



FOOD SECURITY Issue Brief

Key Federal Programs to Address Student Food Insecurity When School is out of Session


Introduction

Currently, 1 in 7 children within the United States struggles with hunger.¹ These food insecure children do not have enough food to live healthy and active lives. The repercussions of food insecurity are severe including an increased risk of anemia, lower nutrient intake, cognitive problems, aggression, anxiety, asthma, depression, suicidal ideation, and a higher risk of being hospitalized, along with poorer general health.² These outcomes do not cease following adolescence, but span into adulthood. Food security status is a strong predictor of chronic illness in adulthood, in some cases more than income.³

The federal government has created programs that focus on student food insecurity and attempt to fill in nutrition gaps for low-income children. The National School Lunch Program (“NSLP”) and the School Breakfast Program (“SBP”) are two notable federal programs working to tackle food insecurity. During the 2018-2019 school year, 22 million children received free or reduced-priced meals through the NSLP. When school is closed, the need remains.⁴ The Seamless Summer Option (“SSO”), the Summer Food Service Program (“SFSP”), the Child and Adult Care Food Program (“CACFP”), and the After School Snack Program are federal nutrition programs that address nutrition gaps that occur outside of the traditional school calendar. While these programs make an impact, they face a plethora of hurdles. This issue brief examines federal programming geared toward filling the gaps that the NSLP and the SBP do not address, and innovative solutions that make the SSO, SFSP, CACFP, and the After School Snack Program work to their fullest potential.

Part I: Explanation of USDA School Lunch and Breakfast Programs

To better understand the function of the SSO, SFSP, the CACFP, and the After School Snack Program, it is important to grasp how the two most notable federal feeding programs, the NSLP and the SBP, address food insecurity during the traditional academic year. The NSLP⁵ and the SBP⁶ are child nutrition programs managed by the U.S. Department of Agriculture’s Food and Nutrition Service (“USDA-FNS”) to provide food in schools.⁷⁸ These programs are operated by public and private schools across the United States that opt to enroll in the programs and guarantee to offer free or reduced-price meals to qualified low-income children.⁹ The USDA-FNS manages school meal programs at the federal level, providing federal funds to serve meals and setting program standards for participation and qualifying meals.¹⁰ State agencies like departments of education receive these federal funds to distribute to local school districts that serve the



meals.¹¹ The state agencies also generally oversee school nutrition programs and create additional standards for the school nutrition programs operated in their jurisdiction.¹²

Federal funding for the NSLP and SBP is referred to as an appropriated entitlement, meaning that federal money is provided to the programs through the annual federal appropriations process.¹³ The level of spending is determined by benefit and eligibility criteria under federal law.¹⁴ Generally, some subsidy (reimbursement) is provided to schools for all meals served under three meal categories: free, reduced price, and full price.¹⁵ Eligibility for these three meal categories is established by the household income of the child's family. Children receive free meals if they have household income at or below 130% of the federal poverty guidelines.¹⁶ Children receive reduced-price meals if their household income is above 130% and less than or equal to 185% of the federal poverty guidelines.¹⁷ Children who do not qualify for free or reduced-price meals pay full price for meals at a price set by the school in compliance with federal regulations.¹⁸ Notably, "[t]he majority of meals served through SBP are free or reduced-price . . . 79.1% (11.6 million) received free meals and 5.7% (835,000) purchased reduced-price meals."¹⁹ Since federal funding does not cover the full cost of meals offered by NSLP and SBP providers, the remaining cost for meals and snacks is paid for by children's families or states or localities that choose to supplement federal funding with additional funding or per-meal reimbursement.²⁰

Part II: Summer Nutrition Programs

1. Seamless Summer Option

One program that is working to fill current nutrition gaps is the Seamless Summer Option ("SSO"). Schools can apply to operate the SSO through the NSLP or SBP.²¹ The SSO gives institutions the ability to continue utilizing the same meal service rules and claiming procedures used during the academic year, offering schools a streamlined approach to feeding children in need in their community during the summer months.²² The SSO allows for meals to be served May through September for traditional school calendars, October through April during unanticipated school closures (i.e. emergencies), and during student vacations of 10 days or more for schools on a continuous year calendar.²³ The SSO has the ability to serve meals at a myriad of sites in the attempt to reach as many eligible children as possible. A meal "site" is the physical location where meals are served to children through the SSO.²⁴ The staff and/or volunteers at sites sponsored by School Food Authorities receive training and are responsible for supervising activities and meal service, keeping records of meals served, and ensuring food safety.²⁵ There are several types of sites utilized in the SSO program. Open sites operate in low-income areas where at least 50 percent of the children participating come from families with incomes at or below 185 percent of the federal poverty level, making them eligible for free and reduced-price school meals.²⁶ Meals are served free to any child at open sites.²⁷ Enrolled sites provide free meals to children enrolled in an activity program at the site where at least 50 percent of the participants are eligible for free and reduced-price meals.²⁸ Migrant sites serve children of migrant families.²⁹ Camps sites serve meals and receive reimbursements only for the meals served to children who are eligible for free and reduced-price meals.³⁰

The SSO serves students enrolled in a school of high school and under, including persons enrolled in a school program for the mentally or physically disabled, and persons under 21 enrolled in a Residential Child Care Institution.³¹ A benefit of the SSO as opposed to other federal feeding programs is that this program is available for shorter school breaks. The SSO can be used to serve children on vacation for periods of 10 school days or more. In cases where schools/districts have scheduled breaks that are less than the minimum required vacation period, state agencies may waive this requirement.³² This allows for children to go less time without receiving the meals they need. The SSO allows institutions enrolled in the NSLP and SBP, which currently serve millions of children a day, to continue serving a vital role within the community without having to fill out an onerous amount of paperwork.³³



2. Summer Food Service Program

Another program working to fill current gaps is the Summer Food Service Program (“SFSP”). The SFSP provides meals and snacks to children ages 18 and under in low-income communities where at least 50 percent of children qualify for free and reduced-price school meals or at other sites where at least 50 percent of the children enrolled in a specific program qualify for free and reduced-price school meals.³⁴ Meals and snacks are served at the same category of sites as the SSO from June to August.³⁵ One difference between the SFSP and SSO are program sponsors. Schools, public agencies, and private nonprofit organizations are eligible to sponsor and operate the SFSP, whereas School Food Authorities are only eligible to sponsor the SSO.^{36,37} The sponsor takes on the administrative and financial responsibility of operating the SFSP and receives federal reimbursement for meals served, at a higher rate than the SSO, which follows NSLP reimbursement guidelines.^{38,39} A sponsor can provide meals to children at one or multiple sites in the community, and is responsible for most of the planning, management, and record-keeping duties related to the SFSP.⁴⁰

While successful, the SFSP experiences difficulty in meeting the need of communities based on participants’ lack of access during the summer. In 2019, the SFSP had 47,400 sites and over the duration of the summer served 141,900,000 meals, totaling \$476,500,000 in federal expenditures.⁴¹ While this program has experienced success, gaps still remain. During the 2018 academic year, 22 million children received free or reduced-priced meals through the National School Lunch Program.⁴² However, in the summer of 2018 only 2.7 million children received free or reduced-price meals through the USDA Summer Food Service Program.⁴³ This gap of roughly 1 in 6 summer to school-time participants is the result of various barriers experienced only during the summer, including a lack of access to meal sites.⁴⁴

This lack of access comes from a lack of transportation to sites. During the academic year, children from low-income families rely on school buses every day for transportation to and from school.⁴⁵ This transportation is absent during the summer months.⁴⁶ It can be tough, if not impossible, for kids to find alternative modes of transportation to summer meals sites.⁴⁷ Children in rural communities may live miles away from sites; many kids in urban communities face dangerous city streets; suburban communities, where pockets of poverty exist and continue to grow, experience remote or nonexistent public transportation systems, making accessing sites impossible.⁴⁸ Transportation is a critical element in the success of the SFSP, but it falls short. In 2015 just 18% of all sites offered transportation, but of those that did, the majority of children used it, showing that if transportation is supplied children will use it to get the meals they need.⁴⁹ A need for transportation could spur the government to increase funding to SFSP’s in an effort for them to provide transportation vouchers to students, which currently is an allowable program cost but takes away from funds for meals, or increase the number of sponsors that have the ability to bring the food to children.

3. Challenges and Recommendations Unique to Rural Areas

Rural areas experience a disproportionate impact during the summer months, based on both geography and transportation. During the school year, children in rural areas are frequently bused to schools which draw attendance from a large geographic area.⁵⁰ When school is out, it is considerably more difficult to transport these children to central locations in rural areas for summer meals.⁵¹ Because rural sites frequently have problems assembling a large number of children, financial difficulties develop from low attendance at sites.⁵² Sadly, most sponsors do not sponsor rural sites and in 2019, only 24% of sites were rural.⁵³ The federal government recognizes the need for more rural sites, and works to incentivize their proliferation by reimbursing sponsors of rural sites at a higher rate than sponsors of urban and suburban sites.⁵⁴ The federal government also provides grants for innovative approaches to rural transportation issues to increase participation at SFSP sites.⁵⁵ Rural sites should consider providing fun activities at feeding locations because a rural site is much more likely to succeed if it is tied to a program that provides interesting activities for the children.⁵⁶



Part III: After School Nutrition Programs

1. Child and Adult Care Food Program

The Child and Adult Care Food Program (CACFP) provides reimbursement for meals served by childcare centers and adult care centers in low income areas. CACFP provides funding for two types of after school meal services: the At-Risk Afterschool Meals Component, also known as the After School Meals Program, and the Outside School Hours Care Program.⁵⁷ Both components of CACFP serve meals to students involved in an after school care program at sites located at schools, local government agencies, camps, or faith-based and other non-profit community organizations.⁵⁸ The CACFP programs can offer one meal and one snack per child, per day, for the At-Risk After School Meals Program, or 2 meals and one snack per child per day for the Outside School Hours Care program, during the operation of the after school care program and can serve meals on weekends and during holidays that occur during the school year.⁵⁹ To be eligible as a CACFP site, the primary purpose of the site must be to provide care to students after school hours or on weekends, holidays, or school vacations through the regularly scheduled school year.⁶⁰

The At-Risk After School Meals Program is open to children ages 18 and younger in areas where at least 50% of the school population qualifies to receive free and reduced price meals.⁶¹ In contrast, the Outside School Hours Care program is only open to students ages 12 and younger, but is available to sites that do not meet the 50% area eligibility requirement.⁶² Both programs receive reimbursement from the USDA for the number of meals they serve based on the prices indicated in the National School Lunch Program.⁶³ Because the At-Risk After School Meals Program is only open to sites where at least 50% of students are eligible for free and reduced price meals, these sites can offer meals without maintaining enrollment and eligibility information for the students. Instead, each meal is reimbursed at the “free rate” and served free to all students who participate in the program regardless of individual family income.⁶⁴ The Outside School Hours Care program, however, must maintain enrollment paperwork for each student and reimbursement is based on the individual student’s eligibility status.⁶⁵ If students typically pay a reduced price for lunch, they would receive their Outside School Hours Care program meal at a reduced price as well.⁶⁶


2. After School Snack Program

The After School Snack Program is an extension of the NSLP and provides reimbursements to assist schools in serving snacks to children after the regular school day.⁶⁷ The After School Snack Program is funded through the USDA and reimbursed at the same rate as the NSLP under the supplement/snack category.⁶⁸ The After School Snack Program is reimbursed either at the “free rate” or the “reduced rate” depending on the area eligibility of the school site.⁶⁹ If a school site is located within an area where 50% of the enrolled children are eligible for free or reduced price meals, the site will be reimbursed at the free rate with no cost to each child.⁷⁰ Only school food authorities who are already enrolled in the NSLP can participate in this service.⁷¹

The After School Snack Program is open to every child participating in a qualifying after school program, excluding school athletic programs, offered within a school setting.⁷² To be a qualifying after school program the site must offer organized, supervised educational or enrichment activities and be open to all students at the school regardless of ability.⁷³ The snacks are provided on days when school is in session and are not available on weekends, school breaks, or holidays.

3. Challenges to Implementation and Ideas for Innovation

While these programs are widely utilized, there are significant challenges to their implementation in all school districts. One challenge is the inability of all students who participate in the program to receive their meal based on the time at which it is served. For example, students who only stay at the aftercare program for a short period of time may leave before the meals are served and thus go home hungry even though there was a meal available to them. This challenge can be modified by offering ready to go meals at each site instead of maintaining a set mealtime each day. The Austin Independent School Network offers a “Fast and Fresh” option where meals are provided ready to serve in a portable



refrigerator or heater.⁷⁴ This option provides flexibility for both staff and students in the after school program because the meal is available to the child at any point during the aftercare program. Additionally, some locations may be able to reach more individuals by offering a pickup site for students to take a meal to-go if they are unable to participate in the after school program that day. This will ensure that students receive an afternoon meal even if they have another obligation or transportation conflicts that may prevent the students from staying for the full duration of the aftercare program.

Another challenge after school programs may face is an overall lack of involvement in the after school program at each site. To improve participation in after school programs, sites can maintain active awareness campaigns that advertise an after school meal with participation in the program. The City Health Bureau in Allentown, Pennsylvania developed the *Health Kids, Healthy Allentown* campaign to identify areas of the community that were not participating in the after school programs and connect the individuals in these areas with information on the after school programs in their proximity.⁷⁵

Lastly, after school program sites may be missing a significant portion of the student body if they are not allowed to offer meals to students involved in athletic programs. Schools that maintain an after school feeding program for the entire student body can provide meals for students who are involved in after school practices for school sports teams or competitive sports leagues. However, individual school sports teams currently do not count as a site or program eligible for participation in either CACFP or the After School Snack Program. By altering this requirement, a new subset of students could be reached.

Part IV: The Role of the USDA in Pandemic Response

During unanticipated school closures, state agencies and program sites may operate the SFSP and/or NSLP SSO, and the CACFP programs to provide meals to students.⁷⁶ Generally, the sites that participate in these programs must include in their application that they intend to also offer meals during times of unanticipated school closures.⁷⁷ If a site wishes to provide SFSP or NSLP meals during an unanticipated school closure, it must provide the meals at a non-school site and coordinate with its state agencies and regional FNS office.⁷⁸

On March 18, 2020, Congress passed the Families First Coronavirus Response Act (FFCRA) which contains provisions to further the reach of school feeding programs during the coronavirus pandemic. Under FFCRA, all 50 states have received non-congregate feeding waivers that allow meals to be served without the requirement of participation in the after school program.⁷⁹ Additionally, the USDA has provided nationwide meal pattern waivers under Section 2202 of the FFCRA to provide flexibility to sites in providing meals that meet all USDA nutrition and meal variation guidelines.⁸⁰ To promote social distancing efforts, the USDA has also offered waivers of the afterschool activity requirement⁸¹, extended the times in which meals can be served⁸², and authorized parents/guardians to pick up meals for students⁸³. These waivers are automatically available to all states that choose to utilize them without further application.⁸⁴

The USDA has also announced a partnership with the Baylor Collaborative on Hunger and Poverty, McLane Global, PepsiCo, and others to deliver nearly 1,000,000 meals a week to students in a limited number of rural schools closed due to COVID-19.⁸⁵ The Baylor Collaborative will work with state agencies to identify areas where rural students do not have access to a SFSP or CACFP site and where an active outbreak of COVID-19 is present.⁸⁶ The vendors in the partnership will deliver boxes of food to the identified families containing five days' worth of shelf-stable, nutritious, individually packaged foods that meet the USDA's nutrition requirements.⁸⁷ The USDA will reimburse the vendors at the same rates at which they reimburse SFSP sites.⁸⁸

Conclusion

In conclusion, the USDA FNS provides several avenues for schools, community organizations, and faith-based groups to provide meals to students when school is not in session. However, there are still significant gaps to be addressed that prohibit these programs from reaching their full impact. Barriers to implementation such as transportation, program awareness, and site accessibility limit the impact these programs have in reducing child hunger nationwide. By continuing

to identifying gaps and collaborating on innovative solutions, programs like CACFP, SSO, NSLP, and SFSP can expand their reach and maximize their potential.

SUPPORTERS



Robert Wood Johnson Foundation

The Network for Public Health Law is a national initiative of the Robert Wood Johnson Foundation.

This document was developed by Alexis Gbemudu, J.D. Candidate, and Alison Venable, J.D. Candidate, at the University of Maryland Francis King Carey School of Law, with guidance and review by Mathew Swinburne, J.D., Associate Director, Network for Public Health Law – Eastern Region at the University of Maryland Francis King Carey School of Law. The Public Health Law Network provides information and technical assistance on issues related to public health. The legal information and assistance provided in this document does not constitute legal advice or legal representation. For legal advice, please consult specific legal counsel.

April 2020

¹ FEEDING AMERICA, *HUNGER IN AMERICA*, <https://www.feedingamerica.org/hunger-in-america/child-hunger-facts>.

² C. Gundersen, & J.P. Ziliak, *Food Insecurity and Health Outcomes*, 34 *HEALTH AFFAIRS*, 1830–1839 (2015).

³ C.A. Gregory, & A. Coleman-Jensen, *Food Insecurity, Chronic Disease, and Health Among Working-Age Adults* ECONOMIC RESEARCH REPORT 235 (2017).

⁴ FEEDING AMERICA, *SUMMER FOOD SERVICE PROGRAM*, <https://www.feedingamerica.org/our-work/hunger-relief-programs/summer-food-service-program>.

⁵ Richard B. Russel National School Lunch Act, 42 U.S.C. § 1751 (2012).

⁶ Child Nutrition Act, 42 U.S.C. § 1773 (2012).

⁷ CONG. RESEARCH SERV., R43783, *SCHOOL MEALS PROGRAMS AND OTHER USDA CHILD NUTRITION PROGRAMS: A PRIMER*, <https://fas.org/sgp/crs/misc/R43783.pdf> (last updated Feb. 11, 2019).

⁸ <https://www.fns.usda.gov/sbp/school-breakfast-program>

⁹ *Id.* at 5.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.* at 3.

¹⁴ *Id.*

¹⁵ *Id.* at 1.

¹⁶ *Id.* at 10.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.* at 18.

²⁰ *Id.* at 5.

²¹ U.S. DEP'T. OF AG. FOOD AND NUTRITION SERVS., *SCHOOL BREAKFAST PROGRAM – AN OPPORTUNITY FOR SCHOOLS*, <https://www.fns.usda.gov/school-meals/opportunity-schools> (last updated August 13, 2013).

- 22 *Id.*
- 23 U.S. DEP'T. OF AG. FOOD AND NUTRITION SERVS., COMPARISON OF PROGRAMS SFSP/NSLP/SEAMLESS OPTION, https://fns-prod.azureedge.net/sites/default/files/SFSP_SeamlessComparisonChart.pdf (last updated January 22, 2015).
- 24 U.S. DEP'T. OF AG. FOOD AND NUTRITION SERVS., SUMMER FOOD SERVICE PROGRAM – FAQs, <https://www.fns.usda.gov/sfsp/frequently-asked-questions> (last updated February 27, 2019).
- 25 *Id.*
- 26 *Id.*
- 27 *Id.*
- 28 *Id.*
- 29 *Id.*
- 30 *Id.*
- 31 U.S. DEP'T. OF AG. FOOD AND NUTRITION SERVS., COMPARISON OF PROGRAMS SFSP/NSLP/SEAMLESS OPTION, https://fns-prod.azureedge.net/sites/default/files/SFSP_SeamlessComparisonChart.pdf (last visited January 22, 2015).
- 32 No Kid Hungry, 2016 NATIONAL SUMMER MEALS SUMMIT PRESENTATION, <http://bestpractices.nokidhungry.org/sites/default/files/download-resource/2016%20Summer%20Summit-%20Track%20Breaks%3A%20Exploring%20Opportunities%20to%20Serve%20Children%20on%20a%20Year-Round%20Academic%20Calendar.pdf> (last updated December 6, 2016).
- 33 U.S. DEP'T. OF AG. FOOD AND NUTRITION SERVS., NATIONAL SCHOOL LUNCH PROGRAM (NSLP) FACT SHEET, <https://www.fns.usda.gov/nslp/nslp-fact-sheet> (last updated March 20, 2019).
- 34 CHILD NUTRITION NEW YORK STATE EDU DEPT, SUMMER FOOD SERVICE PROGRAM (SFSP), <http://www.cn.nysed.gov/common/cn/files/accessible-summary-sheet-for-web-site.pdf>.
- 35 MARYLAND HUNGER SOLUTIONS, YOUR GUIDE TO THE SUMMER FOOD SERVICE PROGRAM, https://www.mdhungersolutions.org/pdf/sfsp_guide_mdhs.pdf.
- 36 *Id.* at 3.
- 37 No Kid Hungry, 2016 NATIONAL SUMMER MEALS SUMMIT PRESENTATION, <http://bestpractices.nokidhungry.org/sites/default/files/download-resource/2016%20Summer%20Summit-%20Track%20Breaks%3A%20Exploring%20Opportunities%20to%20Serve%20Children%20on%20a%20Year-Round%20Academic%20Calendar.pdf> (last updated December 6, 2016).
- 38 *Id.*
- 39 U.S. DEP'T. OF AG. FOOD AND NUTRITION SERVS., SUMMER FOOD SERVICE PROGRAM 2020 REIMBURSEMENT RATE, <https://www.govinfo.gov/content/pkg/FR-2020-01-30/pdf/2020-01607.pdf>
- 40 MARYLAND HUNGER SOLUTIONS, YOUR GUIDE TO THE SUMMER FOOD SERVICE PROGRAM, https://www.mdhungersolutions.org/pdf/sfsp_guide_mdhs.pdf.
- 41 U.S. DEP'T. OF AG. FOOD AND NUTRITION SERVS., SUMMER FOOD SERVICE PROGRAM 1, [Summer Food Service - Participation, Meals and Costs](https://www.feedingamerica.org/our-work/hunger-relief-programs/summer-food-service-program).
- 42 FEEDING AMERICA, *SUMMER FOOD SERVICE PROGRAM*, <https://www.feedingamerica.org/our-work/hunger-relief-programs/summer-food-service-program>.
- 43 U.S. DEP'T. OF AG. FOOD AND NUTRITION SERVS., SUMMER FOOD SERVICE PROGRAM, <https://www.ers.usda.gov/topics/food-nutrition-assistance/child-nutrition-programs/summer-food-service-program> (last updated August 2019).
- 44 *Id.*
- 45 NO KID HUNGRY, UNMET NEED IN THE SUMMER MEALS PROGRAM, https://www.nokidhungry.org/sites/default/files/pdf/2015/Summer/Unmet_Need1-15-15.pdf.
- 46 *Id.* at 2.
- 47 *Id.*
- 48 *Id.*
- 49 U.S. DEP'T. OF AG. FOOD AND NUTRITION SERVS., THE SUMMER FOOD SERVICE PROGRAM (SFSP), <https://fns-prod.azureedge.net/sites/default/files/resource-files/sfsp-infographic.pdf> (last updated March 2019).
- 50 U.S. DEP'T. OF AG. FOOD AND NUTRITION SERVS., TIPS FOR SUCCESS – RURAL PROGRAMS, https://fns-prod.azureedge.net/sites/default/files/SFSP_Rural_Programs_Tips.pdf.
- 51 *Id.*
- 52 *Id.*
- 53 MARYLAND HUNGER SOLUTIONS, YOUR GUIDE TO THE SUMMER FOOD SERVICE PROGRAM, https://www.mdhungersolutions.org/pdf/sfsp_guide_mdhs.pdf.
- 54 Food Research & Action Center, Summer Reimbursement Rates, <https://frac.org/summer-reimbursement-rates>.
- 55 42 U.S.C. § 1761 (2018).
- 56 U.S. DEP'T. OF AG. FOOD AND NUTRITION SERVS., TIPS FOR SUCCESS – RURAL PROGRAMS, https://fns-prod.azureedge.net/sites/default/files/SFSP_Rural_Programs_Tips.pdf.
- 57 USDA FOOD AND NUTRITION SERVICE PROGRAMS FOR OUT-OF-SCHOOL-TIME PROVIDERS https://fns-prod.azureedge.net/sites/default/files/Afterschool_Options.pdf (last visited April 4, 2020).
- 58 7 CFR 226.2; 7 CFR 226.17a(b).
- 59 7 CFR 226.17a(m)(2); *see also* U.S. DEP'T. OF AG., FOOD AND NUTRITION SERVS., AVAILABLE FLEXIBILITIES FOR CACFP AT-RISK SPONSORS AND CENTERS TRANSITIONING TO SUMMER FOOD SERVICE PROGRAM, https://fns-prod.azureedge.net/sites/default/files/cn/SP06_CACFP03_SFSP06-2014os.pdf (last visited April 4, 2020).

-
- ⁶⁰ U.S. Dep't. of Ag., Food and Nutrition Servs., AT-RISK AFTER SCHOOL MEALS, 8, <https://fns-prod.azureedge.net/sites/default/files/cn/atriskhandbook.pdf>, 7 CFR 226.2; 7 CFR 226.17a(b).
- ⁶¹ HOW TO PARTICIPATE IN THE AT-RISK AFTER SCHOOL MEALS COMPONENT OF CACFP, https://fns-prod.azureedge.net/sites/default/files/cacfp/CACFPfactsheet_atrisk.pdf; No Kid Hungry, ABOUT AFTER SCHOOL MEALS, <http://bestpractices.nokidhungry.org/programs/afterschool-meals/about-afterschool-meals> (last visited April, 4, 2020).
- ⁶² No Kid Hungry, *supra* note 61.
- ⁶³ USDA FOOD AND NUTRITION SERVICE PROGRAMS FOR OUT-OF-SCHOOL-TIME PROVIDERS, *supra* note 57.
- ⁶⁴ No Kid Hungry, *supra* note 61.
- ⁶⁵ *Id.*
- ⁶⁶ *Id.*
- ⁶⁷ U.S. Dep't. of Ag. Food and Nutrition Servs., NSLP AFTER SCHOOL SNACK SERVICES – FAQ, <https://www.fns.usda.gov/school-meals/afterschool-snacks-faqs> (last visited April 4, 2020).
- ⁶⁸ USDA FOOD AND NUTRITION SERVICE PROGRAMS FOR OUT-OF-SCHOOL-TIME PROVIDERS, *supra* note 57.
- ⁶⁹ <https://www.fns.usda.gov/cn/area-eligibility-child-nutrition-programs>
- ⁷⁰ NSLP AFTER SCHOOL SNACK SERVICES – FAQ, *supra* note 67
- ⁷¹ *Id.*
- ⁷² USDA FOOD AND NUTRITION SERVICE PROGRAMS FOR OUT-OF-SCHOOL-TIME PROVIDERS, *supra* note 57.
- ⁷³ *Id.*
- ⁷⁴ Food Research and Action Center, *Afterschool Suppers: A Snapshot of Participation*, 8 (October 2019), <https://frac.org/wp-content/uploads/afterschool-report-october-2019.pdf>.
- ⁷⁵ *Id.* at 11.
- ⁷⁶ U.S. Dep't. of Ag., MEAL SERVICE DURING UNANTICIPATED SCHOOL CLOSURES, 2-3 (Nov. 5, 2019).
- ⁷⁷ *Id.*
- ⁷⁸ *Id.*
- ⁷⁹ Jillian Luchner, Recap: Education stakeholder briefing from ED, CDC & USDA (Mar. 20, 2020) http://www.afterschoolalliance.org/afterschoolsnack/Recap-Education-stakeholder-briefing-from-ED-CDC-USA_03-20-2020.cfm.
- ⁸⁰ Families First Coronavirus Response Act P.L. 116-127, H.R. 6201-8 § 2202(b).
- ⁸¹ *Id.* at § 2202(c).
- ⁸² *Id.* at § 2202(b).
- ⁸³ *Id.* at § 2202(c).
- ⁸⁴ *Id.* at § 2202(a)(2).
- ⁸⁵ U.S. Dep't. of Ag., USDA ANNOUNCES FEEDING PROGRAM PARTNERSHIP IN RESPONSE TO COVID-19 <https://www.usda.gov/media/press-releases/2020/03/17/usda-announces-feeding-program-partnership-response-covid-19> (last visited April 4, 2020).
- ⁸⁶ *Id.*
- ⁸⁷ *Id.*
- ⁸⁸ *Id.*