

Port Arthur ISD

Child Nutrition Program Guidelines

Special Diets and Needs

Special Dietary Needs of Children with Disabilities

Under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990, a “person with a disability” is any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment or is regarded as having such an impairment.

The term “physical or mental impairment” includes many diseases and conditions, a few of which may be orthopedic, visual, speech and hearing impairments; cerebral palsy; epilepsy; muscular dystrophy; multiple sclerosis; cancer; heart disease; metabolic diseases, such as diabetes or phenylketonuria (PKU); food anaphylaxis (severe food allergy); mental retardation; emotional illness; drug addiction and alcoholism; specific learning disabilities; HIV disease and tuberculosis.

Major life activities covered by this definition include caring for one’s self, eating, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

Child Nutrition Department Responsibilities:

- ✚ The Child Nutrition department will make food substitutions or modifications **for students with disabilities.**
- ✚ Substitutions or modifications for **students with disabilities** must be based on a prescription written by a licensed physician. The school nurse and/or cafeteria managers have the approved form for licensed physicians to complete.
- ✚ The Child Nutrition department is encouraged, but **not required**, to provide food substitutions or modifications **for students without disabilities** but with medically certified special dietary needs that are unable to eat regular meals as prepared, on a case by case basis. (ex: food allergies)
- ✚ Under no circumstances is the Child Nutrition department to revise or change a diet prescription or medical order.

Serving the Special Dietary Needs of Children with Disabilities

Serving meals to students **with documented disabilities** involves two steps. **Prior** to making any diet substitutions or diet changes for any student with a disability, school officials **must** ensure that the following two steps are completed:

1. The parent/guardian must obtain a statement from the student's physician and provide it to school officials. The statement must state the following:
 - a. the student's disability;
 - b. an explanation of why the disability restricts the student's diet;
 - c. the major life activity affected by the disability; and
 - d. the food or foods to be omitted from the student's diet and the food or choice of foods that must be substituted.

2. Evaluate the physician's statement to see if it includes the required information above and meets Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). Many schools refer to this simply as "504." If the student's physician statement does include the required information and the disability is included in these Acts, the school is not required, but encouraged to develop an Individualized Education Program (IEP) for the student or include the physician's statement in the student's existing IEP.

When nutrition services are required under a student's IEP or based on the student's disability, school officials **must** include school food service staff early on and throughout the process of making decisions regarding special meals or modifications to meals. It is important that all recommendations for accommodations or changes to existing diet orders be documented in writing to protect the school and minimize misunderstandings. Schools **must** maintain copies of these diets and documentation on file.

Menu Modifications for Children with Disabilities

Students with disabilities who require changes to the basic meal (such as special supplements or substitutions) are required to provide documentation with accompanying instructions from a licensed physician. This is required to ensure that the modified meal is reimbursable and to ensure that any meal modifications meet nutrition standards that are medically appropriate for the student.

Texture Modifications for Children with Disabilities

For students with disabilities who require modifications in texture (such as chopped, ground or pureed foods), a licensed physician's written instructions indicating the appropriate food texture is recommended but not required. However, the SFA may apply stricter guidelines and require that the school keep on file a licensed physician's statement concerning needed modifications in food texture.

In order to minimize the chance of misunderstandings, it is recommended that the Child Nutrition department, at a minimum, maintain written instructions or guidance from a licensed physician regarding the texture modifications to be made. For students receiving special education, the texture modification should be included in the IEP and/or in the student's file. The Child Nutrition staff must follow the instructions that have been prescribed by the licensed physician.

Serving the Special Dietary Needs of Children without Disabilities

Students without disabilities but with special dietary needs requiring food substitutions or modifications may request that the Child Nutrition department meet their special nutrition needs.

The SFA will decide these situations on a case-by-case basis. Documentation with accompanying information must be provided by a recognized medical authority.

While SFA's are encouraged to consult with recognized medical authorities where appropriate, schools are not required to make meal modifications based on food choices of a family or student regarding a healthful diet.

In Cases of Food Allergy

Generally, children with food allergies or intolerances do not have a disability as defined under either Section 504 of the Rehabilitation Act or Part B of IDEA. **The Child Nutrition department may, but is not required to, make food substitutions for them.** However, when in the licensed physician's assessment food allergies may result in severe, life-threatening (anaphylactic) reactions, the child's condition would meet the definition of "disability," and the substitutions prescribed by the licensed physician must be made.

Other Special Dietary Needs

The Child Nutrition department may make food substitutions, at their discretion, for individual students who do not have a disability but who are medically certified as having a special medical or dietary need. Such determinations are only made on a case-by-case basis. This provision covers those students who have food intolerances or allergies but do not have life-threatening reactions (anaphylactic reactions) when exposed to the food(s) to which they have problems.

For students with special dietary needs, schools must:

- ✦ Provide substitutions on a case-by-case basis;
- ✦ Maintain the required medical statement in their files;
- ✦ Provide the meal or substitution at no additional cost to the child; and
- ✦ Document substitutions made to meals.

Lactose Intolerance

“Lactose intolerance” describes a difficulty digesting the sugar found in milk and milk foods. Symptoms associated with lactose intolerance may be reduced or eliminated if:

- ✦ Small, frequent portions of milk are consumed rather than large portions;
- ✦ Milk or milk foods are consumed with other foods; or Whole or chocolate milk, yogurt with active cultures, ice cream and aged hard cheeses like cheddar and Swiss are consumed.

If a student requires lactose-reduced milk, the school may provide lactose-reduced/lactose-free milk as a creditable part of a reimbursable meal without additional documentation. If the school serves a meal without milk to a student, they cannot claim reimbursement.

Funding Sources

Price of Meals

Meals must be served free or at a reduced price (a maximum of 40 cents for lunch, 30 cents for breakfast and 15 cents for snacks) to students who qualify for these benefits regardless of whether or not they have a disability.

Schools may not charge students with disabilities or with certified special dietary needs who require food substitutions or modifications more than they charge other students for program meals or snacks.

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Procedure for Serving the Special Dietary Needs of Children

For students with Special Dietary Needs with “Disabilities”:

1. Parent/ Guardian must obtain the form: Eating and Feeding Evaluation: Children with Special Dietary Needs and have the Physician and/or Licensed Professional complete the form. (The form may be obtained from the school nurse, child nutrition website and/or the cafeteria manager).
2. The form is to be returned to the nurse. The nurse should provide a school menu to the parent/guardian and must circle or write the appropriate meal selections to best accommodate the child using the school menu.
3. The Child nutrition staff (including Manager, Supervisor, Nutritionist and Director), with the assistance of the nurse, can modify the menus to the student’s needs by using the information included on the Eating and Feeding Evaluation: Children with Special Dietary Needs form, **which indicates the foods to be omitted and the foods to substitute.**
4. The nurse maintains a copy for her records, forwards the original form to the cafeteria manager who will then forward a copy to the child nutrition supervisor.
5. A school nurse may verbally initiate the request if it is in the student’s best interest. Verbal request must be followed by written required documentation above within five (5) school days.
6. The Child Nutrition staff will review the modifications with the manager and the nurse. Final modifications are subject to review by the parent/guardian upon request.

For students with Special Dietary Needs “without Disabilities”, accommodations are made on a case by case basis.

If the parent/guardian can not provide the child nutrition program with a physician’s statement with the required information, a special diet will not be provided.

Parent/guardian are strongly encouraged to provide their child(ren) breakfast and lunch to allow Child Nutrition to completely comply with accommodations at minimum 5-7 school days after request received.

For questions and concerns in regards to meal decisions, please contact the Child Nutrition Department 409-989-6123.

For more information about Accommodating Children with Special Needs visit http://www.fns.usda.gov/cnd/guidance/special_dietary_needs.pdf