

ORP Office of Rules and Procedures	Department of Children and Family Services	
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	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)(3) - From the months of October through May, the main meal shall be a hot meal, with occasional exceptions of no more than twice per month. During the months of June through September, a hot or a cold meal conforming to the Meal Pattern Chart (see Appendix E) shall be 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 dietary allowances set by the Food and Nutrition Board of the National Research Council and are outlined in Appendix D and Appendix E.

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<u>Time Present Per Day</u>	<u>Number of Meals and Snacks Per Day</u>
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(1) - Food shall be prepared and handled safely.

- 1) Hot foods shall be maintained at a temperature of 140EF or above and cold foods at 40EF or below, except that food may be held at a temperature of 45EF for a maximum of three days. See Section 750.140 of the Food Service Sanitation Code (77 Ill. Adm. Code 750).

Question: Some day care centers operate preschool programs that are less than five hours per session. They may offer a program in the morning and another in the afternoon or just one program per day. These programs are offering a separate lunch program whereby children either stay after the morning program or come early for the afternoon program. The children are bringing lunches from home. Are these programs in violation of Section 407.330, Nutrition and Meals?

Discussion: Lunches are not required when children attend the program less than five hours per day. However, if the program has a lunch component, even if the program operates less than five hours, the meal service must be in compliance with Section 407.330. Lunch must be provided by the center.

Day care centers that have a formal preschool program lasting less than five hours but allow some or all the children to stay beyond the hours of the formal program are not exempt from the requirements of Section 407.330. Any child who stays beyond five hours must be provided a meal that meets the requirements of Section 407.330.

If a day care program has a formal program that operates less than five hours and allows some children to stay after the morning program or come before the start of the afternoon program and bring their lunch, it is not in compliance with the rule.

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Even if the total time the child stays in the facility is less than five hours, any meal consumed by children must be in compliance with Section 407.330. The meal may not be brought from home. It must be provided by the center.

Any time children are present, a licensed day care center must comply with the requirements of Part 407. If a facility's normal operations are from 9:00 a.m. until noon and one or more children stay beyond noon, the day care center must maintain compliance with the rules during the time those children are present.

Response: Any time children are present in a licensed day care center and a meal (breakfast, lunch, or dinner) is served, the meal must be in compliance with Section 407.330. Lunches or other meals brought from home shall not be served.