



FAQ: Non-Dairy Milk Access in Schools After the Whole Milk for Healthy Kids Act

What did the Whole Milk for Healthy Kids Act change about non-dairy milk served in schools?

1) Disability-based substitutions are now easier to access.

Students with disabilities—including lactose intolerance—now have a **clear, straightforward right** to receive a fluid milk substitute based on a **written statement from a parent or guardian**. A doctor's note is no longer required.

- The substitute may be **soy milk or another reasonable alternative**, such as oat milk, juice, water, or another beverage specified in the written statement.
- This applies to any student whose disability restricts their diet.

2) Schools may proactively offer soy milk to all students—no note required.

Schools are now **allowed (but not required)** to offer a nutritionally equivalent non-dairy beverage—currently fortified soy milk—as part of a reimbursable school meal **to any student**, without requiring a parent or medical note. This means schools can place soy milk directly on the lunch line alongside cow's milk for the first time.

When do these changes go into effect?

The law is in effect right now, and USDA has already [issued guidance](#) to school districts to implement the law.

Are schools still mandated to serve cow's milk?

Yes. Federal law still requires schools to offer a variety of cow's milk.

USDA has interpreted this requirement to mean that schools must offer **at least two varieties of cow's milk** (for example, unflavored 1% milk and flavored 1% milk). If a school chooses to offer soy milk on the lunch line, it must be offered **in addition to—not instead of—cow's milk**.

It is not accurate to say that the cow's milk requirement has ended.

Why soy milk and not oat milk, almond milk, or other plant-based milk?

It depends on the type of request:

- **For disability-based substitutions:**
Any plant-based milk—or other beverage—may be requested, as long as it is specified in the written statement and considered reasonable. Nutritional equivalency is *not* required for disability accommodations.
- **For milk offered proactively on the lunch line (no note needed):**
USDA allows only beverages that are **nutritionally equivalent to cow’s milk**. At this time, only fortified soy milk, Ripple® pea milk, and certain pea-oat milk blends meet USDA’s nutritional equivalency standards, though additional products could qualify in the future.

I want to request plant-based milk for my child. How do I do that?

We’ve created a [step-by-step guide](#) explaining the different ways families can request cow’s milk substitutes, including disability-based and discretionary options. The guide includes template letters to send to your school district.

My child’s school is confused about the new law. What can I tell them?

You can share our [companion guide](#) designed specifically for school food operators, which explains:

- The difference between mandatory and discretionary requests
- When a note is required—and when it is not
- How schools can proactively offer soy milk on the lunch line

How does the Whole Milk for Healthy Kids Act relate to other bills like the Plant Powered School Meals Pilot Act and the FISCAL Act?

Several federal bills have addressed non-dairy beverage access in schools, but **only the Whole Milk for Healthy Kids Act has passed into law.**

Bill Name	What the Bill Does	Status
Whole Milk for Healthy Kids Act	As amended: <ul style="list-style-type: none">• Authorizes schools to serve whole milk• Exempts saturated fat in fluid milk from counting toward saturated fat limits	Enacted into law

	<ul style="list-style-type: none"> • Allows schools to offer a nutritionally equivalent non-dairy beverage (e.g., soy milk) as part of a reimbursable school lunch • Requires schools to provide a cow's milk substitute based on a parent note (previously, a doctor's note was required) for students with disabilities, including lactose intolerance • Adds food allergy content to training for school food personnel 	
Plant Powered School Meals Pilot Act (formerly introduced as Healthy Future Students and Earth Act)	<ul style="list-style-type: none"> • Creates a \$10 million pilot grant program for schools to expand plant-based meals • Allows schools to serve nutritionally equivalent non-dairy milk on the lunch line as part of a reimbursable school meal • Requires schools to serve a cow's milk substitute for students with disabilities, including lactose intolerance, based on a note from a parent <i>or</i> student, in addition to a licensed health professional • Creates a \$2 million pilot grant program for schools to proactively serve soy milk to help offset the cost difference between soy milk and cow's milk 	<p>Introduced; pending in Congress</p> <p>While this bill remains pending, two of its provisions were included in the passed Whole Milk for Healthy Kids Act:</p> <ul style="list-style-type: none"> • Allows schools to serve nutritionally equivalent non-dairy milk on the lunch line as part of a reimbursable school meal • Requires schools to serve a cow's milk substitute for students with disabilities, including lactose intolerance, based on a note from a parent, in addition to a licensed health professional
FISCAL Act (formerly the ADD SOY Act)	<ul style="list-style-type: none"> • Requires plant-based milk to be served in schools as part of a reimbursable meal 	Introduced; pending in Congress

What about the provisions in the Plant Powered School Meals Pilot Act and the FISCAL Act that did not pass?

The Whole Milk for Healthy Kids Act reflects a legislative compromise. While it made meaningful progress, it did not include all the reforms advocates sought. It also includes provisions we do not support—allowing whole milk into schools despite science-based recommendations to limit saturated fat—but which had enough political power behind them to pass with or without our amendments to also allow soy milk.

Our work to expand plant-based food and beverage options in schools will continue, and there are upcoming opportunities for progress. For example, the Plant Powered School Meals Pilot Act advanced through Child Nutrition Reauthorization discussions in 2022 but was never taken up by the Senate. That history suggests there will be future opportunities to advance plant-based school meal policy when Congress revisits Child Nutrition Reauthorization. To support the work of the Plant Powered School Meals Coalition, visit our website: plantpoweredschoolmeals.com