

ORP Office of Rules and Procedures	Department of Children and Family Services	
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	Origin of Request: Licensed Day Care Centers	
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	Key Words: 89 IAC 407, Licensing Standards for Day Care Centers, Nutrition and Meal Service, Snacks Provided by Parents	
	Approved by:	

Interpretation

Applicable To: Licensed Day Care Centers

Policy Citation: 407.330(f) - All food consumed by children under the supervision of the child care center shall be provided by the center, except as follows:

- 1) Parents may provide food for infants not yet consuming table food or for any child requiring a special diet that cannot reasonably be provided by the center.
- 2) Upon agreement of the staff, commercially prepared foods may be brought in occasionally by parents as part of holiday or birthday celebrations. Food brought in for this purpose must arrive unopened as packaged by the bakery or manufacturer, or it shall not be accepted.
- 3) If food is to be catered rather than prepared at the center, a dated contract with the catering service specifying the number of food orders to be delivered shall be available for review.

407.330(g) - Menus shall be planned at least one week in advance and shall be available for review. If substitutions are made for any food item, menus shall be corrected to reflect meals as served. Substitutions shall be nutritionally equal to the food items being replaced. Corrected menus shall be on file and available for review for one year after the meals were served.

407.330(h) - Adequate and appropriate food shall be served according to the amount of time the child spends at the center. The center shall provide α to β of the child's daily nutrient needs depending on length of stay, as outlined in the chart below. These nutrient needs are based on the current recommended

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dietary allowances set by the Food and Nutrition Board of the National Research Council and are outlined in Appendix D and Appendix E.

Time Present Per Day Number of Meals and Snacks Per Day

Two to five hours	One snack
Five to ten hours	One meal and two snacks or two meals and one snack
More than ten hours	Two meals and two snacks or one meal and three snacks

407.330(k) - Meals and snacks for children one year of age and older shall comply with the requirements of Appendix E.

407.330(l) - Food shall be prepared and handled safely.

Question: **If a day care center has a policy which requires that parents provide the daily snacks for their children, are they out of compliance with the rule?**

Discussion: There are many preschool programs that operate less than five hours per day and are required to provide only one snack to children. Several of these programs do not have kitchen facilities and have developed policies whereby parents provide the daily snacks for children. Some programs have parents take turns providing all the children the daily snack, while others may require each parent to send the daily snack for his or her own child.

The intent of the rule is to hold the center responsible for insuring that food served to children is safe, healthy, meets the nutritional requirements in the licensing standards and follows the menu developed by the center. Whether a parent purchases the daily snacks or a staff person is directed to purchase the snacks, the center is still responsible for the food being served. The limitation on food from home in 407.330(f)(2) is to eliminate homemade treats and limit the amount of sweets brought for children.

Response: **A day care center that has a policy requiring parents to provide snacks meets**

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the intent of the rule as long as the center complies with all of the following:

- 1. The center shall create a weekly menu of snacks. [subsection 407.330(g)]**
- 2. The parent purchasing snack shall be told the type and amount of food to be purchased. The food shall be commercially prepared and brought to the center in unopened commercial packaging. [subsections 407.330(f), 407.330(h), and 407.330(k)]**
- 3. The center shall take the responsibility to insure that the snack follows the weekly menu. If a substitution must be made, the center insures that it meets the nutrition requirements of the licensing standards and adjusts the menu accordingly. [subsection 407.330(g)]**
- 4. The center shall be responsible for the safety of the snacks being served. [subsection 407.330(l)]**
- 5. If a parent does not provide snacks that meet the requirements of the standards, it is the responsibility of the center to provide the snacks. [subsections 407.330(h) and 407.330(k)]**