



**STATE OF TENNESSEE
DEPARTMENT OF HUMAN SERVICES**

CITIZENS PLAZA BUILDING
400 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1403

TELEPHONE: 615-313-4700 FAX: 615-741-4165
TTY: 1-800-270-1349
www.state.tn.us/humanserv/

PHIL BREDESEN
GOVERNOR

VIRGINIA T. LODGE
COMMISSIONER

MEMORANDUM

CCL Bulletin: 09-004

Attachment: Food Service Safety and Supervision
Rules memorandum to Providers dated 4/28/09

TO: Child and Adult Care Licensing Staff
Partner Groups
Licensed Child Care Providers
FROM: Lois Barrett Luke, Director of Child and Adult Care Licensing
DATE: April 24, 2009
RE: **Food Service Supervision Monitoring and Enforcement Guidelines**

Applicable Child Care Center Rules:

1240-4-3-.11 (2)

(g) At mealtime, children shall be seated at tables and chairs of appropriate size, and adults shall sit with them.

Child Care Center Licensing Rules

1240-4-3-.06

(b) Children six (6) weeks of age through nine (9) years of age:

1. The adult must be able to hear the child at all times, must be able to see the child with a quick glance, and must be able to physically respond immediately.

2. Exception during mealtime: An adult must be in the direct sight and sound of children ages six (6) weeks through five (5) years, not in kindergarten, while the child is eating.

Guidelines for Monitoring and Enforcement:

While it is expected that a caregiver sits with a child while the child is eating, there will be occasion when it becomes necessary for the caregiver to stand up from the table to attend to a meal or snack time issue. The most important point is that each child is adequately supervised while eating, which is a high risk activity. Even if a caregiver is meeting the letter of this rule and sitting with any and all children while eating, it is most important that the caregiver's attention is focused intently upon children while eating and their immediate eating environment. Child Care Licensing Program Evaluators will not cite a violation of this rule, regarding sitting with children, unless there is an accompanying lack of supervision.

Adequate food service supervision consists of the focused attention of a caregiver to any child who is eating and to the child's immediate environment. Example: A caregiver cannot be providing adequate food service supervision if engaged in preparing the classroom or materials for the next scheduled activity, laying out mats for nap time, filling out paperwork, supervising hand washing, or in any similarly distracting activity.

Violations of supervision are critical in nature and, as such, a Child Care Licensing Program Evaluator will:

- bring violations of this type to the attention of on-site agency staff or supervisors,
- ensure that the violation is corrected on-site,
- document the violation on the check sheet,
- follow up with a Put on Notice letter that notifies agency owner, and/or administration of the violation and
- request, review and evaluate a Plan of Corrective Action from the agency that addresses how the agency will ensure future rules compliance in the area of food service supervision. A Plan of Corrective Action may be prescribed, such as the Department requiring particular training for particular staff.