

ACCOMMODATIONS AND MODIFICATIONS IN SCHOOL FOOD SERVICE PROGRAMS

760-Rule

Waunakee Community School District

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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:

Director of Special Education
905 Bethel Circle, Waunakee, WI 53597
608-849-2000

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

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.

Legal References:

Wisconsin Statutes

[Section 118.13](#) [student nondiscrimination]

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Federal Laws

[7 C.F.R. Part 15b](#)

[nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance]¹

[20 U.S.C. §1400 et seq.](#)

[The Individuals with Disabilities Education Act, providing for programs, Services, and rights for students with disabilities; implementing regulations at [34 C.F.R Part 300](#)]

[42 U.S.C. §12131 et seq.](#)

[The Americans with Disabilities Act, Title II, as amended, nondiscrimination based on disability by state and local governments; implementing regulations at [28 C.F.R. Part 35](#)]

[29 U.S.C. §794 et seq.](#)

[Section 504 of the Rehabilitation Act of 1973, as amended, prohibiting discrimination based on a qualifying disability by recipients of federal funds; implementing regulations at [34 C.F.R. Part 104](#), [28 C.F.R. Part 42, Subpart G](#), and [29 C.F.R. Part 1640](#)]

Cross References:

WASB PRG 760 Sample Rule 1

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¹ I deleted legal references relating to federal nutrition programs. This reference (which I did not delete) relates to section 504 requirements for USDA administered programs, so it may not apply to schools that do not participate in federal nutrition programs.