BULLETIN NO. 008-22 Child Nutrition Services

TO:       Educational Service District Superintendents
          School District Superintendents
          School District Business Managers
          School Food Service Supervisors

FROM:    Chris Reykdal, Superintendent of Public Instruction

RE:   Breakfast After the Bell in School Year 2022–23

CONTACT:  Mikhail Cherniske, Administrative Program Specialist - Legislation
          360-999-0962, mikhail.cherniske@k12.wa.us

PURPOSE/BACKGROUND
High-needs schools that operate the School Breakfast Program (SBP) are required to implement a Breakfast After the Bell (BAB) program and give students adequate time to eat their breakfast. Implementation of this requirement was paused during School Year SY 2020–21 and 2021–22 due to the COVID pandemic. This bulletin describes steps BAB required schools must take in preparing to implement a BAB program starting in SY 2022–23.

Requirement – Submit Breakfast After the Bell SY 2022–23 Plan
High-needs schools, are defined in RCW 28A.235.200 as any public school where at least 70% of the students are eligible for free or reduced-price meals or, if operating the U.S. Department of Agriculture (USDA) Community Eligibility Provision (CEP), has a free claiming percentage of 70% or more. OSPI Child Nutrition Services will be releasing the Breakfast After the Bell SY 22–23 Plan in February 2022. This will capture school district plans for BAB. Schools required to implement BAB must complete and submit a plan. Additional resources to support BAB efforts will also be available.
Breakfast After the Bell—Background

Breakfast After the Bell Definition
Breakfast After the Bell is a breakfast that is offered to students after the beginning of the school day. BAB programs give all students the opportunity to eat a nutritious meal at the beginning of the school day. By increasing availability, BAB programs produce higher participation rates than traditional breakfast service. Increased breakfast participation is linked to improved learning outcomes, including attendance, behavior, and academic.

Breakfast After the Bell changes the timing and location of breakfast but is not a separate school nutrition program from the USDA School Breakfast Program. The three nationally recognized models of BAB are:

- **Breakfast in the Classroom**– Breakfasts are served in the classroom
- **Second Chance Breakfast**– In addition to traditional, before school breakfast, breakfast is available a second time during a nutrition break or between classes.
- **Grab and Go**– Easy to eat foods are available for students to take to the classroom at the start of the school day.

Key Elements of an acceptable Breakfast After the Bell program:
- Students are freely encouraged to participate in breakfast.
- Students have adequate time to eat their breakfast and should not be separated from their peers or excluded from instructional activities.

Breakfast Counts as Instructional Time
RCW 28A.150.205 provides that Breakfast After the Bell counts as instructional hours as long as students are provided the opportunity to engage in educational activity while they eat their breakfast.

Example of Breakfast After the Bell Models
Breakfast in the Classroom
Food service staff (sometimes assisted by students) deliver breakfast to each classroom in insulated bags on a cart or mobile shelving unit. Students retrieve their meal to eat at their desks or another approved space in the classroom.

Breakfast in the Classroom (BIC) is the best model for younger students and has the highest participation increases compared to traditional breakfast.

Grab and Go
Students pick up breakfast in the cafeteria or from a breakfast station in a central location and bring it to class to eat at their desk or another approved classroom location.
Second Chance
Students eat breakfast during a break in the morning, often after 1st or 2nd period, usually via Grab and Go to the Classroom.

INFORMATION AND ASSISTANCE
For questions regarding this bulletin, please contact Mikhail Cherniske at 360-999-0962 or email Mikhail.Cherniske@k12.wa.us. The OSPI TTY number is 360-664-3631.

This bulletin is also available on the Bulletins page of the OSPI website.

Tennille Jeffries-Simmons
Chief of Staff

T.J. Kelly
Chief Financial Officer
Financial Services

Leanne Eko
Director
Child Nutrition Services

CR:In
Assurance of Civil Rights Compliance

The Sponsor hereby agrees that it will comply with: i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.); ii. Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.); iii. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); iv. Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.); v. Title II and Title III of the Americans with Disabilities Act (ADA) of 1990 as amended by the ADA Amendment Act of 2008 (42 U.S.C. 12131-12189); vi. Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." (August 11, 2000); vii. All provisions required by the implementing regulations of the Department of Agriculture (USDA) (7 CFR Part 15 et seq.); viii. Department of Justice Enforcement Guidelines (28 CFR Parts 35, 42 and 50.3); ix. Food and Nutrition Service (FNS) directives and guidelines to the effect that, no person shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity for which the Program applicant receives Federal financial assistance from USDA; and hereby gives assurance that it will immediately take measures necessary to effectuate this Agreement. x. The USDA non-discrimination statement that in accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs).

This assurance is given in consideration of and for the purpose of obtaining any and all Federal financial assistance, grants, and loans of Federal funds, reimbursable expenditures, grant, or donation of Federal property and interest in property, the detail of Federal personnel, the sale and lease of, and the permission to use Federal property or interest in such property or the furnishing of services without consideration or at a nominal consideration, or at a consideration that is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale, lease, or furnishing of services to the recipient, or any improvements made with Federal financial assistance extended to the Program applicant by USDA. This includes any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of cash assistance for the purchase of food, and cash assistance for purchase or rental of food service equipment or any other financial assistance extended in reliance on the representations and agreements made in this assurance.

By accepting this assurance, the Sponsor agrees to compile data, maintain records, and submit records and reports as required, to permit effective enforcement of nondiscrimination laws and permit authorized USDA personnel during hours of program operation to review and copy such records, books, and accounts, access such facilities and interview such personnel as needed to ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, the Department of Agriculture, FNS, shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Sponsor, its successors, transferees and assignees as long as it receives assistance or retains possession of any assistance from USDA.

OSPI provides equal access to all programs and services without discrimination based on sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal by a person with a disability. Questions and complaints of alleged discrimination should be directed to the Equity and Civil Rights Director at 360-725-6162/TTY: 360-664-3631; or P.O. Box 47200, Olympia, WA 98504-7200; or equity@k12.wa.us.