

Fresh Picks Café Allergy Protocol

Fresh Picks Café believes all students should have access to nutritious and safe food. We believe a comprehensive approach is necessary in order to best serve our customers. Fresh Picks Café follows the guidance of The Americans with Disabilities Act Amendments Act of 2008 (ADAAA), P.L. 110-325 as well as the Massachusetts Department of Elementary and Secondary Education.

Customers seeking menu modifications are asked to submit a written medical statement. The signed physician's statement must include:

- **The child's allergy, special dietary condition or disability.**
- **The food(s) to be omitted from the child's diet, and the food or choice of foods that must be substituted.**
- **An explanation of why the condition restricts the child's diet (if the condition is classified as a disability).**
- **The major life activity affected (if the condition is classified as a disability).**

Please submit medical statements to your school nurse. Forms will be shared with the Fresh Picks Café Dietitian and your child's school Food Service Manager.

Please provide contact information in the event we need to contact you regarding menu substitutions. Also, should you wish to end your child's menu modifications for any reason we require written and signed documentation from the child's legal guardian.

This community approach allows our children safe access to nutritious and fresh foods daily.

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



This institution is an equal opportunity provider.

Making Accommodations for Children with Disabilities or Special Dietary Needs in Schools



The Americans with Disabilities Act Amendments Act of 2008 (ADAAA), P.L. 110-325 amended the Federal definition of disability, broadening it to cover additional individuals. A "person with a disability" means any person who has a physical or mental impairment which substantially limits one or more "Major Life Activities" and/or "Major Bodily Functions", has a record of such impairment, or is regarded as having such impairment.

The Eight Major Allergens Include: Milk, Eggs, Peanuts, Tree Nuts, Wheat, Soybeans, Fish, and Shellfish. These allergens are to blame for 90% of allergic reactions to food. Some food allergies are classified as a disability while others require special dietary accommodations.

Common Food Related Disabilities in Schools Include:

- A life-threatening food allergy that results in food anaphylaxis
- Celiac disease
- Metabolic diseases, such as diabetes or phenylketonuria (PKU)
- Swallowing/chewing disorder

Common Special Dietary Needs in Schools Include:

- A food allergy that is non-life-threatening and does not result in an anaphylactic reaction
- Food intolerances such as lactose intolerance

Are food substitutions or modifications required? YES

Food service staff is required by law¹ to make food substitutions or modifications for children with disabilities.

¹ Section 504 – Rehabilitation Act of 1973

¹ USDA Federal Regulation – 7 CFR 210.10, Part 15b

Are food substitutions or modifications required? NO

The school food service is encouraged but **not required** to make food substitutions for individual children who do not have a disability, but who are medically certified as having a special medical or dietary need such as a food intolerance or non-life threatening allergy to food.

Is medical documentation required for children with disabilities? YES

A written medical statement signed by a licensed physician or a State recognized medical authority must be provided to the school.

What must the physician's statement include?

1. The child's disability.
2. An explanation of why the disability restricts the child's diet.
3. The major life activity affected by the disability.
4. The food or foods to be omitted from the child's diet, and the food or choice of foods that must be substituted.

Is medical documentation required for children with special dietary needs? YES

A written medical statement signed by a State recognized medical authority must be provided to the school.

What must the medical authority's statement include?

1. An identification of the medical or other special dietary condition which restricts the child's diet.
2. The food or foods to be omitted from the child's diet.
3. The food or choice of foods to be substituted.