

116TH CONGRESS
1ST SESSION

S. 1119

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

APRIL 10, 2019

Mr. UDALL (for himself, Ms. COLLINS, Mr. CASEY, Mr. GARDNER, Ms. SMITH, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. MURPHY, Mr. LEAHY, Mr. WYDEN, Mr. BOOKER, Ms. HIRONO, Mr. VAN HOLLEN, and Mrs. GILLIBRAND) 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 2019”.

1 **SEC. 2. PROHIBITION ON STIGMATIZATION OF CHILDREN**
 2 **WHO ARE UNABLE TO PAY FOR MEALS.**

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

5 (1) by striking “(10) No physical” and insert-
 6 ing the following:

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

9 “(A) DISCRIMINATION BASED ON ELIGI-
 10 BILITY.—No physical”; and

11 (2) by adding at the end the following:

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

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

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

19 “(aa) the school lunch pro-
 20 gram established under this Act;
 21 or

22 “(bb) the school breakfast
 23 program established by section 4
 24 of the Child Nutrition Act of
 25 1966 (42 U.S.C. 1773); and

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

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

8 “(ii) REQUIREMENTS OF SCHOOL
9 FOOD AUTHORITIES.—

10 “(I) IN GENERAL.—A school food
11 authority shall not permit—

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

19 “(bb) any requirement that
20 a covered child, because of the
21 status of the covered child as a
22 covered child—

23 “(AA) perform chores
24 or any other activity that is

1 not required of students
2 generally; or

3 “(BB) dispose of a
4 lunch or breakfast after it
5 has been served to the cov-
6 ered child.

7 “(II) COMMUNICATIONS.—

8 “(aa) IN GENERAL.—Sub-
9 ject to item (bb), a school food
10 authority shall require that any
11 communication relating to an
12 outstanding credit described in
13 clause (i)(II)(bb) of a covered
14 child—

15 “(AA) shall be directed
16 to a parent or guardian of
17 the covered child; and

18 “(BB) shall not be di-
19 rected to the covered child.

20 “(bb) LETTERS.—A school
21 food authority may permit a re-
22 quirement that a covered child
23 deliver a letter addressed to a
24 parent or guardian of the covered
25 child that contains a communica-

1 tion described in item (aa), sub-
2 ject to the condition that the let-
3 ter shall not be distributed to the
4 covered child in a manner that
5 stigmatizes the covered child.”.

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

7 It is the sense of Congress that the Secretary of Agri-
8 culture should ensure that—

9 (1)(A) to the maximum extent practicable, an
10 application for a free or reduced price lunch under
11 the Richard B. Russell National School Lunch Act
12 (42 U.S.C. 1751 et seq.) is distributed—

13 (i) in an understandable and uniform for-
14 mat; and

15 (ii) by not later than July 1 of each year;
16 and

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

20 (2) each school food authority coordinates
21 with—

22 (A) the local educational agency liaison
23 designated under section 722(g)(1)(J)(ii) of the
24 McKinney-Vento Homeless Assistance Act (42
25 U.S.C. 11432(g)(1)(J)(ii)) to ensure that home-

1 less children and youths eligible to receive free
 2 lunches and breakfasts under section
 3 9(b)(12)(A)(iv) of the Richard B. Russell Na-
 4 tional School Lunch Act (42 U.S.C.
 5 1758(b)(12)(A)(iv)) receive those free lunches
 6 and breakfasts; and

7 (B) the State agency responsible for ad-
 8 ministering the State plans under parts B and
 9 E of title IV of the Social Security Act (42
 10 U.S.C. 621 et seq.; 42 U.S.C. 670 et seq.) to
 11 ensure that foster children eligible to receive
 12 free lunches and breakfasts under section
 13 9(b)(12)(A)(vii) of the Richard B. Russell Na-
 14 tional School Lunch Act (42 U.S.C.
 15 1758(b)(12)(A)(vii)) receive those free lunches
 16 and breakfasts; and

17 (3) a school food authority that participates in
 18 the school lunch program or the school breakfast
 19 program under the Richard B. Russell National
 20 School Lunch Act (42 U.S.C. 1751 et seq.) or sec-
 21 tion 4 of the Child Nutrition Act of 1966 (42 U.S.C.
 22 1773), respectively—

23 (A) shall provide to a child who requests a
 24 lunch or breakfast a lunch or breakfast, regard-
 25 less of whether the child—

1 (i) has money to pay for the lunch or
2 breakfast; or

3 (ii) owes money for a lunch or break-
4 fast;

5 (B) shall not provide to a child who quali-
6 fies for a free or reduced price lunch or break-
7 fast an alternate meal that is not provided to
8 students generally; and

9 (C) shall explore innovative ways to use
10 technology to improve and coordinate commu-
11 nications with parents and guardians with re-
12 spect to functions such as—

13 (i) prepayment for meals;

14 (ii) checking balances for school
15 meals;

16 (iii) adding funds to accounts for
17 school meals;

18 (iv) addressing outstanding debt for
19 school meals; and

20 (v) sending automatic emails when an
21 account balance is low.

○