



# WISCONSIN SCHOOL NUTRITION IN A NUTSHELL

## Special Dietary Needs

U.S. Department of Agriculture (USDA) regulations 7 CFR Part 15b require that School Food Authorities (SFA) operating the USDA Child Nutrition Programs provide meal modifications for students with special dietary needs related to a disability when requests are supported by a state authorized medical authority or registered dietitian.

### Definition of Disability

A disability is defined under Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), and the Individuals with Disabilities Education Act (IDEA) as a physical or mental impairment that substantially limits one or more major life activities. These include, but are not limited to, eating, digestion, breathing, learning, reading, concentrating, thinking. SFAs must provide reasonable meal modifications for students with disabilities as required by 7 CFR Part 15b.

### Meal Accommodation Request

#### Written Medical Statement

A written medical statement is required when a meal modification request is related to a disability. It must be signed by a registered dietitian or a state-authorized healthcare provider. This is a provider authorized to write medical prescriptions in Wisconsin (e.g., physician, physician assistant, nurse practitioner, optometrist, podiatrist, or dentist). The [DPI Medical Statement](#) is recommended. At a minimum the statement must include:

- The student's disability or medical condition as it relates to the diet
- Foods to omit
- Foods to substitute

#### Individualized Education Program (IEP) or 504 Plan

If a student has an IEP or 504 plan that includes the same three requirements listed above, a separate medical statement is not required. The IEP team should coordinate with the school nutrition director to ensure proper implementation.

#### Incomplete Request

In situations where a medical statement or IEP is not immediately available, is incomplete, or requires additional clarification, the meal modification must be implemented if there is enough information to provide a safe meal. Reasonable attempts should be made to obtain the correct documentation before discontinuing a meal accommodation.

## Renewal or Discontinuation of a Special Dietary Request

Special dietary documentation does not need to be updated annually. However, it is recommended to annually seek clarification or updates. A special dietary request, or part of a request, may be discontinued by a parent or guardian by submitting the request in writing.

## Religious or Lifestyle Meal Modifications

An SFA may choose to provide a meal accommodation based on religious or lifestyle choices. If your school or district wishes to provide a meal accommodation not related to a disability, the meal must meet the USDA meal pattern requirements. As an alternative, Offer versus Serve (OVS) is allowable, and a student could decline up to two components.

SFAs must ensure equal access to the USDA Child Nutrition Programs. If a meal accommodation is provided, it must be provided for all students with the same type of request.

## Milk Substitutions

A school may choose to offer a fluid milk substitution based on a written request from a parent or guardian. The substitution provided must be lactose free milk or nutritionally equivalent to cow's milk. A [list of allowable fluid milk substitutions](#) is provided; however, it is important to ensure all products received meet nutrient requirements even if they are on this list.

Note: If a milk substitution request is from a state authorized provider or registered dietitian, the substitution should be made as prescribed.

## Carbohydrate Counting

The school nutrition department should provide menus, recipes, portion sizes, and product labels from the student's menu to the healthcare team or family. The healthcare team or family should then determine the carb counts and how this information safely fits into the student's diet.

## When is a Medical Statement Needed?

- If no meal accommodation is requested, a medical statement or IEP is not required (i.e. food is sent from home, or the student self manages their diagnosis).
- If a meal modification can be made within the meal pattern requirements, a medical statement or IEP is not required. However, one is recommended to ensure an accurate understanding of the steps needed to ensure the safety of the student.
- If a meal accommodation requires substitutions that do not meet USDA meal pattern requirements, a medical statement or IEP is required.

## Procedural Safeguards

All SFAs must have written procedures to inform parents and guardians how to request a meal accommodation and their right to file a grievance. This promotes consistency, compliance, and equitable treatment.

This policy or procedure should list the documentation needed to submit a meal accommodation request, how and where to submit the documentation, and the SFA's policy on providing accommodations for religious or lifestyle requests. The DPI Bureau of School Nutrition has a [template policy](#) that SFAs can use to create their own policy.

## Civil Rights

A student's dietary and medical information must be handled in a confidential manner. SFAs must limit access to only those staff members responsible for meal preparation and service. It is important to communicate with the parent or guardian and school administration of the best way to balance confidentiality and safety.

## Recordkeeping

The USDA requires that the school nutrition department retain copies of the medical statement or portion of the IEP/504 plan that states the student's specific special dietary need when making modifications outside of the regular meal pattern. This ensures school nutrition staff have a full understanding of what is needed to provide a safe meal and that USDA requirements are met to receive federal reimbursement. In addition, documentation must be made available to the State agency during the Administrative Review.

All medical statements, written communications with a parent or guardian, and other documentation related to special dietary needs must be kept on file in the school nutrition office for three years plus the current year.

## Resources

- [Special dietary needs rules and carbohydrate counting for students with diabetes participating in the USDA Child Nutrition Programs \(Update to SNT Memorandum dated March 19, 2015\)](#) DPI SNT, 11/28/17
- [Accommodating Children with Disabilities in the School Meal Programs: Guidance for School Food Service Professionals](#) USDA, 07/25/17
- [Accommodating Disabilities in the School Meal Programs: Guidance and Questions and Answers](#) SP 26-2017, USDA, 04/25/17
- [Q&As: Milk Substitution for Children with Medical or Special Dietary Needs \(Non-Disability\)](#) SP 07-2010, USDA, 11/12/09
- [Providing Halal Meals in a Nutshell](#)
- [Providing Kosher Meals in a Nutshell](#)