

ACCOMMODATIONS AND MODIFICATIONS IN SCHOOL FOOD SERVICE PROGRAMS

R-760

The District has obligations under a variety of state and federal laws to ensure that its programs and services, including its food service program, do not unlawfully discriminate on the basis of a person's disability. These obligations include ensuring that individuals with disabilities have an equal opportunity to participate in the program and appropriate access to the program, including appropriate access to the facilities and areas where meals are provided. The District's legal obligations also include making reasonable modifications to accommodate individuals with disabilities, including reasonable modifications to meals and the meal service.

Requests for modifications and accommodations within the District's food service program due to a student's disability, including meal modifications, should normally be submitted in writing to the District's Section 504 Coordinator for student matters. The Section 504 Coordinator has primary responsibility for coordinating compliance with disability requirements within the food service program. Grievances and complaints related to any such requests or to another disability-related matter within the District's food services program may be submitted to the Section 504 Coordinator. The contact for the District's Section 504 Coordinator for student matters is as follows:

*Melissa Lesik, Director of Student Services
1903 Bartlett Avenue
Altoona, WI 54720
715-839-6224, ext. 311*

If the designated Section 504 Coordinator is temporarily unavailable or is personally accused of improper conduct, requests or complaints may be submitted to the Superintendent.

Complaints and grievances involving students will be processed using the same procedures that are used to process other Section 504 and student discrimination complaints, including an opportunity for a hearing and a review via appeal.

In some cases, a student with a disability may have an individualized education program (IEP), that expressly requires specific instruction, services, or modifications related to the student's nutritional needs. To the extent a parent or guardian is satisfied that a child's food-service-related needs are adequately addressed and specified within the IEP, a separate Section 504 plan or food-service accommodation request is not required. The District will simply implement the IEP as required by law, seeking a clarifying medical statement if necessary. Complaints and grievances regarding the content or

implementation of the IEP will be addressed through the district's special education procedures, which include opportunities for an impartial hearing and a procedure for review.

Modified Meals

Federal laws and regulations governing Child Nutrition Programs expressly require the District to provide a modified meal, at no extra charge, for a student who has a disability that restricts the student's diet whenever the need is supported by a sufficient written statement signed by a state-licensed healthcare professional who is authorized to write medical prescriptions. The written statement from the qualified healthcare professional must include the following:

1. A description of the child's physical or mental impairment that is sufficient to allow the District to understand how the impairment restricts the child's diet; and
2. An explanation of what must be done to accommodate the disability (for example, identifying the food(s) or ingredient(s) to be avoided, and, to the extent applicable, identifying the choice of foods or ingredients that may be reasonably substituted).

If a medical statement is unclear or lacks sufficient detail, District staff will seek appropriate clarification from the parent or guardian and/or the healthcare practitioner so that a proper and safe meal can be provided.

Even when the need for a modification is supported by a medical statement, the District is not necessarily obligated to (1) prepare a specific meal or provide a specific food item that is chosen by the family, or (2) use a particular brand of food or food ingredient. Rather, the District's obligation is to offer a reasonable modification that effectively accommodates the child's disability, while also taking into account factors such as cost and efficiency.

When a request for an individualized meal modification is not supported by adequate documentation (i.e., a qualifying medical statement and/or a sufficiently explicit IEP requirement), the District may not provide modified meals that do not comply with applicable federal meal pattern requirements and nutrition standards. Further, the District has no legal obligation to accommodate a student's or a parent's or guardian's general food or dietary preferences or general concerns about health, nutrition, or certain foods. However, when supported by the written request of a parent or guardian or medical authority that identifies the special need, the District does offer juice or a milk substitute for students with special medical or dietary needs other than a disability.

USDA Nondiscrimination Statement:

This institution is an equal opportunity provider.
Esta institución es un proveedor que ofrece igualdad de oportunidades.

Legal References:

Wisconsin Statutes

[Section 118.13](#) [student nondiscrimination]

Wisconsin Administrative Code

[PI 9.03\(1\)\(i\)](#) [policy requirement to address nondiscrimination in relationship to school-sponsored food service programs]

Federal Laws

[7 C.F.R. Part 15b](#) [nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance]

[7 C.F.R. §210.10\(m\)\(1\)](#) [nondiscretionary meal substitutions for children with disabilities; written statement from a state-licensed healthcare professional required]

[7 C.F.R. §210.10\(m\)\(2\)](#) [fluid milk substitutions in cases other than a disability; written statement required]

[7 C.F.R. §220.8](#) [parallel provisions regarding meal substitutions in the school breakfast program]

[Section 504 of the Rehabilitation Act of 1973](#) (as amended) [disability discrimination; reasonable accommodations]

[Individuals with Disabilities Education Act](#) (as amended) [programs and services for students with disabilities, including accommodations]

[Title II of the Americans with Disabilities Act](#) (as amended) [disability discrimination; reasonable accommodations]

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