

2018 -- H 8059

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LC005381
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO EDUCATION - FEDERAL AID

Introduced By: Representatives Lancia, Shanley, Vella-Wilkinson, Mendonca, and Nardolillo

Date Introduced: April 05, 2018

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-8 of the General Laws entitled "Federal Aid [See Title 16
2 Chapter 97 - The Rhode Island Board of Education Act]" is hereby amended by adding thereto
3 the following section:

4 **16-8-10.2. Prohibition of stigmatization of children unable to pay for meals.**

5 (a) For the purposes of this section, the term "covered child" means a child who:

6 (1) Is a student at a school that participates in:

7 (i) The school lunch program established under federal law; or

8 (ii) The school breakfast program established by section 4 of the Child Nutrition Act of

9 1966 (42 U.S.C. 1773); and

10 (2)(i) Does not have funds to pay for a lunch or breakfast at the school; or

11 (ii) Has outstanding credit that was extended by a school food authority for a lunch or
12 breakfast at the school.

13 (b) Requirements of school food authorities.

14 (1) A school food authority shall not permit:

15 (i) The public identification or stigmatization of a covered child, such as by requiring the
16 covered child to wear a wristband or display a hand stamp to identify the covered child as a
17 covered child; or

18 (ii) Any requirement that a covered child, because of the status of the covered child as a
19 covered child.

1 (A) Perform chores or any other activity that is not required of students generally; or

2 (B) Dispose of a lunch or breakfast after it has been served to the covered child.

3 (c) Communications.

4 (1) Subject to subsection (c)(2) of this section, a school food authority shall require that
5 any communication relating to an outstanding credit described in subsection (a)(2)(ii) of this
6 section, of a covered child shall be directed:

7 (i) To a parent or guardian of the covered child; and

8 (ii) Not to the covered child.

9 (2) A school food authority may permit a requirement that a covered child deliver a letter
10 addressed to a parent or guardian of the covered child that contains a communication described in
11 subsection (c)(1) of this section, subject to the condition that the letter shall not be distributed to
12 the covered child in a manner that stigmatizes the covered child.

13 (d) A school food authority that participates in the school lunch program or the school
14 breakfast program:

15 (1) Shall provide to a child who requests a lunch or breakfast, regardless of whether the
16 child:

17 (i) Has money to pay for the lunch or breakfast; or

18 (ii) Owes money for a lunch or breakfast;

19 (2) Shall not provide to a child who qualifies for a free or reduced price lunch or
20 breakfast an alternate meal that is not provided to students generally; and

21 (3) Should explore innovative ways to use technology to improve and coordinate
22 communications with parents and guardians with respect to functions such as:

23 (i) Prepayment for meals;

24 (ii) Checking balances for school meals;

25 (iii) Adding funds to accounts for school meals;

26 (iv) Addressing outstanding debt for school meals; and

27 (v) Sending automatic emails when an account balance is low.

28 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION - FEDERAL AID

1 This act would prohibit the stigmatization (lunch-shaming) of children unable to pay for
2 meals served as part of the breakfast or lunch program offered at elementary and secondary
3 schools.

4 This act would take effect upon passage.

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