

Summer and Afterschool Nutrition Program Legislation and Funding by State

Updated February 2021

	State mandate requiring all or some schools to participate in SFSP or Summer NSLP	State mandate requiring all or some schools to participate in CACFP Afterschool Meals	Additional State Funding or Legislation to support summer and afterschool meals
Alabama	None	None	None
Alaska	None	None	None
Arizona	None	None	None
Arkansas	None	None	None
California	Existing law requires all K-12 public schools and County Offices of Education to offer meals to needy students during the regular school year and summer school (California's "State Meal Mandate") CAL. EDUC. CODE § 49550 . Other state law limits allowable waiver exemptions, which has resulted in more schools serving meals in the summer. CAL. EDUC. CODE § 49548 .	None	Grants of up to \$15,000 per school are available on a competitive basis, up to the annual appropriation, for SFSP or breakfast program start-up and expansion expenses for schools in which 20 percent or more of students are qualified for free and reduced- price meals. CAL. EDUC. CODE § 49550.3 .
Colorado	None	None	None
Connecticut	None	None	None
Delaware	None	None	None
District of Columbia	None	None	DC provides an additional 10 cents for each breakfast and each lunch that meet enhanced nutritional and serving requirements as part of the Healthy Schools Act of 2010 (B18- 0564). The Healthy Students Amendments Act of 2018 increased the funding to 20 cents for breakfast and 40 cents for lunch for meeting enhanced standards beginning in 2020.

Florida	Each school district is required to sponsor a summer nutrition program for 35 consecutive days with at least one site within 5 miles of at least one elementary school at which 50 percent or more of the students are eligible for free and reduced-price meals, and at least one site within 10 miles of every elementary school in which 50 percent or more of students are eligible for free and reduced-price meals. Districts may only seek an exemption from the mandate by voting on the issue at a school board meeting that provides the opportunity for public comment. The school board must reconsider each year. FLA. STAT. Ch 595.407 .	None	None
Georgia	None	None	None
Hawaii	None	None	None
Idaho	None	None	None
Illinois	All school districts that operate a summer school program (regardless of whether or not they already participate in other federal child nutrition programs) must implement a summer breakfast and/or lunch program for the duration of the summer school program in all schools in which 50 percent or more of students are eligible for free and reduced-price meals (105 ILCS 126/20).	None	None
Indiana	None	None	None
Iowa	None	None	None
Kansas	None	None	None
Kentucky	None	None	The Kentucky Vegetable Incentive Program (K-VIP) provides SFSP sponsors \$0.50 for every dollar spent on Kentucky grown fruits and vegetables, in addition to federal reimbursements.
Louisiana	None	None	None
Maine	School districts with schools in which 50 percent or more of the students are eligible for free and reduced-price meals must implement SFSP if providing a summer educational or recreational program. Schools can opt out if operating would be financially or logistically impracticable by voting on the issue at a school board meeting and after holding a public hearing [20-A ME. REV. STAT. ANN. §6602].	School districts with at least on public school in which at least 50% or more of the students are eligible for free or reduced-priced meals must participate in the CACFP Afterschool Meal Program and provide meals to students who attend afterschool programming. [H.P. 421 - L.D. 577]	None

Maryland	Public schools are required to provide access to meals for students in academic summer school programs. Programs that are operating half or partial days may elect to serve either breakfast or lunch, or both meals. MD. CODE ANN., EDUC. § 7-603.	None	Summer SNAP for Children Act provides an additional \$30 during the summer months and \$10 over the winter break in December for very low-income children who receive SNAP benefits. \$200,000 was allocated by the state for 2020. A county match is required at the same ratio as the school construction funding formula. (SB 218/HB 338).
Massachusetts	None	None	In 2017, \$433,462 was allocated by the state for <i>Expansion, Access, Training and Start-Up (SFSP EATS)</i> grants for new and existing sponsors. In 2018, \$452,814 was allocated by the state. In 2019, \$422,000 was allocated by the state.
Michigan	None	None	None
Minnesota	None		States funds (\$150,000) are available to compensate department-approved SFSP sponsors. Reimbursement shall be made on December 15 based on total meals served by each sponsor from the end of the school year to the beginning of the next school year on a pro rata basis. MINN. STAT. § 124D.119.
Mississippi	None	None	None
Missouri	School districts in which 50 percent or more of students are eligible for free and reduced-price meals and service institutions where more than 40 children congregate must implement SFSP. Districts can request a waiver. MO. REV. STAT. §191.810.	None	None
Montana	None	None	None
Nebraska	None	None	Grants of up to \$15,000 per school are available on a competitive basis for SFSP start-up and expansion expenses. The maximum total grant awards cannot exceed \$90,000 annually. NE Code § 79-10.141 (2018).

Nevada	None	None	None
New Hampshire	None	None	None
New Jersey	School districts in which 50 percent or more of students certified for free or reduced-price meals under the NSLP or the School Breakfast Program before October 16 of the preceding school year, shall: become a SFSP sponsor or site. N.J.S.A.18A:33-24 - N.J.S.A.18A:33-27.	None	Fiscal Year 2021 budget includes \$100,000 in funding to augment the per-meal federal reimbursement for schools and other organizations that serve meals in summer 2021. This funding will be distributed through a 25 cents per meal supplement.
New Mexico	None	None	None
New York	None	None	State allocates \$3,049,000 to SFSP sponsors to supplement all summer breakfasts, lunches, suppers and snacks.
North Carolina	None	None	None
North Dakota	None	None	None
Ohio	Each school that is required to provide student intervention programs during the summer months must establish an extension of the School Breakfast Program or NSLP or participate in SFSP. Schools may opt out for financial reasons and ask for a waiver from the State Board of Education. If the governing board decides that it cannot comply, it must communicate its decision to the residents of the district. OHIO REV. CODE ANN. 3313.813; 3314.18.	None	None
Oklahoma	None	None	None
Oregon	None	None	The Oregon Department of Education allocates general funds for reimbursements for summer meals at the rate of 5 cents per meal served through SFSP or NSLP. OR. STAT. 327.527. State general funds are also allocated to expand summer and afterschool meal programs in Oregon. Over \$400,000 is awarded to sponsors and potential sponsors for this purpose each biennium. These funds also support ~.5 FTE staff for outreach for these programs.

Pennsylvania	None	None	None
Rhode Island	None	None	None
South Carolina	None	None	None
South Dakota	None	None	None
Tennessee	None	None	None
Texas	School districts in which 50 percent or more of the students are eligible for free or reduced-price school meals are required to provide a summer nutrition program for at least 30 days during the summer. School districts can request a waiver and must include an explanation of the reason for requesting a waiver. Schools may also opt out if providing a summer nutrition program would be cost-prohibitive. TEX. AG. CODE, Sec. 12.0029.	None	The state provides public schools with an additional per meal reimbursement for lunches served through the National School Lunch Program from the proceeds of a state liquor tax. The state department of agriculture shall develop and implement a five-year plan to increase participation in SFSP under 42 U.S.C. Section 1761. The plan must include: (1) methods to increase participation by eligible children; and (2) strategies to increase access to summer meals in rural areas. [TEX AGRI. CODE ANN §12.00291 . Established in 2011, expired in 2018.]
Utah	None	None	None
Vermont	Each school board must provide a snack or meal through SFSP to participants in a district-operated summer educational or recreational program if at least 50 percent of the students in a school in the district were eligible for free and reduced-price meals for at least one month in the preceding academic year and the program or camp is offered 15 or more hours per week [VT LEG 257422.1. No. 87].	None	The Vermont Agency of Education allocates Funding annually for SFSP (\$51,387 in 2020). Sponsors can use the funds as reimbursement supplements or for activities and/or transportation in order to promote the program. The Agency of Education encourages sponsors to use the funds for activities and/or transportation.
Virginia	None	None	Governor established the Commonwealth Council on Bridging the Nutritional Divide, a goal of which is to eliminate childhood hunger in Virginia by increasing participation in the child nutrition programs, including SFSP. [Governor McAuliffe's Executive Order #34].

Washington	Public school districts must operate SFSP in all schools that offer a summer program and have at least 50 percent of their students certified to receive free and reduced-price meals. Sites providing the meals should be open to all children in the area unless a compelling case can be made to limit access to the program. Schools may be exempt from implementing SFSP if they can demonstrate the availability of an adequate alternative summer feeding program. WA. LEGIS. 287 (2005) .	None	State allocates \$70,000-\$100,000 annually to support SFSP sponsors in starting new summer meal programs, increasing participation, improving meal quality or improving equipment or small supplies used in the program. Sponsors apply for this funding.
West Virginia	None	None	None
Wisconsin	None	None	None
Wyoming	None	None	None