

HUNGER
FREE COLORADO

THE COLORADO SCHOOL BREAKFAST EXPANSION GUIDE



Imagine being eight years old and walking in to your second grade classroom. You sit at your desk and your belly starts to growl – your hope is that your friends don't overhear and realize that you haven't eaten since lunch yesterday.

Now, imagine being the second grade teacher for that class. The children in front of you come from varying backgrounds – including income, family structure and working parents. You can see on their faces that they haven't had breakfast; you can feel their low energy.

Fortunately, these scenarios are unnecessary. There are federal resources already available to your school to ensure kids start their day full of nutritious food and ready to learn.

THIS TOOLKIT WILL HELP YOU BE PART OF THE SOLUTION.

Colorado schools are eligible to receive federal reimbursement for breakfasts served to children through the School Breakfast Program, though many schools do not participate. Even in schools that do serve breakfast, participation is often low when compared with total enrollment or participation in the National School Lunch Program.

Children who eat breakfast perform better in school and on standardized tests, and they have fewer behavioral and health problems. The School Breakfast Program is designed to help schools ensure that all children start the day alert and engaged.

Increasing access to the School Breakfast Program in your school is a simple strategy that will improve your school environment. There are various strategies that can expand school breakfast and help the program reach more students. In this Colorado School Breakfast Expansion Guide you will find resources to help you grow your program and reach more children.

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WHY INCREASE SCHOOL BREAKFAST PARTICIPATION:

Research Demonstrates that School Breakfast Improves Children's Education, Health, and Well-Being



Studies show that breakfast is the most important meal of the day, especially for children. Eating school breakfast improves children's educational performance, behavior, and health.

SCHOOL BREAKFAST IMPROVES CHILDREN'S EDUCATIONAL PERFORMANCE:

- Children who eat a complete breakfast make fewer mistakes and work faster in math tests than children who eat a partial breakfast.¹
- Children who eat breakfast at school, closer to class and test-taking time, perform better on standardized tests than those who skip breakfast or eat breakfast at home.²
- Children who eat breakfast show improved cognitive function, attention, and memory.³

- Participating in school breakfast is associated with improved math grades, attendance, and punctuality.⁴

SCHOOL BREAKFAST IMPROVES CHILDREN'S ATTENDANCE AND BEHAVIOR:

- Schools that provide breakfast in the classroom to all students show decreases in tardiness and suspensions as well as improved student behavior and attentiveness.⁵
- Providing students with breakfast in the classroom is associated with lower tardy rates and fewer disciplinary measures.⁶
- Children who participate in universal school breakfast have lower rates of absenteeism.⁷

BREAKFAST IMPROVES CHILDREN'S DIETS AND OVERALL HEALTH:

- Children who eat breakfast tend to have more adequate nutrient intakes than children who do not.⁸
- Children and adolescents who eat breakfast are more likely to maintain a healthy body weight.⁹

Adapted from The Food Research and Action Center's "Breakfast for Learning" Child Nutrition Factsheet.

For additional research on the benefits of the School Breakfast Program, see USDA "Discover School Breakfast Toolkit"
<http://www.fns.usda.gov/cnd/breakfast/toolkit/default.htm>

SERVING MODELS



Many schools that offer school breakfast have low participation in the program. This is often because breakfast is served at a time or place that is not opportune for students. There are various serving methods that can increase participation. The key to increasing breakfast participation is selecting the serving method that best fits the environment of your school and the needs of your students.

SERVING BREAKFAST FREE TO ALL STUDENTS

The most effective method for increasing participation in school breakfast is a universal breakfast program that serves breakfast free to all students regardless of income. Determining whether your school can afford to serve a universal breakfast is your first step.

What are the benefits of serving all meals free?

- **Increases participation:** Serving breakfast free to all students helps increase participation. Students who previously paid for breakfast have an added incentive to participate.
- **Allows more flexibility in serving meals:** When all meals are served free, there is greater flexibility about where to serve the meal.
- **Reduces administrative work:** Many school food service staff report that serving all meals for free greatly simplifies and reduces paperwork and allows them to spend more time and resources on the meal – not just reporting.
- **Reduced stigma associated with school breakfast:** In many schools

breakfast is considered a program that is just for the poorest students. This stigma associated with the program reduces participation by low-, middle-, and high-income students alike. When breakfast is served free to all, it becomes a normal experience for children of all income levels.

- Student and teacher relationships: Many schools find that serving breakfast free to all students and staff provides an opportunity for students and teachers to interact. When teachers and staff eat as well, they demonstrate healthy eating habits and serve as good role models for students.

How will my school get reimbursed if all meals are served free?

When all meals are served free, meals are claimed for reimbursement based on the students' eligibility. Although the reduced-price and paid fees are not collected from families, increased participation allows schools to break-even or even make money.



If for example, your total school served breakfast to 500 students each day of which 50 percent of students qualify for free meals, 10 percent for reduced-price, and 40 percent for full-price, your school food service would be reimbursed \$559 for each day.¹⁰ Schools that have a large percentage of low-income students benefit from the higher subsidization associated with free and reduced eligible students as well as funding associated with "severe need."

If we serve all breakfast free, do families still have to fill out free and reduced-price meal applications?

Yes! Although breakfast may be served free to all students, it is still important to collect free and reduced-price meal applications. This is because reimbursement will be calculated based on the percentages of students qualifying for free, reduced-price, and full-price meals. In addition, various streams of education funding are based on this percentage. For more information on how to run an effective school meal application campaign, visit http://0101.nccdn.net/1_5/22c/0e9/199/School-Meal-Application-Guide.pdf.

How can I determine if my school should serve breakfast free to all students?

The higher the percentage of students qualifying for free and reduced-price meals, the greater the reimbursement your school would receive when serving all meals free. Many schools find that they need to be at least 40 percent free and reduced-priced to break even when serving all meals free. Other schools find that they need at least 60 or 70 percent of students who qualify for free or reduced-price meals. The “break-even” point greatly depends on the costs to run your breakfast program and the size of your school. Talk to the School Nutrition Director in your district to determine if your school should serve all meals free. The Colorado Department of Education Child Nutrition Unit can also assist in evaluating your program. A Revenue Tool is available at the Hunger Free Colorado Breakfast web page to help determine the possibility of Universal Free Breakfast in the Classroom at your school.

My school has a low percentage of free and reduced-price students, how can I best expand breakfast without offering all meals free?

Many breakfast serving methods can also be employed if you continue to charge for paid meals. The effectiveness of some of these models will depend on your “point-of-sale” system – meaning the way in which your students pay for their meals. Many schools now use advanced point-of-sale systems such as a PIN number or student ID card that can be swiped when the student receives food. If your school already uses an advanced point-of-sale system, you will have greater flexibility in deciding which breakfast serving method to implement. In other schools, school food staff check students’ names off a check-list and then cross reference the list against their school meal eligibility. This method tends to work best in smaller schools.

Keep in mind that the USDA requires that students are not identified by their income level. This means that any system that clearly identifies which students get free or reduced-price meals must be avoided.

BREAKFAST SERVING MODELS

TRADITIONAL BREAKFAST

This model is a common approach to serving breakfast - usually served before the school day begins in the cafeteria. Many schools find that participation is low when students are required to get to school before the bell rings to eat breakfast in the cafeteria. Various factors can limit children's access to before-the-bell breakfast including:

- School buses do not arrive in time for breakfast
- Long lines in the cafeteria discourage participation
- When given an option, many children will choose to spend time with friends or play outside before class begins
- Traditional breakfast is often associated with "poor students." When students feel stigmatized about their need to eat at school, participation will be low.



Despite these challenges, it is possible to make traditional cafeteria breakfast more accessible. Some schools report high participation in before-the-bell cafeteria breakfast. Strategies for increasing the efficacy of this serving model include:

- Ensure that all buses arrive in time for school breakfast
- Have students enter the building at the door closest to the cafeteria
- Make eating in the cafeteria a normal and fun part of the day

BREAKFAST IN THE CLASSROOM

Serving breakfast in the classroom, either during homeroom or first period is one of the most effective ways to increase breakfast participation and is often thought of as the “silver bullet” in making sure that all children have access to breakfast.

Breakfast is brought into each classroom in containers that keep the food hot or cold. Meals are distributed to children. A meal count is taken by the teacher or by a student which is returned to the school nutrition staff. In some schools food service staff distributes meals in the doorway of the classroom. Trash bags are provided to each classroom and trash is collected immediately. The containers are returned to the cafeteria. During breakfast teachers often eat with their students, take attendance, read a story and provide other educational activities. This method can be counted as instructional time if students and teachers are engaged in educational activities.¹¹ Because all students eat breakfast as a normal part of the school day, classroom breakfast eliminates the stigma often associated with school breakfast. In most schools breakfast is also served free to teachers and staff who model good eating habits for the students.

While this method works best when all meals are served for free, it is possible in schools that charge for reduced and full-price meals. Check with your school nutrition director to see if this method would work in your school.

ADAMS 14 SCHOOL DISTRICT

All students in Adams 14 receive free breakfast in the classroom including elementary, middle and high schools. Before the program, the district served 2,500 breakfast meals a day. Now, the district serves 7,600 breakfast meals a day. A short video detailing the Adams 14 breakfast program can be seen at:

<http://www.adams14.org/breakfast-in-the-classroom>

BREAKFAST SERVING MODELS

GRAB AND GO BREAKFAST

This is a popular method for serving breakfast, especially in middle and high schools. Food is distributed in carts that are located in high traffic areas in halls or in the entrance to school. Children “grab” a meal and “go” to their next class, where they will eat. Depending on the point-of-sale system in place in your school, this can work in schools where breakfast is free for all students, or in schools that charge for paid meals.



ENGLEWOOD HIGH SCHOOL

As is the case with most open campus schools, Englewood struggled to increase breakfast participation for years. The solution to the problem came with Grab N’ Go breakfast set up in a separate area in the cafeteria from the beginning of school until late in the morning. Students who have a free period can easily grab a breakfast during their off time or during the passing period. Kitchen staff is working in the kitchen all morning anyway, so leaving the breakfast area open a long period of time does not necessitate more staff.

BREAKFAST AFTER FIRST PERIOD

Many children, especially teenagers, are not hungry when they first wake up in the morning, but some time before lunch their stomachs start to grumble. Breakfast After First Period, also known as “Second Chance Breakfast” allows these students to eat when they are hungry. Food is distributed during a “nutrition break” later in the morning. This can be done with the Grab and Go style between classes or during an official break in the school day. This method can be employed in schools with a universal feeding program or in schools that do not serve all meals free.

HOLLY SCHOOL DISTRICT

An average 60-65 percent of high school and junior high students in Holly schools eat breakfast after first period. All high school and junior high school students receive an extended passing period of fourteen minutes following first period. All high school students go to the cafeteria for a ten-minute breakfast; middle school students promptly follow. This alternate method of breakfast service takes minimal time and feeds a high percentage of students.

BREAKFAST ON THE BUS

In school districts where most students have long bus rides to school, serving breakfast on the bus can help students get through a long commute and arrive at school focused and ready to learn. In this method, food is kept in containers and served as students board the bus. This method is usually employed by schools that serve universal free meals.



VENDING MACHINES

Some schools have employed methods where students can enter their student ID or PIN number into a machine that will produce a reimbursable meal, including milk. This method is especially popular in high schools and can be implemented even if students are required to pay for reduced-price and free meals.



Adapted from USDA "Discover School Breakfast Toolkit" and Maryland Hunger Solutions "Students Can Have Their Breakfast and Eat it Too."

BREAKFAST SERVING MODELS

Serving a nutritious breakfast that children will enjoy helps ensure that participation remains high.

For a breakfast to meet the traditional food-based K-12 menu pattern requirements by the USDA, the current meal must offer four components:

- 1/2 cup serving fruit/vegetable/juice
- 1/2 pint of milk
- 2 servings of meats/meat alternates OR 2 servings of breads/grains OR a meat/meat alternate and a bread

A site may participate in Offer vs. Serve (OVS) in which case a student would only need to take three of the four components for the meal to be reimbursable.

SAMPLE ONE-WEEK CYCLE TRADITIONAL FOOD-BASED BREAKFAST MENU FOR GRADES K-12:

These healthy, tasty meals can be prepared at a low-cost and are easy to serve.

MONDAY: Hardboiled Egg
100% Juice (4 oz)
Whole Grain Bagel (.9 oz)
Milk (8 oz)

TUESDAY: Whole Grain Muffin (3.6 oz)
1 Orange (1/2 c)
Milk (8 oz)

WEDNESDAY: Yogurt (4 oz)
1 Banana (1/2 c)
Whole Grain Roll (.9 oz)
Milk (8 oz)

THURSDAY: Whole Grain
Low Sugar Cereal (2 oz or 1 1/2 c)
1/2 Apple (1/2 c)
Milk (8 oz)

FRIDAY: String Cheese (1 oz)
100% Juice (4 oz)
Whole Wheat English Muffin (.9 oz)
Milk (8 oz)



Sample Menu Developed by Chef Kate Adamick and the Colorado Health Foundation

COMPARISON OF MENU PLANNING OPTIONS

	FOOD BASED	NUTRIENT STANDARD
Reimbursable Breakfast	<p>A minimum of four food items in specific quantities must be offered:</p> <ul style="list-style-type: none"> • 8 oz Fluid Milk • 1/2 c Fruit/Vegetable/Juice • 2 Bread/Grain OR 2 Meat/ Meat Alternates OR 1 Meat/Meat Alternate + 1 Bread/Grain 	<p>A minimum of three items must be offered:</p> <ul style="list-style-type: none"> • 8 oz Fluid Milk • Side #1 • Side #2
OVS	<p>OVS is optional for all grades.</p> <p>Students must select at least three food items from the four that are offered.</p>	<p>OVS is optional for all grades.</p> <p>Students may decline a maximum of one menu item, regardless of the number of items offered. Student must select at least two items.</p>

TOOLS

TO ENSURE
SUPPORT FROM:



- **SCHOOL OFFICIALS**
- **TEACHERS**
- **SCHOOL NUTRITION STAFF**
- **BUILDING ENGINEERS**
- **PARENTS**

Expanding school breakfast participation requires the involvement of the entire school community. Although everyone working with your students will likely benefit from the improved educational performance, behavior, and health of their students, implementing change can be challenging. Despite the proven benefits of the school breakfast program, there can be resistance on the part of the school community. Below are a list of tools and strategies to help ensure support from school officials, teachers, school nutrition staff, building engineers, and families.

SCHOOL OFFICIALS

School officials make key decisions for districts and schools. School Wellness Policies developed by school officials should ensure that no child begins the school day hungry. State code (C.R.S. 22-32-109) allows Colorado school boards to permit breakfast in the classroom as teacher-student contact time if certain criteria are met. For administrators who are concerned about cost, federal and Colorado reimbursements cover all free and reduced-price costs, so a school or district is left to decide if they are financially able to cover paid students or have those students pay for part or all of an individual breakfast cost. Schedules are often a concern for administrators, but there are several alternative meal service models to choose from and each model can be adjusted to fit the school schedule. School climate changes positively when breakfast is made an important part of the day for all students.



Strategies for Success:

- Discuss the breakfast service delivery methods and decide together what is best for your district or school; include school officials in the process from the start.
- Inform school officials of the importance of breakfast for all students and their role in bringing breakfast to each student.
- Invite an administrator from a school that has already implemented the program to speak to your school officials and answer questions.
- Connect with an existing program and invite an administrator to a site visit.

TEACHERS

Teachers have multiple roles within the school environment and are important supporters in implementing a successful School Breakfast Program. The studies mentioned in this guide show that eating a healthy breakfast improves attention span, academic performance and classroom behavior. In schools that have implemented the School Breakfast Program, teachers have found that concerns are easily addressed and the benefits far outweigh the challenges.

In breakfast expansion efforts, particularly methods that involve serving breakfast in the classroom, teachers may be concerned about:

Will My Workload Increase?

Teachers may be concerned that their workload will increase if they are responsible for monitoring breakfast, especially if it is served in the classroom. However, if a meal count is taken while taking attendance, teachers find that their workload does not change. In addition, many teachers have found creative ways to incorporate educational activities like reading aloud, math puzzles

or other activities during breakfast time. Some elementary, home economics, health education, and physical education teachers even choose to integrate school breakfast and nutrition education into their curriculum.

Will Breakfast In The Classroom Take Away From Instructional Time?

As mentioned earlier, serving breakfast can be counted as instructional time. Please refer to Colorado Department of Education regulations on classroom instructional time: 2254-R-2.06 (page 4) and Section 22-32-109, C.R.S. http://www.cde.state.co.us/cdeboard/download/bdregs_301-39.pdf.

In addition, studies have shown that breakfast is consumed quickly. No matter what the serving method, breakfast can take as little as two minutes (Grab and Go) or ten minutes (Breakfast in the Classroom) or as long as the time available (Traditional Breakfast, Breakfast on the Bus).

Will Classroom Breakfast Cause Disruption and Mess?

When breakfast is served in the classroom, food service staff provides garbage bags, paper towels and other cleaning supplies for students to use. Students clean up themselves after eating their nutritious meal and are more ready to learn in the morning. The menu and methods of serving can limit both work and clean-up for everyone.



Strategies for Success:

- Discuss the importance of school breakfast with teachers in your school.
- Share the research that shows that students behave and perform better after school breakfast.
- Invite an educator from a school that has already implemented the program to speak to your staff about school breakfast and answer questions.
- Connect with an existing program and invite teachers to a site visit.

SCHOOL NUTRITION STAFF

As discussed earlier, your district's school nutrition service is the key to providing your students with nutritious breakfast in the morning. Most school nutrition staff are eager to find ways to expand their meal service and will be able to help you find the best breakfast serving method for your school.

Strategies for Success:

- Request a meeting with the school nutrition director in your district as soon as possible to begin planning breakfast expansion.
- Discuss the different serving methods and determine which method is most appropriate for your school.

BUILDING ENGINEERS

The role of building engineers may change if your school implements breakfast in the classroom or any method where students eat outside the cafeteria. However, many building engineers find that their work load does not increase. In addition, building engineers often appreciate that expanding breakfast makes a positive difference in the school environment and are happy to participate.

Strategies for Success:

- Work with building engineers to ensure that cleaning and waste removal will be planned and monitored.

PARENTS

Some parents enjoy eating breakfast with their children at home, but for many families, lack of resources or busy morning routines make sitting down to eat as a family unrealistic in the morning. For this reason, many parents and guardians of children not currently participating in the program may be pleased that their

child will now be receiving a free or low-cost meal at school. Even if your school already serves breakfast, many families may not realize that eating breakfast at school is an option.

Strategies for Success:

- Send a letter home to all parents informing them about the availability of school breakfast, and announcing any changes in your school breakfast program, such as serving all meals free in the classroom.
- Record automated “robo-calls” informing parents of changes in your breakfast program.

SAMPLE LETTER TO PARENTS TO INFORM THEM ABOUT FREE BREAKFAST IN THE CLASSROOM

Dear Parents:

The first step of ensuring that all students are ready to learn is to make sure that they start the day with a nutritious breakfast. Research shows that children who eat breakfast perform better in school and have fewer behavior problems than those who do not.

The School Breakfast Program is available to all students every weekday morning. School breakfast is tasty and nutritious and provides children with important vitamins and nutrients that they need.

This year, we are pleased to announce that we have begun serving free breakfast in the classroom to all students. Regardless of whether or not your child qualifies for free or reduced-price meals, he or she can receive a nutritious meal in the morning free of charge.

No advanced registration is necessary; your child can eat breakfast at school every day or only occasionally. School Breakfast is an optional program; there is no requirement to participate.

Thank you for helping us make sure that all of our students start the school day alert, well-fed and ready to learn.

Sincerely,

Principal

This letter can be modified to inform parents about different serving models.

Adapted from USDA “Discover School Breakfast Toolkit.”

Expansion Assistance and Breakfast Expansion Grants

If you are seeking more information or assistance related to breakfast expansion efforts, Hunger Free Colorado can help your school implement, monitor, or enhance your breakfast program.

FOR ASSISTANCE CONTACT:

Dinah Frey

Child Nutrition Associate, School Breakfast Program
Hunger Free Colorado
720-328-1284
dinah@hungerfreecolorado.org

IF YOU ARE READY TO START EXPANDING BREAKFAST, BUT NEED START-UP FUNDING TO GET A NEW PROGRAM OFF THE GROUND, FUNDING IS AVAILABLE.

- Check out **FuelUptoPlay60.com** for breakfast expansion funding opportunities through implementation of “Bring on Breakfast” Healthy Eating Action Strategy or “Play.”
- **Share Our Strength**
www.strength.org/grants/
- **Sara Lee Foundation**
<http://www.saraleefoundation.org/overview/intro.cfm>
- **The Kresge Foundation Healthy Environments Grant**
http://www.raconline.org/funding/funding_details.php?funding_id=2220
- **Pinnacle Food Service 2011 School Breakfast Grants (up to \$1,000)**
http://foodservice.pinnaclefoodscorp.com/documents/_doc_idx_393.pdf
- **got breakfast? Foundation**
www.gotbreakfast.org

STARTING A SCHOOL BREAKFAST PROGRAM (SBP)



A school may start a breakfast program at any time during the school year. It is not necessary to wait until the next school year to begin! If you would like to start a breakfast program, answer the following questions and begin taking the steps below.

QUESTIONS

- 1. Do you already have a SBP in any of your other district schools?**
 - a. IF YES, skip to Steps.
 - b. IF NO, answer the next three questions and then proceed to the Steps.
- 2. *Which menu planning option will you be following, Food Based or Nutrient Standard?**
- 3. *Are you going to implement Offer vs. Serve for breakfast?**
- 4. *Which style(s) of breakfast would you like to have?**
(Cafeteria style, Grab and Go, Breakfast in the Classroom, other). More than one style of service may be used at the same site to increase participation.

STEPS

1. *Write and submit breakfast menus. Make sure portion sizes are included on the menus for approval. All menus must be approved before meal reimbursement is allowed. If you require assistance in writing the breakfast menu, contact the CDE Office of School Nutrition.
2. Go to the online claim system and update the site(s) that would like to have a SBP. You must check off that you would like to have a SBP at the site(s) and submit.
3. Email Lynn Warner (Warner_L@cde.state.co.us) once this has been completed.
4. Lynn Warner will review and approve the site(s).
5. You will receive an email confirmation from the claim system stating that you may start claiming for breakfast.

**This information must be provided to CDE Senior Consultant Rachel Staver (Staver_R@cde.state.co.us).*

NOTE: Districts that currently participate in the School Breakfast Program and only wish to add additional sites with the SBP do NOT need to submit anything to CDE.

NEXT STEPS

Use this checklist for expanding breakfast participation:

- **Review materials in the Colorado Breakfast Expansion Toolkit**
- **Request a meeting with your school nutrition director**
- **Discuss new serving method with teachers, building engineers, and other staff**
- **Send home a letter to parents introducing the new breakfast program**
- **Announce changes to students**
- **Begin serving breakfast**
- **Communicate with Hunger Free Colorado to document success and troubleshoot challenges**
- **Observe the benefits of breakfast in your school!**

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- ¹ Wyon D, Abrahamsson L, Jartelius M, Fletcher R. "An Experimental Study of the effects of Energy Intake at Breakfast on the Test Performance of 10-Year Old Children in School." *International journal of Food Science and Nutrition* 1997;48(1):5-12.
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- ⁴ Murphy JM, Pagano M, Nachmani J, Sperling P, Kane S, Kleinman R. "The Relationship of School Breakfast to Psychosocial and Academic Functioning: Cross-sectional and longitudinal observations in an inner-city sample." *Archives of Pediatric and Adolescent Medicine* 1998; 152:889-907; Powell CA, Walker SP, Chang SM, Grantham-McGregor SM. "Nutrition and education: a randomized trial of the effects of breakfast in rural primary school children." *American Journal of Clinical Nutrition* 1998;78:873-9.
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- ⁶ Murphy JM, Drake JE, Weineke KM. "Academic & Breakfast Connection Pilot: Final Report on New York's Classroom Breakfast Project." Nutrition Consortium of New York State. Albany, New York. July 2005.
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- ⁸ Rampersaud GC, Pereira MA, Girard BL, Adams J, Metzler JD. "Breakfast Habits, Nutritional Status, Body Weight, and Academic Performance in Children and Adolescents." *Journal of American Dietetic Association* 2005; 105:743-760.
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- ¹⁰ Based on 2009-2010 school breakfast reimbursement rates (\$1.46 per free breakfast served, \$1.16 per reduced priced breakfast, and \$0.26 per paid breakfast). Reimbursement rates are adjusted annually. In addition, in schools where at least 40 percent of lunches are served to students who qualify for free and reduced-price meals, schools receive an addition \$0.28 for "severe need" funding for free and reduced price meals. With SB07-059, there is no reduced price for K-2nd grade.
- ¹¹ Colorado Department of Education regulations on classroom instructional time: 2254-R-2.06 (page 4) and Section 22-32-109, C.R.S. http://www.cde.state.co.us/cdeboard/download/dbregs_301-39.pdf