

115TH CONGRESS
1ST SESSION

S. 1064

To amend the Richard B. Russell National School Lunch Act to prohibit the stigmatization of children who are unable to pay for meals.

IN THE SENATE OF THE UNITED STATES

MAY 8, 2017

Mr. UDALL (for himself, Mr. CASEY, and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Richard B. Russell National School Lunch Act to prohibit the stigmatization of children who are unable to pay for meals.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Anti-Lunch Shaming
5 Act of 2017”.

6 **SEC. 2. PROHIBITION ON STIGMATIZATION OF CHILDREN**

7 **WHO ARE UNABLE TO PAY FOR MEALS.**

8 Section 9(b)(10) of the Richard B. Russell National
9 School Lunch Act (42 U.S.C. 1758(b)(10)) is amended—

(1) by striking “(10) No physical” and inserting the following:

“(10) DISCRIMINATORY OR STIGMATIZING TREATMENT OF CHILDREN BY SCHOOLS.—

“(A) DISCRIMINATION BASED ON ELIGIBILITY.—No physical”; and

(2) by adding at the end the following:

“(B) STIGMATIZATION BASED ON LACK OF FUNDS OR DEBT.—

“(i) DEFINITION OF COVERED CHILD.—In this subparagraph, the term ‘covered child’ means a child who—

“(I) is a student at a school that participates in—

“(aa) the school lunch program established under this Act; or

“(bb) the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773); and

“(II)(aa) does not have funds to pay for a lunch or breakfast at the school; or

1 “(bb) has outstanding credit that
 2 was extended by a school food author-
 3 ity for a lunch or breakfast at the
 4 school.

5 “(ii) REQUIREMENTS OF SCHOOL
 6 FOOD AUTHORITIES.—

7 “(I) IN GENERAL.—A school food
 8 authority shall not permit—

9 “(aa) the public identifica-
 10 tion or stigmatization of a cov-
 11 ered child, such as by requiring
 12 the covered child to wear a wrist-
 13 band or display a hand stamp to
 14 identify the covered child as a
 15 covered child; or

16 “(bb) any requirement that
 17 a covered child, because of the
 18 status of the covered child as a
 19 covered child—

20 “(AA) perform chores
 21 or any other activity that is
 22 not required of students
 23 generally; or

24 “(BB) dispose of a
 25 lunch or breakfast after it

1 has been served to the cov-
2 ered child.

3 “(II) COMMUNICATIONS.—

4 “(aa) IN GENERAL.—Sub-
5 ject to item (bb), a school food
6 authority shall require that any
7 communication relating to an
8 outstanding credit described in
9 clause (i)(II)(bb) of a covered
10 child shall be directed—

11 “(AA) to a parent or
12 guardian of the covered
13 child; and

14 “(BB) not to the cov-
15 ered child.

16 “(bb) LETTERS.—A school
17 food authority may permit a re-
18 quirement that a covered child
19 deliver a letter addressed to a
20 parent or guardian of the covered
21 child that contains a communica-
22 tion described in item (aa), sub-
23 ject to the condition that the let-
24 ter shall not be distributed to the

1 covered child in a manner that
2 stigmatizes the covered child.”.

3 **SEC. 3. SENSE OF CONGRESS.**

4 It is the sense of Congress that the Secretary of Agri-
5 culture should ensure that—

6 (1)(A) to the maximum extent practicable, an
7 application for a free or reduced price lunch under
8 the Richard B. Russell National School Lunch Act
9 (42 U.S.C. 1751 et seq.) is distributed—

10 (i) in an understandable and uniform for-
11 mat; and

12 (ii) by not later than July 1 each year; and

13 (B) a school food authority offers technical as-
14 sistance to a parent or legal guardian to complete an
15 application described in subparagraph (A);

16 (2) each school food authority coordinates
17 with—

18 (A) the local educational agency liaison
19 designated under section 722(g)(1)(J)(ii) of the
20 McKinney-Vento Homeless Assistance Act (42
21 U.S.C. 11432(g)(1)(J)(ii)) to ensure that home-
22 less children and youths eligible to receive free
23 lunches and breakfasts under section
24 9(b)(12)(A)(iv) of the Richard B. Russell Na-
25 tional School Lunch Act (42 U.S.C.

1 1758(b)(12)(A)(iv)) receive those free lunches
2 and breakfasts; and

3 (B) the State agency responsible for ad-
4 ministering the State plans under parts B and
5 E of title IV of the Social Security Act (42
6 U.S.C. 621 et seq.; 42 U.S.C. 470 et seq.) to
7 ensure that foster children eligible to receive
8 free lunches and breakfasts under section
9 9(b)(12)(A)(vii) of the Richard B. Russell Na-
10 tional School Lunch Act (42 U.S.C.
11 1758(b)(12)(A)(vii)) receive those free lunches
12 and breakfasts; and

13 (3) a school food authority that participates in
14 the school lunch program or the school breakfast
15 program under the Richard B. Russell National
16 School Lunch Act (42 U.S.C. 1751 et seq.) or sec-
17 tion 4 of the Child Nutrition Act of 1966 (42 U.S.C.
18 1773), respectively—

19 (A) shall provide to a child who requests a
20 lunch or breakfast a lunch or breakfast, regard-
21 less of whether the child—

22 (i) has money to pay for the lunch or
23 breakfast; or

24 (ii) owes money for a lunch or break-
25 fast;

1 (B) shall not provide to a child who quali-
2 fies for a free or reduced price lunch or break-
3 fast an alternate meal that is not provided to
4 students generally; and

5 (C) should explore innovative ways to use
6 technology to improve and coordinate commu-
7 nications with parents and guardians with re-
8 spect to functions such as—

- 9 (i) prepayment for meals;
10 (ii) checking balances for school
11 meals;
12 (iii) adding funds to accounts for
13 school meals;
14 (iv) addressing outstanding debt for
15 school meals; and
16 (v) sending automatic emails when an
17 account balance is low.

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