

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.

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## 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

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## 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                                   or

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.

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