

## Students with Special Dietary Needs

Many children have special dietary and nutrition needs because of health conditions or disabilities. Sometimes schools are very willing to accommodate for the child's needs. In other cases schools may not be as willing. This fact sheet provides information and regulations from the US Department of Agriculture. While all schools do not receive surplus food products from the federal government all schools must follow these under the Americans with Disabilities Act (ADA) regulations. *Guidance from the US Department of Agriculture can be found at: [www.fns.usda.gov/sites/default/files/special\\_dietary\\_needs.pdf](http://www.fns.usda.gov/sites/default/files/special_dietary_needs.pdf).*

USDA regulations require substitutions or modifications to meals for children with a disability when the need is supported by a statement signed by a licensed physician. The physician's statement should identify:

- the child's disability
- an explanation of how the disability restricts the child's diet
- accommodations or modifications that must be made to food preparation or providing the meal to the child
- the food or foods to be omitted from the child's diet, and the food or choice of foods that must be substituted

**Cases of Food Allergies** — 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, and the school food service 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 school food service may make food substitutions, at their discretion, for individual children 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 children 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.

**Medical Statement for Children with Special Dietary Needs** — Each special dietary request must be supported by a statement, which explains the food substitution that is requested. It must be signed by a recognized medical authority. The medical statement must include:

- an identification of the medical or other special dietary condition which restricts the child's diet;
- the food or foods to be omitted from the child's diet; and
- the food or choice of foods to be substituted.

"In appropriate situations, nutrition services could be considered "special education" (specially designed instruction) or a "related service" (support services required to assist a child with a disability to benefit from special education)."

Other resources can be found at:

- [www.isbe.state.il.us/nutrition/htmls/special\\_dietary.htm](http://www.isbe.state.il.us/nutrition/htmls/special_dietary.htm)
- [www.squaremeals.org/Portals/8/files/ARM/Section%2013-Accommodating%20Children%20with%20Special%20Dietary%20Needs.pdf](http://www.squaremeals.org/Portals/8/files/ARM/Section%2013-Accommodating%20Children%20with%20Special%20Dietary%20Needs.pdf)

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