

115TH CONGRESS
2D SESSION

H. R. 6977

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

SEPTEMBER 28, 2018

Mr. NOLAN 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 “No Blame, No Shame
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) School nutrition programs help end child-
9 hood hunger and provide access to healthy, nutri-
10 tious meals.

1 (2) Access to school meals has been shown to
2 improve educational outcomes.

3 (3) A Federal, publicly funded universal school
4 meal and nutrition program will eliminate any stig-
5 ma that accompanies free or reduced meals and stu-
6 dents unable to purchase meals due to insufficient
7 account funds.

8 (4) A Federal, publicly funded universal school
9 meal and nutrition program would further allow
10 schools to shift resources from paperwork to pro-
11 viding high quality meals.

12 (5) A Federal, publicly funded universal school
13 meal and nutrition program should be established.

14 **SEC. 3. PROHIBITION ON STIGMATIZATION OF CHILDREN**
15 **WHO ARE UNABLE TO PAY FOR MEALS.**

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

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

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

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

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

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

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

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

8 “(aa) the school lunch pro-
9 gram established under this Act;
10 or

11 “(bb) the school breakfast
12 program established by section 4
13 of the Child Nutrition Act of
14 1966 (42 U.S.C. 1773); and

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

18 “(bb) has outstanding credit that
19 was extended by a school food author-
20 ity for a lunch or breakfast at the
21 school.

22 “(ii) REQUIREMENTS OF LOCAL EDU-
23 CATIONAL AGENCIES.—

24 “(I) IN GENERAL.—A local edu-
25 cational agency shall not permit—

1 “(aa) the public identifica-
2 tion of a covered child, such as
3 by requiring the covered child to
4 wear a wristband or display a
5 hand stamp to identify the cov-
6 ered child as a covered child;

7 “(bb) the stigmatization of a
8 covered child, such as by pre-
9 venting such student from par-
10 ticipating in extracurricular ac-
11 tivities, school functions, or other
12 school events due to the status of
13 the child as a covered child; or

14 “(cc) any requirement that a
15 covered child, because of the sta-
16 tus of the covered child as a cov-
17 ered child—

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

22 “(BB) dispose of a
23 lunch or breakfast after it
24 has been served to the cov-
25 ered child.

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“(II) COMMUNICATIONS.—

“(aa) IN GENERAL.—Subject to item (bb), a local educational agency shall require that any communication relating to an outstanding credit described in clause (i)(II)(bb) of a covered child shall be directed—

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

“(BB) not to the covered child.

“(bb) LETTERS.—A local educational agency may permit a requirement that a covered child deliver a letter addressed to a parent or guardian of the covered child that contains a communication described in item (aa), subject to the condition that the letter shall not be distributed to the covered child in a manner that stigmatizes the covered child.

1 “(cc) SCHOOL MEAL COL-
2 LECTION POLICY DISTRIBUTION.—A local educational agen-
3 cy shall annually publish and
4 make publicly available, including
5 to school administrators, meal
6 vendors, and parents and guard-
7 ians of children served by the
8 local educational agency, the pol-
9 icy of local educational agency
10 that includes—

12 “(AA) the policies, pro-
13 cedures, and guidelines of
14 the local educational agency
15 with respect to owed debts
16 and insufficient funds to
17 purchase meals; and

18 “(BB) available and
19 relevant meals and food pro-
20 grams and resources.

21 “(C) REPORT ON VIOLATIONS.—Each
22 State shall annually submit to the Secretary a
23 report that includes—

1 “(i) each violation of this paragraph
2 by a school located in such State during
3 the previous year;

4 “(ii) each violation of this paragraph
5 by a local educational agency located in
6 such State during the previous year;

7 “(iii) the amount of student meal debt
8 accrued in each school and each local edu-
9 cational agency located in the State during
10 the previous year; or

11 “(iv) the policies with respect to
12 school meals used by each school and local
13 educational agency located in such State.

14 “(D) PUBLICATION.—The Secretary shall
15 establish and update a list of the violations of
16 this paragraph on a public website of the De-
17 partment.

18 “(E) PENALTY.—

19 “(i) IN GENERAL.—Notwithstanding
20 any other provision of law and subject to
21 clause (ii), in the case of a local edu-
22 cational agency or a school served by such
23 local educational agency that is reported
24 under subparagraph (C) as having violated
25 this paragraph, such local educational

1 agency shall, not later than 3 years after
2 the date on which such report was sub-
3 mitted—

4 “(I) use administrative funds re-
5 served for school board or adminis-
6 trator activities to pay accrued school
7 meal debt in the year prior to the date
8 on which such report was submitted;
9 and

10 “(II) forgive the outstanding debt
11 of each covered child that accrued
12 such debts.

13 “(ii) CERTAIN FUNDS EXCLUDED
14 FROM REDISTRIBUTION.—None of the
15 funds that would otherwise be used by the
16 local educational agency for salaries, bo-
17 nuses, workforce training and development,
18 instruction of students, student resources,
19 day-to-day school operations, or the benefit
20 of school employees, teachers, and school-
21 based administrator may be used under
22 clause (i).

23 “(F) PROHIBITION.—In the case of cov-
24 ered child with outstanding debt with respect to
25 school meals, a local educational agency may

1 not seek collection through a collection agency
2 if such collection agency charges such covered
3 child or the family of such covered child fees
4 that are in addition to the outstanding debt.”.

5 **SEC. 4. SENSE OF CONGRESS.**

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

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

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

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

15 (B) a local educational agency offers technical
16 assistance to a parent or legal guardian to complete
17 an application described in subparagraph (A);

18 (2) each local educational agency coordinates
19 with—

20 (A) the local educational agency liaison
21 designated under section 722(g)(1)(J)(ii) of the
22 McKinney-Vento Homeless Assistance Act (42
23 U.S.C. 11432(g)(1)(J)(ii)) to ensure that home-
24 less children and youths eligible to receive free
25 lunches and breakfasts under section

1 9(b)(12)(A)(iv) of the Richard B. Russell Na-
2 tional School Lunch Act (42 U.S.C.
3 1758(b)(12)(A)(iv)) receive those free lunches
4 and breakfasts; and

5 (B) the State agency responsible for ad-
6 ministering the State plans under parts B and
7 E of title IV of the Social Security Act (42
8 U.S.C. 621 et seq.; 42 U.S.C. 470 et seq.) to
9 ensure that foster children eligible to receive
10 free lunches and breakfasts under section
11 9(b)(12)(A)(vii) of the Richard B. Russell Na-
12 tional School Lunch Act (42 U.S.C.
13 1758(b)(12)(A)(vii)) receive those free lunches
14 and breakfasts; and

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

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

24 (i) has money to pay for the lunch or
25 breakfast; or

1 (ii) owes money for a lunch or break-
2 fast;

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

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

11 (i) prepayment for meals;

12 (ii) checking balances for school
13 meals;

14 (iii) adding funds to accounts for
15 school meals;

16 (iv) addressing outstanding debt for
17 school meals; and

18 (v) sending automatic emails when an
19 account balance is low.

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