

## MEMORANDUM

TO: County Food Service Directors

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

SUBJECT: *Breakfast in the Classroom* – Teacher Participation

MEMO CODE: OCN Guidance Memo – Feed to Achieve BIC

DATE: October 23, 2013

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In April of this year, the West Virginia Legislature passed Senate Bill No. 663 creating the West Virginia Feed to Achieve Act. One over-riding intention of the Feed to Achieve Act is to ensure that school children have access to nutritious meals in order to achieve his or her highest potential. A major provision of the new code requires all schools to adopt innovative breakfast delivery systems that are approved by the Office of Child Nutrition (OCN). These approved systems shall include, but are not limited to; Grab-N-Go Breakfast, Breakfast in the Classroom and Breakfast-After-First Period. This guidance memo is intended to clarify one particular provision of the new law and provide school personnel with an explanation of this provision.

The Act repeals §18-5-37 of the Code of West Virginia which required each county board of education to establish and operate a school breakfast program for all pupils enrolled. In the original version of state code mandating school breakfast, was a provision protecting classroom teachers from being required to participate in the operation of the school breakfast program as part of their regular duties. At that time, school breakfast was restricted to the school cafeteria. The intention of this provision was to protect teachers from being required to work in cafeterias and kitchens as part of their contracted duties as a teacher. The provision was carried forward to the new 2013 West Virginia Feed to Achieve Act (§18-5D-3) in order to afford classroom teachers that same protection from being required to work in cafeterias and kitchens during the meal service periods. The OCN defines "participating in the operation of the school breakfast program" as being directly involved as a food service employee. Classroom teachers observing breakfast in the classroom are not considered "directly involved" in the food service operations. This provision is not intended to give classroom teachers recourse for not supporting and participating in the Breakfast in the Classroom initiative.

Successful breakfast programs can be an essential part of student well-being and academic success. Research consistently shows that children who eat a well-balanced breakfast perform better on standardized tests, have higher math scores, and lower rates of absenteeism and tardiness. Therefore, the Legislature is placing the nutritional needs of WV's children at the forefront by declaring that an effective school breakfast program is not an interruption of the school day, but an integral and vital part of that day.

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Breakfast in the classroom has emerged as one of the most effective strategies to get school breakfast to the large number of students who need it. It is especially effective for those schools that can serve breakfast to all students at no additional charge, such as schools with high concentrations of free and reduced-price eligible students or schools participating in the Community Eligibility Program.

In the past several years, many WV schools that have implemented breakfast in the classroom have doubled their breakfast participation rates, therefore dramatically increasing federal reimbursements and improving food service operations. The increased federal revenue from high breakfast participation can minimize the county's contribution to the food service program.

Teachers report they have actually gained instructional time due to fewer nurse visits, less tardiness and absenteeism. Students participating in Breakfast in the Classroom do not have to struggle through mornings on empty stomachs and experience significant academic and health benefits.

Please ensure that local school administrators are notified of the aforementioned guidance. Your continued support for the children of West Virginia is very much appreciated. If you have questions regarding school nutrition policies or the Feed to Achieve Act, please contact Kristy Blower at 304-558-3396.

Thank you.

Dr. Gus Penix, Director



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To: Superintendents and Principals

From: Gus Penix, Director

Date: March 21, 2012

Re: Policy 2510 Instructional Time Requirements and Breakfast

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This memo is written to clarify the Office of Education Performance Audits (OEPA) position regarding instructional time requirements set forth in West Virginia Board of Education Policy 2510 related to students having breakfast during class time. The OEPA recognizes the importance of breakfast in preparing students for learning each day to enhance their potential for academic achievement. OEPA further recognizes that allowing breakfast in the classroom is acceptable in fulfilling instructional time requirements, as long as educational activities (relative to the CSOs for the class) are occurring.

Please contact me if you have questions.

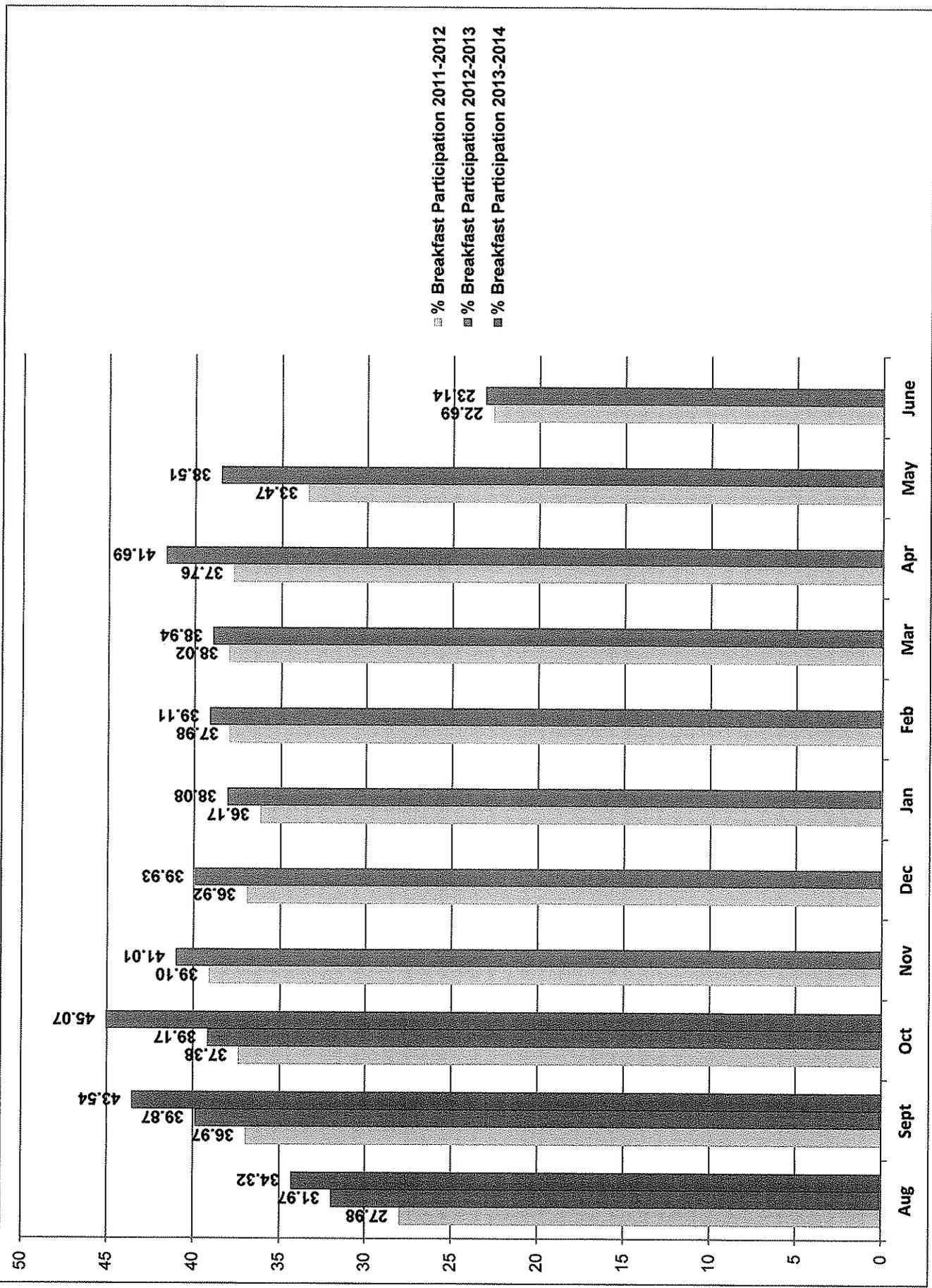
## WV FEED TO ACHIEVE ACT Implementation

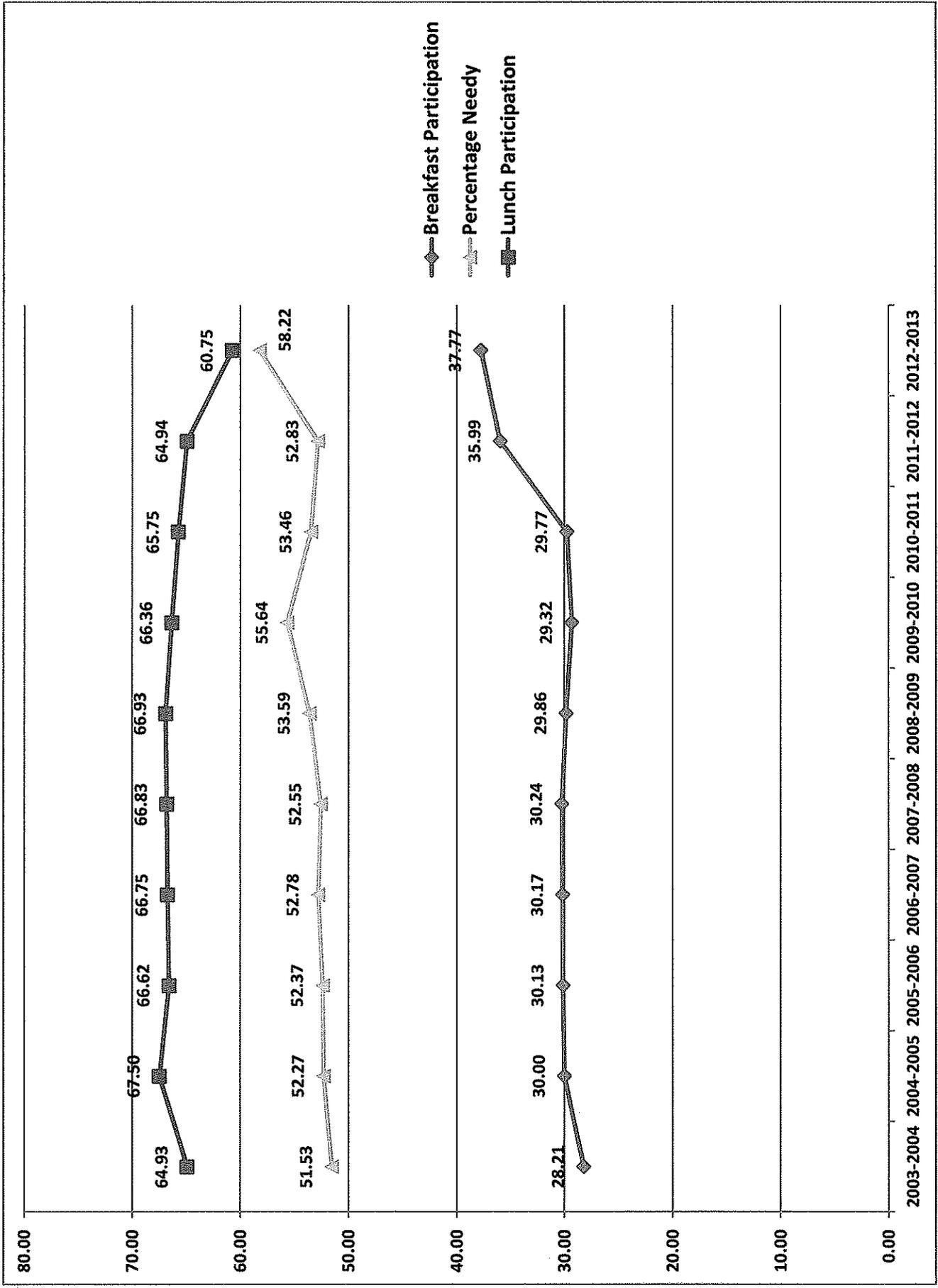
Objectives	Activities	Status
Feed to Achieve Act Passed	Legislature	April 13, 2013
Train OCN Staff on Law	Staff Compliance Retreat	May 22 & 23, 2013
Introduce Law to Food Service Directors	Association of School Business Officials Conference	May 16, 2013
Develop Press Release and Talking Pts.	Developed with Office of Communications	June 2013
Introduction Memo on Feed to Achieve Act	Sent of County Superintendents & FSDs	June 7, 2013
FTA account coding guidance memo	Joint Memo with Office of School Finance	June 14, 2013
Food Research and Action Center (FRAC) Conference Call to Present FTA Act	Conference Call with FRAC which also included other states with legislation such as Texas and Colorado	June 13, 2013
Establish OCN state FTA Fund	Memo from Terry Harless: Fund 3954 099 22602	June 21, 2013
Feed to Achieve Webinar with Healthy Kids and Families Coalition and Senator Unger	PowerPoint presentation summarizing the FTA Act.	June 24, 2013
NSLP Conference Presentation	Include participation maps and present awards	July 10, 2013
Present at CSBO Conference	Include participation maps and need for increased breakfast participation when implementing CEO	July 10, 2013
Breakfast Delivery Grants	Allotted \$1.1 million state aid matching funds	August 15, 2013
Promote Feed to Achieve with superintendents	Conference Call with Senator Unger and superintendents from Eastern Panhandle	September 13, 2013
FTA Tax Exempt Memo	Sent to Superintendents and School Business Auth	October 23, 2013
FTA BIC Teacher Labor Memo	Distributed to FSDs	October 23, 2013
Sample FTA Deposit Slip	Distributed to FSDs	October 23, 2013
Ongoing Technical Assistance on Implementation of Breakfast Strategies in schools	OCN Staff	Ongoing

Sponsor	FY 2011 Breakfast	FY 2012 Breakfast	FY 2013 Breakfast
	Reimbursement	Reimb.	Reimb.
Barbour	184,408.94	249,100.83	267,820.90
Berkeley	968,467.62	1,104,228.12	1,289,296.79
Boone	402,210.64	462,158.49	585,531.39
Braxton	155,006.50	179,215.83	224,018.18
Brooke	186,083.10	223,901.35	246,928.59
Cabell	856,062.04	1,049,301.82	1,748,017.73
Calhoun	95,234.40	119,220.45	165,556.86
Clay	212,134.00	315,248.85	424,529.49
Doddridge	87,506.02	94,459.65	92,742.64
Fayette	528,225.88	845,296.86	756,413.00
Gilmer	90,624.58	152,691.27	165,471.00
Grant	118,918.80	146,845.35	199,674.04
Greenbrier	336,949.24	382,395.90	358,711.91
Hampshire	322,234.38	406,027.14	405,470.00
Hancock	211,204.50	259,263.78	242,480.76
Hardy	154,951.94	177,574.44	207,959.46
Harrison	669,979.94	795,654.08	841,058.11
Jackson	346,774.92	380,814.84	431,826.93
Jefferson	303,843.74	373,438.88	449,080.63
Kanawha	2,091,642.14	2,072,351.60	2,400,570.77
Lewis	193,336.04	287,737.92	298,681.62
Lincoln	341,827.80	665,876.76	737,672.89
Logan	556,927.78	605,385.18	807,497.46
Marion	465,281.84	512,873.41	547,499.13
Marshall	302,650.56	460,026.84	503,807.03
Mason	422,595.24	690,877.38	783,961.70
McDowell	403,949.54	577,538.13	648,519.69
Mercer	699,453.48	801,961.20	1,489,448.30
Mineral	242,246.06	279,607.85	269,441.75
Mingo	373,504.22	724,736.67	850,312.93
Monongalia	438,566.46	547,045.21	526,596.15
Monroe	135,893.36	229,140.48	208,881.92
Morgan	161,579.82	188,132.49	200,810.42
Nicholas	246,995.74	284,689.59	292,795.57
Ohio	295,568.56	336,030.05	469,305.41
Pendleton	86,256.92	94,676.49	99,803.82
Pleasants	75,194.16	55,585.46	98,189.57
Pocahontas	87,038.74	89,290.14	107,238.37
Preston	243,452.12	345,329.97	348,228.51
Putnam	483,777.34	540,750.67	563,594.51
Raleigh	848,909.34	961,751.93	996,483.42
Randolph	300,952.44	387,196.56	458,374.32
Ritchie	115,929.14	164,427.89	173,847.66
Roane	238,149.54	290,248.77	277,111.10
Summers	124,853.00	188,220.54	249,025.30
Taylor	159,862.82	164,092.50	184,566.73
Tucker	106,594.86	115,821.75	127,163.53
Tyler	112,026.24	123,328.41	136,757.24
Upshur	279,623.40	361,791.51	366,840.41
Wayne	491,397.42	536,046.70	756,503.36
Webster	128,746.98	161,808.96	201,569.81
Wetzel	166,222.98	252,636.99	228,791.37
Wirt	95,845.72	103,711.86	136,057.30
Wood	642,153.80	735,309.37	688,372.35
Wyoming	396,917.78	427,918.02	481,919.69

West Virginia Department of Education  
Office of Child Nutrition  
Richard Goff  
304 558-3396

<b>State Total</b>	<b>18,786,744.56</b>	<b>23,080,793.18</b>	<b>26,818,829.52</b>
Change		4,294,048.62	3,738,036.34





2003-2004 2004-2005 2005-2006 2006-2007 2007-2008 2008-2009 2009-2010 2010-2011 2011-2012 2012-2013