDE): [https://portal.ct.gov/-](https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/MedicalStatementSNP.pdf)

[/media/SDE/Nutrition/NSLP/SpecDiet/MedicalStatementSNP.pdf](https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/MedicalStatementSNP.pdf)

Guidance and Instructions: Medical Statement for Special Diets in School Nutrition Programs (CSDE):

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/MedicalStatementSNPinstr.pdf>.

Requirements for Meal Modifications in School Nutrition Programs (CSDE Presentation):

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/SpecialDietsPresentation.pdf>

Self-assessment of Local Practices for Special Diets in School Nutrition Programs (CSDE):

<https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/spdietassess.pdf>

Special Diets in School Nutrition Programs (CSDE webpage):

<http://portal.ct.gov/SDE/Nutrition/Special-Diets-in-School-Nutrition-Programs>

USDA Memo SP 59-2016: Policy Memorandum on Modifications to Accommodate Disabilities in the School Meal Programs:

<https://www.fns.usda.gov/policy-memorandum-modifications-accommodate-disabilities-school-meal-programs>

USDA Memo SP 26-2017: Accommodating Disabilities in the School Meal Programs: Guidance and Questions and Answers (Q&As):

<https://www.fns.usda.gov/school-meals/accommodating-disabilities-school-meal-programs-guidance-and-qas>

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For more information, visit the Connecticut State Department of Education's (CSDE) [Special Diets in School Nutrition Programs](#) webpage or contact the [school nutrition programs staff](#) in the CSDE's Bureau of Health/Nutrition, Family Services and Adult Education, 450 Columbus Boulevard, Suite 504, Hartford, CT 06103-1841.

This document is available at <https://portal.ct.gov/-/media/SDE/Nutrition/NSLP/SpecDiet/SpecialDietsChart.pdf>.

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Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: [How to File a 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
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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Inquiries regarding the Connecticut State Department of Education's nondiscrimination policies should be directed to: Levy Gillespie, Equal Employment Opportunity Director/Americans with Disabilities Coordinator (ADA), Connecticut State Department of Education, 450 Columbus Boulevard, Suite 607, Hartford, CT 06103, 860-807-2071, levy.gillespie@ct.gov.