

## Summer Nutrition Program Legislation and Funding by State

Updated July 2020

State	State mandate requiring all or some schools to offer SFSP or Summer NSLP	Additional State Funding	Other Legislation
<b>Alabama</b>	None	None	None
<b>Alaska</b>	None	None	None
<b>Arizona</b>	None	None	None
<b>Arkansas</b>	None	None	None
<b>California</b>	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") <a href="#">CAL. EDUC. CODE § 49550</a> . Other state law limits allowable waiver exemptions, which has resulted in more schools serving meals in the summer. <a href="#">CAL. EDUC. CODE § 49548</a> .	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. <a href="#">CAL. EDUC. CODE § 49550.3</a> .	None
<b>Colorado</b>	None	None	None
<b>Connecticut</b>	None	None	None
<b>Delaware</b>	None	None	None
<b>District of Columbia</b>	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). <a href="#">The Healthy Students Amendments Act of 2018</a> increased the funding to 20 cents for breakfast and 40 cents for lunch for meeting enhanced standards beginning in 2020.	None

<b>Florida</b>	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. <a href="#">FLA. STAT. Ch 595.407</a> .	None	None
<b>Georgia</b>	None	None	None
<b>Hawaii</b>	None	None	None
<b>Idaho</b>	None	None	None
<b>Illinois</b>	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 ( <a href="#">105 ILCS 126/20</a> ).	None	None
<b>Indiana</b>	None	None	None
<b>Iowa</b>	None	None	None
<b>Kansas</b>	None	None	None
<b>Kentucky</b>	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.	None
<b>Louisiana</b>	None	None	None

<b>Maine</b>	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 [ <a href="#">20-A ME. REV. STAT. ANN. §6602</a> ].	None	None
<b>Maryland</b>	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. <a href="#">MD. CODE ANN., EDUC. § 7-603</a> .	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. ( <a href="#">SB 218/HB 338</a> ).	None
<b>Massachusetts</b>	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.	None
<b>Michigan</b>	None	None	None
<b>Minnesota</b>	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. <a href="#">MINN. STAT. § 124D.119</a> .	None
<b>Mississippi</b>	None	None	None

<b>Missouri</b>	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. <a href="#">MO. REV. STAT. §191.810.</a>	None	None
<b>Montana</b>	None	None	None
<b>Nebraska</b>	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. <a href="#">NE Code § 79-10.141 (2018).</a>	The Department of Education is required to collect data regarding the grants awarded, including the number of sponsors receiving funding, the number of sites, and the number of children, and submit a report to the Education Committee of the Legislature each year.
<b>Nevada</b>	None	None	None
<b>New Hampshire</b>	None	None	None
<b>New Jersey</b>	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	None
<b>New Mexico</b>	None	None	None
<b>New York</b>	None	State allocates \$3,049,000 to SFSP sponsors to supplement all summer breakfasts, lunches, suppers and snacks.	None
<b>North Carolina</b>	None	None	None
<b>North Dakota</b>	None	None	None

<b>Ohio</b>	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. <a href="#">OHIO REV. CODE ANN. 3313.813</a> ; <a href="#">3314.18</a> .	None	None
<b>Oklahoma</b>	None	None	None
<b>Oregon</b>	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. <a href="#">OR. STAT. 327.527</a> .  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.	None
<b>Pennsylvania</b>	None	None	None
<b>Rhode Island</b>	None	None	None
<b>South Carolina</b>	None	None	None
<b>South Dakota</b>	None	None	None
<b>Tennessee</b>	None	None	None

<b>Texas</b>	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. <a href="#">TEX. AG. CODE, Sec. 12.0029.</a>	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. In developing the plan, the department shall involve any appropriate department advisory committee and shall seek the participation of the Texas Hunger Initiative. [ <a href="#">TEX AGRI. CODE ANN §12.00291</a> . Established in 2011, expired in 2018.]
<b>Utah</b>	None	None	None
<b>Vermont</b>	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 [ <a href="#">VT LEG 257422.1. No. 87</a> ].	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.	None
<b>Virginia</b>	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].

<b>Washington</b>	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. <a href="#">WA. LEGIS. 287 (2005)</a> .	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.	None
<b>West Virginia</b>	None	None	None
<b>Wisconsin</b>	None	None	None
<b>Wyoming</b>	None	None	None