

# School Leaders' Role in Accommodating Students with Special Nutritional Needs

*For students whose disabilities restrict their diets, the Code of Federal Regulations (Title 7, CFR, Part 15b) requires the Child Nutrition program to make accommodations, substitutions or modifications to school meals at no extra charge. U.S. Department of Agriculture (USDA) Guidance encourages, but does not require, the Child Nutrition program to provide accommodations, substitutions or modifications for children without disabilities, but who have medically certified special dietary needs and are unable to eat regular meals as prepared.*

## What is my role as a school leader for students with special needs requiring dietary modifications?

- Ensure that a formalized process is in place in your school for accommodating students requiring modified diets that includes an interdisciplinary team. (The Dietary Modification Decision-making Flowchart can assist in establishing this process for your school.) The Exceptional Children (EC) office or the EC administrator in a Local Education Agency (LEA) central office can serve as a resource. The Child Nutrition Director must be included in any process or team established for dietary modifications.
- When notification is received at your school of a student with special needs who requires dietary modification, check to see if a Medical Statement for Students with Special Nutritional Needs for School Meals has been completed and forward this to your student assistance team.
- As a school leader, provide leadership and guidance by supporting staff and students at your school through information, communication, collaboration, understanding of federal and state guidelines and being actively involved in the process of assisting students with special needs requiring dietary modifications.
- Protect the health and well-being of students with special needs requiring modified diets.
- Understand that a lack of fidelity of implementation may result in the school being held liable.

## Which students at my school may require dietary accommodations?

Students requiring dietary modifications may fall under any of the following:

- Section 504 of the Rehabilitation Act of 1973, ADAAA 2008
    - Under **Section 504 of the Rehabilitation Act of 1973** and the **Americans with Disabilities Act (ADA) of 1990**, a “person with a disability” means any person who has a physical or mental impairment which substantially limits one or more major life activities or major bodily functions, has a record of such impairment, or is regarded as having such impairment. A major life activity is defined as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, reading, concentrating, thinking, sleeping, eating, lifting, bending, communicating, and operating a major bodily function such as the immune system, normal cell growth, and digestive, bowel, bladder functions. The term “physical or mental impairment” includes many diseases and conditions.
  - Individuals with Disabilities Education Act (IDEA)
    - The term child with a “disability” under **Part B of the Individuals with Disabilities Education Act (IDEA)** means a child evaluated in accordance with IDEA as having one or more of the recognized disability categories and who, by reason thereof, needs special education and related services.
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|--------------------------|---|--|
| ▪ Autism                 | ▪ Other health impairments due to chronic or acute health problems, such as Asthma, Diabetes, Epilepsy, a Heart Condition, Hemophilia, Lead Poisoning, Leukemia, Nephritis, Rheumatic Fever, Sickle Cell Anemia, Tuberculosis | ▪ Specific Learning Disabilities         |
| ▪ Deaf-Blindness         |   | ▪ Speech or Language Impairment          |
| ▪ Deafness               |   | ▪ Traumatic Brain Injury                 |
| ▪ Emotional Disturbance  |   | ▪ Visual Impairment, including Blindness |
| ▪ Hearing Impairments    |   |  |
| ▪ Mental Retardation     |   |  |
| ▪ Multiple Disabilities  |   |  |
| ▪ Orthopedic impairments |   |  |

## School Leaders' Role in Accommodating Students with Special Nutritional Needs

- Students with Individual Health Plans (IHP)
  - Students with health needs may have those needs documented in an Individual Health Plan (IHP). The IHP is a specially adapted health care plan for use in the school setting. It provides a format for summarizing key information, formulating goals and a plan for action, and enhancing communication among school staff providing health care.
- Students with a Medical Statement for Students with Special Nutritional Needs for School Meals

### What documentation must be completed?

For any dietary modification, a completed and signed **Medical Statement for Students with Special Nutritional Needs for School Meals** must be secured. For students with a disability, the Medical Statement must be signed by a licensed physician. For students without a disability, the Medical Statement must be signed by the licensed physician or a recognized medical authority, which includes a physician assistant or nurse practitioner. The Medical Statement must identify:

- The child's disability or medical condition
- The major life activity affected
- An explanation of why the disability or medical condition restricts the child's diet
- The food or foods to be omitted from the child's diet and the food or choice of foods that must be substituted

### Where do I go for more information?

*Title 7 - Agriculture, Code of Federal Regulations, PART 15b*  
[www.access.gpo.gov/nara/cfr/waisidx\\_05/7cfr15b\\_05.html](http://www.access.gpo.gov/nara/cfr/waisidx_05/7cfr15b_05.html)

*Accommodating Children with Special Dietary Needs in School Nutrition Programs: Guidance for School Food Service Staff. Alexandria, Va: U.S. Department of Agriculture, Food Nutrition Service; 2001.*  
[www.fns.usda.gov/cnd/guidance/special\\_dietary\\_needs.pdf](http://www.fns.usda.gov/cnd/guidance/special_dietary_needs.pdf)

*Section 504 of the Rehabilitation Act of 1973, U.S. Department of Education Office for Civil Rights*  
[www2.ed.gov/about/offices/list/ocr/504faq.html](http://www2.ed.gov/about/offices/list/ocr/504faq.html)

*Part B of the Individuals with Disabilities Education Act, U.S. Department of Education*  
<http://idea.ed.gov/>

*Medical Statement for Students with Special Nutritional Needs for School Meals*  
[www.dpi.state.nc.us/docs/childnutrition/publications/special-diet/medical-statement.doc](http://www.dpi.state.nc.us/docs/childnutrition/publications/special-diet/medical-statement.doc)