



DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH

ROY COOPER
GOVERNOR

MANDY COHEN, MD, MPH
SECRETARY

DANIEL STALEY
DIRECTOR

CACFP 17-09

July 5, 2017

Memorandum

To: Institutions Participating in the Child and Adult Care Food Program

From: Arnette Cowan, Head 
Special Nutrition Programs

Subject: Policy Memorandum on Modifications to Accommodate Disabilities in the Child and Adult Care Food Program

The attached policy memorandum, CACFP 14-2017, SFSP 10-2017 "*Modifications to Accommodate Disabilities in the Child and Adult Care Food Program and Summer Food Service Program*," includes important updates to the requirements related to accommodating children and adults (participants) with disabilities receiving meals through the Child and Adult Care Food Program (CACFP). This memorandum is the companion piece to SP 59-2016 "*Modifications to Accommodate Disabilities in the School Meal Programs*" published on September 27, 2016.

Previous Food and Nutrition Service (FNS) guidance on this issue was included in FNS Instruction 783-2, Rev. 2, "*Meal Substitutions for Medical or other Special Dietary Reasons*." The attached memorandum and SP 59-2016 supersede that Instruction. With the release of this memorandum, FNS Instruction 783-2, Rev. 2 has been rescinded.

The Americans with Disabilities Act (ADA) Amendments Act of 2008 made important changes to the meaning and interpretation of the term "disability." The changes restored the broad scope of the ADA by making it easier for an individual to establish that he or she has a disability. After the passage of the ADA Amendments Act, most physical and mental impairments constitute a disability. Therefore, rather than focusing on whether or not a participant has a disability, CACFP institutions and facilities should focus on working collaboratively with parents, guardians, participating adults, or a person acting on behalf of an adult participant to ensure an equal opportunity to participate in the CACFP and receive Program benefits. The attached memorandum clarifies changes made by the ADA Amendments Act and reflects the position FNS will take in compliance reviews and enforcement actions.

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TEL 919-707-5800 • FAX 919-870-4818

LOCATION: 5601 SIX FORKS ROAD • RALEIGH, NC 27609

MAILING ADDRESS: 1914 MAIL SERVICE CENTER • RALEIGH, NC 27699-1914

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cc: SNP Staff