

Milk Substitutions in USDA School Nutrition Programs

One of the most common special diet requests received by School Food Authorities (SFA) involves potential substitutions for the milk component, such as requests for lactose-free milk, other non-dairy milk beverages (.e.g. soy, rice, coconut, almond, or goat's milk), or juice. This document defines the rules related to these substitutions and discusses when and how SFAs can make such substitutions while still providing a reimbursable meal.

Fluid Milk Substitutions for a Child with a Disability

The SFA must provide meal substitutions for a child with a disability that restricts the child's diet. The documentation that is required is a written medical statement from a licensed physician, physician assistant or advanced practice nurse. The medical statement should include a description of the child's physical or mental impairment and an explanation of how it restricts the child's diet. It should also include an explanation of what must be done to accommodate the disability.

The medical statement takes priority over USDA meal pattern and nutrient requirements, and these meals are still eligible for reimbursement. For example, a physician can request juice in place of milk for a child with a disability. The school is required to provide this substitution and can claim these meals for reimbursement, even though USDA regulations state that juice is not an acceptable substitute for the milk component. The statement must be kept on file as documentation for the substitution.

Fluid Milk Substitutions for a Child Without a Disability

Diet requests related to taste preferences or religious, moral, or general health concerns do not qualify as a disability. In these cases, schools **cannot** substitute a beverage, such as a non-dairy milk option, for the milk component unless it is *nutritionally equivalent to cow's milk*.

A written request for a fluid milk substitute may be made by a parent, guardian, or a medical authority. The decision to offer a fluid milk substitute to a child *without a disability* is up to SFA discretion. Acceptable fluid milk substitutes must contain the following nutrients in the quantities specified to be considered nutritionally equivalent to cow's milk:

Milk Substitute Nutrition Standards

Nutrient	Per cup
Calcium	276 mg
Protein	8 g
Vitamin A	500 IU
Vitamin D	100 IU
Magnesium	24 mg
Phosphorus	222 mg
Potassium	349 mg
Riboflavin	.44 mg
Vitamin B-12	1.1 mcg

The Minnesota Department of Education (MDE) has created [Fluid Milk Substitutions in the Child Nutrition Programs](#), a list of potential brands and flavors of soy milk options that meet these requirements.

The SFA must notify MDE of their decision to provide a fluid milk substitute. View the form [Notification to the Minnesota Department of Education About the Use of Fluid Milk Substitutes](#).

More information about Fluid Milk Substitutions in School Nutrition Programs is available on the [Federal Register website](#).

Lactose-Reduced Milk:

The case of lactose intolerance can be handled multiple ways, depending on the documentation provided to the SFA.

If a school receives notification from a parent or guardian that their child is lactose intolerant, Minnesota State Statute requires that the school must provide lactose-reduced or lactose-free milk to the student. Since lactose-reduced or lactose-free milk is cow's milk, it can be credited as the milk component in a meal or snack with no further documentation.

If a parent requests a non-dairy milk substitute, this can be provided as described above. The school is not required to accommodate this request, and can instead choose to provide the lactose-free or lactose-reduced cow's milk.

Recently, Section 504 of the Americans with Disabilities Act expanded the definition of a disability to include major bodily functions, such as digestion, under the list of major life activities that can be limited by a disability. This allows lactose intolerance, which impairs a child's digestion, to be considered a disability. If a family wants a non-dairy milk substitute that is NOT considered nutritionally equivalent to cow's milk, they can obtain a medical statement from a physician, physician's assistant, or advanced practice nurse, requesting this substitute due to lactose intolerance. The school would then follow the same procedures outlined above for a special diet request for a child with a disability, and the meal would be reimbursable.