


MEMORANDUM

TO: County Food Service Directors
County Pre-K Programs and Collaborative Teams

FROM: Richard J. Goff, Executive Director 
Office of Child Nutrition

SUBJECT: Serving Meals to Children in County Pre-K Programs

DATE: August 10, 2011

Four years ago, the West Virginia Department of Education (WVDE), Office of Child Nutrition (OCN) issued a memorandum under the same title to clarify the policies and procedures for feeding children in pre-k settings. Many of the issues originally affecting programs have been resolved or alleviated through work with pre-k personnel and meeting with collaborative teams. However, after repeatedly hearing the same issues in a variety of different programs, the OCN believed another clarification memorandum would be helpful.

Although there has been some confusion on this topic, it was always the intent of Policy 2525 that collaborative pre-k programs would provide a meal (e.g. a breakfast, a lunch, or both) regardless of the length of time the child is in care. The policy was recently updated in order to eliminate any confusion. **All pre-k programs, whether in schools or collaborative settings, should be providing a meal(s) to their children for the upcoming school year.**

Children enrolled in collaborative pre-k programs are considered enrolled in public education. Therefore, breakfast and lunch should be claimed by the county as part of the School Breakfast Program (SBP) or the National School Lunch Program (NSLP). When a collaborative child care center provides these meals to children outside of a school setting, they are actually “catering” a meal to the county to feed children enrolled in public school.

The OCN has encouraged collaborative child care partners to ensure they have a contract in place with the county that outlines the meal service arrangements and the process for claiming the meals for federal reimbursement. Free and reduced price meal applications for enrolled children should be collected by the county. Families of children enrolled in the pre-k program should receive information at the beginning of the program year explaining that their children in the county public education system and they may receive a lunch bill if do not qualify for free meals. However, families should also understand that, although they may pay tuition for before and after care, they would not be paying tuition for the time that their child is attending public school, regardless of the setting.

Collaborative pre-k programs should provide a nutritious meal that meets the meal pattern requirements, conduct an accurate point-of-service, and provide the meal counts to the county as they require. Other requirements, such as required NSLP monitoring, may also be stipulated in the contract. In addition, collaborative pre-k program will invoice the county boards of education for the cost of the catered meal. **The rate that is agreed upon by the two parties should be fair and cover the cost to produce the meal. In the past, the OCN has stated that a good “rule of thumb” is to use the federal free reimbursement rate. This year, that rate is \$1.51 for breakfast and \$2.77 for lunch.** This rate is to be provided for ALL enrolled pre-k children, regardless of their eligibility status collected by the county on the free and reduced price meal application.

It is not the responsibility of the collaborative pre-k program to determine their families’ eligibility status or to track down families for payment of lunch bills--nor should they be penalized in any way (e.g. withholding payment for meals) if parents neglect to pay their breakfast and lunch bills. Children enrolled in pre-k collaborative programs are enrolled in public school and their county bills should be treated the same as for any other child enrolled in the county system. County personnel should follow their billing and collection policies for these families.

Families may decide they would like to provide a meal for their child because they have dietary considerations or they simply do not want to generate a lunch bill. **In these cases, parents may elect to send a meal from home with their child; this practice is perfectly acceptable and families cannot be forced to incur a bill for their child’s meals.** It is also not acceptable to require parents to obtain a special dietary needs form for their child to circumvent the process.

The West Virginia Department of Health and Human Resources (WV DHHR) Bureau of Children and Families worked with the WVDE OCN years ago to create a process for child care centers to allow meals from home. They did this in large part for the collaborative pre-k programs that were placed in a situation in which, at the time, meals were not allowed from home (according the WV DHHR) but children in public school could not be forced to incur a lunch bill (as per the WVDE). Resolving this dilemma required a change in WV DHHR licensing regulations. **If you have not done so already, a copy of the licensing regulatory requirements is attached so that pre-k collaborative programs can take the steps necessary to allow children to bring a meal from home.**

Hopefully, this memorandum will clarify existing issues related to feeding children in collaborative pre-k settings. If you would like additional information or need assistance on this issue, please contact me at 304-558-2709 or Mollie Wood at 304-558-3396.

RJG/MBW/ja

REGULATORY REQUIREMENTS CHILD CARE CENTERS

Title 78, Legislative Rules, DHHR, Series 1, Day Care Center Licensing Regulations

§78-1-16. Nutrition and Food:

16.12. A center may choose to allow a child to bring meals and snacks to the center if:

16.12.a. The center has written policies that address:

16.12.a.1. Providing parents and staff with nutritional guidelines in this rule;

16.12.a.2. Providing to parents and staff guidelines on the proper preparation and storage of food so that foods do not present a cross-contamination threat; **78CSR1 54**

16.12.a.3. Providing to parents and staff a list of foods the center will not permit, including known food allergens to other children;

16.12.a.4. An explanation to parents of how the center will address the issue if a child does not bring meals or snacks, or if the meals or snacks the child does bring are not within the nutritional guidelines or guidelines provided by the center;

16.12.a.5. That the food prepared from an unapproved source is for consumption by the child and not to be shared with other children or the group.

16.12.b. The center has safe storage and refrigeration of the food as needed. Storage must be approved by the Health Department;

16.12.c. Each child's meal or snack is clearly labeled with the child's first and last names and the date it was brought to the center;

16.12.d. No additional food preparation is required by the center;

16.12.e. The center provides a meal or snack when the parent fails to provide a meal or snack from home;

16.12.f. The center includes children with food allergies in the group during meal or snack time and closely supervises all children under school age during meal or snack time to prevent the cross-contamination of food or accidental ingestion of a food allergen; and

16.12.g. The center has milk available at meal times in accordance with meal patterns described in Appendix 78-1-C of this rule.