

School District Fremont RE-1
(Canon City Schools)
Standard Operating Procedure

Accommodating Children with Special Dietary Needs in the School Nutrition Programs

- I. ORIGINAL ISSUE & RESPONSIBILITY: May 2013
Director of Business Services
- II. APPLICABILITY: Cañon City Schools Nutritional Services employees, Health Technicians and Case Managers.
- III. ADMINISTRATIVE GUIDELINES:
 - A. Effective with the 2013-14 school year, specific procedures will be implemented for accommodating children with special dietary needs due to a life threatening disability.

These steps are being taken to adhere to regulations that have been mandated by state and federal agencies.

1. **Students with Disabilities :**

According to the Rehabilitation Act of 1973 and the Americans with Disabilities Act 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, has a record of such an impairment, or is regarded as having such an impairment. Major life activities covered by this definition include caring for one's own self, eating, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. This includes children with "severe, life-threatening" food allergies, disabilities, and "temporary" disabilities as defined in Federal Regulation, 7CFR Part 15b.3 (Page 6 of this document.)

Generally, children with food allergies or intolerances, or obese children are not 'handicapped persons', as defined in 7 CFR 15b.3, and school food authorities are not required to make substitutions for them. However, when in the physician's assessment food allergies may result in severe, life-threatening reactions (anaphylaxis), or the obesity is severe enough to substantially limit a major life activity, the participant then meets the definition of 'handicapped person', and the food service personnel must make the substitutions and/or modifications prescribed by the physician.

2. **Meal Modifications prescribed by a licensed physician to accommodate a disability :**

Canon City Schools will work closely with the parents of a disabled child (as defined Under Section 504 of the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act*) to make necessary and reasonable meal modification prescribed by a licensed physician to accommodate a disability.

3. **Special Dietary Conditions:**

The school district will not make meal/beverage modifications for an individual who does not have a disability, (as defined Under Section 504 of the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act*), but is unable to consume a particular food or beverage because of a medical or other special dietary condition. Modifications will not be considered even if the modifications are prescribed by a medical authority or requested by a parent/guardian.

- B. Effective with the 2013-14 school year, specific procedures will be implemented for making meal modification for children with special dietary needs due to a life threatening disability.

The following procedures will be necessary for requested meal modifications.

1. **Requests For Meal Modifications:**

Requests for substitutions or modifications for children with disabilities must be made using the “Colorado Department of Education Medical Statement to Request School Meal Modification” form. The form is available by contacting the Office of Special Services Office at 276-5717 or the form is also available online on the Cañon City Schools website at canoncityschools.org under the Office of Special Services.

The medical statement must be completed by a licensed physician and identify:

- The child’s disability as defined in 7CFR Part 15b.3 (Page 6).
- An explanation of why the disability restricts the child’s diet.
- The major life activity affected by the disability.
- The food or foods to be omitted from the child’s diet, and the food or choice of foods that must be substituted.

2. **Meal Modification Forms:**

After the Meal Modification form is completed and submitted, the Manager of Nutrition Services with and Director of Special Services will review and evaluate the request. Once the Manager of Nutrition Services and Director of Special Services both agree that a meal modification is required, they will formalize a specific 504 accommodation plan to make reasonable meal modifications and communicate and implement the approved plan with appropriate school staff.

3. **Updating / Submitting of Forms:**

Student dietary request forms must be updated and submitted to the school cafeteria at the start of every school year or whenever there is a change in the student's dietary needs.

C. The following steps will be the expectations and requirements for parents requesting meal modification.

1. **Parental Expectations:**

For those students meeting Medical Statement for Disability-School Meal Modification criteria, the parents will meet the following expectations:

- Complete Medical Statement for Disability—School Meal Modification.
- Provide required documentation from a licensed physician regarding meal modification.
- Participate in 504 Accommodation Plan eligibility and plan development.
- Collaborate with the Manager of Nutrition Services to agree on appropriate and reasonable meal modifications.
- Understand that cost limitations will be considered when evaluating the type of modification that will be provided.

2. **Parental Expectations for Non-eligible Children:**

In the event the child is not eligible for a school meal modification the Manager of Nutrition Services will notify the parent of the decision and the parents will meet the following expectations:

- Parents to provide the food/beverage substitution for their child.
- The cost of the food/beverage substitution will be at the parents' expense.
- Understand that the school kitchen facility will not be able to store the substitution that is brought from home.

Ref: **Section 504 of the Rehabilitation Act of 1973**
The Individuals with Disabilities Act of 1976 (IDEA)
The Americans with Disabilities Act (ADA) of 1990
ADA Amendment Act of 2008 (Effective [January 1, 2009](#))
The Food Allergen Labeling and Consumer Protection Act (FALCPA)
The Family Education Rights and Privacy Act of 1974 (FERPA)
Accommodating Children with Special Dietary Needs in the School Nutrition Programs – Child Nutrition Program Regulations: 7 CFR Part 15b; 7 CFR Sections 210.10(i), 210.23(b), 215.14, 220.8(f), 225.16(g)(4), and 226.20(h)