

Special Needs Meals in the CCFP

Meal Modifications due to Disability or Preference

Reasonable modifications **must** be made for children with disabilities that restrict their diet. Section 504 of the Rehabilitation Act of 1973 defines a person with a disability as any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such a disability, or is regarded as having such a disability. Major life activities are broadly defined and include, but are not limited to, eating, digestion, and feeding skills.

Most physical and mental impairments will constitute a disability. Examples of a disability may include diabetes, food allergy or intolerance, developmental delay, or autism.

A physical or mental impairment does not need to be life-threatening to constitute a disability. For example, a food allergy does not need to cause anaphylaxis to be considered a disability. A non-life-threatening allergy may be considered a disability and require a meal modification if it impacts a major bodily function or other major life activity.

A child's impairment also may be considered a disability even if medication or other mitigating measures reduce the impact of the impairment.

CCFP institutions/facilities that fail to make appropriate meal modifications for children with disabilities could be found in violation of Federal civil rights laws.

CCFP institutions/facilities must make reasonable modifications due to disability regardless of whether the participating facility prepares meals on site or receives catered meals.

When substitutions are made and the meal pattern is *not* met, a medical statement is required and must be signed by a physician, physician's assistant (PA), or nurse practitioner (ARNP). Please note, institutions/facilities may not unduly delay providing the modification while awaiting the medical statement but should begin providing a reasonable modification to keep the child safe.

Meals with substitutions that meet all meal pattern requirements are reimbursable and no medical statement is needed. A note from the parent/guardian or the **Dietary Preference Form** should be on file. CCFP institutions/facilities are not required, but strongly encouraged, to make meal modifications due to parent or child preference.

Modifications Outside of the Meal Pattern

When substitutions are made and the meal pattern is not met, a medical statement is required. In this situation, the medical statement must include the following:

- Description of the child's physical or mental impairment that restricts diet.
- An explanation of what must be done to accommodate the disability, e.g., listing food(s) to be omitted and the food(s) to be substituted or any necessary adaptive feeding equipment.
- Signature of a licensed physician, physician's assistant (PA), or nurse practitioner (ARNP).

A parent/guardian may supply *one or more* components of the reimbursable meal as long as the child care institution/facility provides at least one required meal component.

Institutions/facilities *cannot require* parents to bring in the substitute(s).

Modifications Within the Meal Pattern

Meals with substitutions that meet all meal pattern requirements are reimbursable and no medical statement is needed. A note from the parent/guardian or the **Dietary Preference Form** should be on file. CCFP institutions/facilities are not required, but strongly encouraged, to make meal modifications due to parent or child preference.

Requests for modifications can be made due to preference (e.g., religious preference or vegetarianism). Institutions/facilities are strongly encouraged to accommodate requests due to preference but are not required to do so. For example, the child care institution/facility can substitute meat alternates for a child who does not eat meat.

A parent/guardian may supply *only one* component of the reimbursable meal as long as the child care institution/facility provides all other required components. Any parent-provided component must be creditable.

Milk substitutions due to preference:

Child care providers or parents may provide a non-dairy beverage (e.g., soy milk) that is nutritionally equivalent to the fluid milk component of the meal pattern. For the meal to be reimbursable, the beverage must be listed on the current *CCFP Approved Milk Substitution List for Children Ages 1 and Older* on the CCFP website under Nutrition and Menu Planning/Special Dietary Needs at:

FLhealth.gov/ccfp

The following must be maintained on file:

- A letter from the parent/guardian or the **Dietary Preference Form** requesting a nutritionally equivalent milk substitute (e.g. soy milk) is required if no medical statement is on file. If a parent letter is received, it must state whether the parent/guardian or the center will provide the milk substitute.

If parent/guardian *prefers* to provide the approved milk substitute, it must be in the original container and labeled with the child's name. Institutions/facilities cannot require parents to bring in the substitute.

All other milk substitutes (e.g., almond milk, rice milk, coconut milk): These milks are not nutritionally equivalent to fluid cow's milk and require a medical statement to be served as part of a reimbursable meal.

Section 504 Coordinator and Grievance Procedure

CCFP contractors and sites that employ 15 or more individuals (full-time or part-time) must designate at least one person to coordinate compliance with disability requirements and must also establish grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints.

Responsibilities of the Section 504 Coordinator include: reviewing requests for meal modifications; determining what modifications(s) will be provided; ensuring proper documentation is received; and communicating with parents or guardians or medical provider for clarification on meal modification(s) to best accommodate a child's disability.

It is recommended that CCFP contractors and sites employing less than 15 individuals have someone on staff acting as a 504 Coordinator to provide technical assistance on meal modifications.

Please note: Section 504 Coordinator responsibilities do not require additional staff or budget changes.

Sponsors and child care providers are encouraged to contact the nutrition section at the state office at 850-245-4323 for assistance with meal modifications due to disability or preference.