

NFI Vermont Meal Modification Request Procedure

Introduction

This procedure outlines how households can request modifications to accommodate disabilities and how these requests are handled. Meal modifications to accommodate disabilities must be provided at no additional cost to households. Confidentiality must be maintained throughout the process.

Public Notification

Each year, this procedure will be made publicly available to households by posting it on the website, social media, handbooks, direct communications to households such as emails or newsletters, providing it in back-to-school/care information.

Ensure this information is provided in the languages other than English needed in your communities. The state of Vermont has [contracts](#) with various providers to provide translations and interpretations that can be used by program operators.

Meal Modification Requirements

Programs must provide modifications to accommodate disabilities. Disability is defined as a physical or mental impairment which substantially limits one or more major life activities, including major bodily functions, has a record of such an impairment, or is regarded as having such an impairment. As a reminder, meal modifications to accommodate disabilities are not limited to food allergies or intolerances. Other examples include food that must be blended to accommodate textural needs or additional food for increased caloric needs.

Participants may also request meal modifications that are for personal reasons and not disability related. This could include lifestyle choices (e.g. vegetarianism and veganism) and religious, cultural, or preferences. These meal modification requests are not required to be accommodated unless due to an underlying disability

When planning and preparing meals, operators should try to accommodate personal and religious preferences to the greatest extent possible.

Each modification will be made on an individual, case-by-case basis. However, as required by the Integration clause of Section 504 of the Rehabilitation Act of 1973, across all modifications, the Program will strive to accommodate the disability in the most integrated setting possible.

Meals served and claimed for reimbursement must meet all federally established meal pattern requirements. Households may request meal modifications that meet meal pattern requirements. Meal modifications that meet meal pattern requirements are not

required to have a medical statement for the meal to be eligible for reimbursement. However, the household must provide a written request for the accommodation.

For example, if a child cannot eat strawberries, but can have all other fruit, a different fruit could be offered for the fruit component. However, it can be helpful to have a medical statement on file for safety reasons!

Households that request meal modifications that do not meet meal pattern requirements must be supported by a medical statement. It is recommended that Program operators provide households with the [Vermont Medical Statement Form](#). If this information is already captured in the 504 Plan or Individualized Education Program (IEP), a medical statement is not needed. This documentation must be on file for meals served to be eligible for reimbursement.

Operators should use the term medical statement rather than “doctor’s note” because it can come from any state licensed healthcare professional who is authorized to write prescriptions. As of July 1, 2025, in CACFP and School Meals, medical statements may also come from Registered Dietitians (RD).

Medical statements must include the following information:

- Food to be omitted or avoided
- Brief explanation of how exposure to the food affects the participant
- Recommend substitution
- Signature of the state licensed healthcare professional (or RD in CACFP and School Meals)

If the medical statement is unclear or does not include all required information, the Program must reach out to the household for more information. Medical records or charts will not be requested.

Submitting an updated medical statement each year is not required, but helpful to ensure the most up to date information is on file and to ensure the participant is being served safely and appropriately.

To view current meal pattern requirements for the Program(s) operated, please use the links provide **Provide information about where your menus are posted on your website or how they are shared with your community. Ensure menus are up to date and labels reflect products currently served. Maintain product Nutrition Facts Label and Ingredients List on file. Inform the nurse or other necessary personnel of product substitutions. An example of the importance of this practice is for participants with diabetes that require carbohydrate counting for diabetes.**

Requesting a Meal Modification

Households that need to request a meal modification should contact:

Determine who will be the first point of contact for households to reach out to and include their contact information. Include full name and phone number and consider including email contact.

- Michelle Richard, Director
- Brandi Wood, Food Services Coordinator
- Therese Rumery, Food Services Manager
- Shyanne Miller 504 Coordinator (required for SFAs and in CACFP and SFSP for program operators that employ 15 or more individuals)

Once a request is made, this information will be communicated to the Brandi Wood Food Service Director, Foodservice Staff, Teaching Staff. Programs are not required to provide specific brands. Meal modifications made through the written request of a household will be followed.

We strongly recommend taking a team approach to providing modifications. It can be helpful to create meal modification plans and have regular communication and check-ins with households.

Declining a Meal Modification

A requested meal modification may be declined if it would fundamentally alter the nature of the meal program. In these instances, the Brandi Wood will work closely with the household and the Vermont Agency of Education Child Nutrition Programs before considering this decision. A fundamental alteration is a modification so drastic that it would change the essential nature of the program. In the event a requested modification is not provided, households will be provided the right to:

- File a grievance
- Receive prompt and equitable resolution of said grievance
- Request and participate in an impartial hearing to resolve their grievances
- Be represented by counsel at the hearing
- Examine the record; and
- Receive notice of the final decision and a procedure for review, i.e., right to appeal the hearing's decision.

SFAs may use the IEP/504 grievance process and appeal process if it meets all the legal requirements. Non-SFA SFSP and CACFP program operators that employ less than 15 individuals do not have to establish grievance procedures.

Implementing a Meal Modification

** SFAs/Sponsors should develop a process for implementing meal modifications. Approaches could include:*

- *regular meetings with the parents/guardians, nurse, and other applicable personnel*
- *creating a written plan for how the modification or substitution will be handled*
- *ensuring staff are familiar with this process*
- *checking-in periodically to ensure it is an effective plan*

This plan could include sending the monthly menus for households to review ahead of time.

Legal Authority

- Section 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act of 1990
- ADA Amendments Act of 2008

Regulatory Guidance Documents for Information on Meal Modifications

- [SP 59-2016 Modifications to Accommodate Disabilities in the School Meal Programs](#)
- [Accommodating Children with Disabilities in the School Meal Programs Manual](#)
- [Policy Memorandum on Modifications to Accommodate Disabilities in the Child and Adult Care Food Program and Summer Food Service Program](#)
- [Vermont Agency of Education Child Nutrition Programs Civil Rights Information](#)

Nondiscrimination Statement

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. **fax:**
(833) 256-1665 or (202) 690-7442; or
3. **email:**
Program.Intake@usda.gov

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