

115TH CONGRESS 1ST SESSION

H. R. 2401

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 HOUSE OF REPRESENTATIVES

May 8, 2017

Ms. Michelle Lujan Grisham of New Mexico (for herself, Mr. Rodney Davis of Illinois, Mr. Scott of Virginia, Ms. Delauro, and Mr. Ben Ray Luján of New Mexico) introduced the following bill; which was referred to the Committee on Education and the Workforce

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	(1) by striking "(10) No physical" and insert-
2	ing the following:
3	"(10) DISCRIMINATORY OR STIGMATIZING
4	TREATMENT OF CHILDREN BY SCHOOLS.—
5	"(A) DISCRIMINATION BASED ON ELIGI-
6	BILITY.—No physical"; and
7	(2) by adding at the end the following:
8	"(B) STIGMATIZATION BASED ON LACK OF
9	FUNDS OR DEBT.—
10	"(i) Definition of covered
11	CHILD.—In this subparagraph, the term
12	'covered child' means a child who—
13	"(I) is a student at a school that
14	participates in—
15	"(aa) the school lunch pro-
16	gram established under this Act;
17	OI_{\bullet}
18	"(bb) the school breakfast
19	program established by section 4
20	of the Child Nutrition Act of
21	1966 (42 U.S.C. 1773); and
22	"(II)(aa) does not have funds to
23	pay for a lunch or breakfast at the
24	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.