Feeding Children with Special Needs

Amendments to the regulations for the National School Lunch Act and the Child Nutrition Act (7 CFR 210 and 220) provide that food substitutions and meal changes must be provided to children whose disabilities restrict their diets. This must be done at no extra cost to the student or the student’s family.

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, has a record of such an impairment, or is regarded as having such an impairment.

In accordance with USDA’s Accommodating Children with Special Dietary Needs in the School Nutrition Programs, Guidance for School Food Service Staff of 2001, a child with a disability who requires a special meal or special food must have a written diet prescription from a licensed physician that tells the necessary dietary changes and modifications. The physician’s statement must identify:

- the child’s disability
- 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

Food Allergy
When a licensed physician’s assessment indicates that food allergies may result in severe, life-threatening reactions, the child’s condition will meet the definition of “disability”. In this case the substitutions prescribed by the licensed physician must be made.

Other Special Dietary Needs
The school food authority 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. The medical statement must identify:

- 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
- the food or choice of foods to be substituted

CNP Director Responsibilities
- May schedule a meeting with the parent(s) and pertinent school staff; i.e., school nurse, school psychologist, school principal, and the child’s medical professional, if necessary.
- Has authority to purchase special food products or new equipment if needed/required.
- The director will review schools to ensure:
  - USDA and other required regulations are followed.
CNP staff is trained and understands special diets.
That the CARE process is followed.

CNP Manager & Staff
- Make substitutions or modifications for students with disabilities based on a prescription written by a licensed physician.
- School food service is encouraged, but not required, to provide food substitutions or modifications for children without disabilities that have certified special dietary needs. These substitutions or modifications must be based on a statement by a recognized medical authority.
- Under no circumstances are revisions or changes to be made to a diet prescription or medical order.
- Maintain copies of special, non-meal pattern diets on file for reviews and audits.
- The diet orders do not need to be renewed on a yearly basis; however schools are encouraged to ensure that the diet orders reflect the current dietary needs of the child.
- If a child’s IEP includes a nutrition component, the school shall ensure that the CNP director and school food service manager are involved early on in decisions regarding special meals or modifications

As per The Food Allergy & Anaphylaxis Network, National School Boards Association (NSBA), National Association of School Nurses (NASN), National Association of Secondary School Principals, and National Association of Elementary School Principals (NAESP), School Guidelines For Managing Students with Food Allergies is attached for incorporation into the Individualized Education Plan (IEP).

**Remember, our goal is to take care of the children!**