

118TH CONGRESS  
2D SESSION

# H. R. 9878

To amend the Richard B. Russell National School Lunch Act to require mandatory certification for certain students and reduce stigma associated with unpaid school meal fees, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2024

Ms. OMAR (for herself, Ms. BARRAGÁN, Mr. BISHOP of Georgia, Mr. BOWMAN, Ms. BROWNLEY, Mr. CÁRDENAS, Mr. CARSON, Mr. CARTER of Louisiana, Mrs. CHERFILUS-MCCORMICK, Ms. CLARKE of New York, Mr. CORREA, Mr. DAVIS of Illinois, Mr. ESPAILLAT, Mrs. HAYES, Mr. JACKSON of Illinois, Ms. JACOBS, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Mr. KHANNA, Ms. LEE of California, Ms. LEE of Pennsylvania, Ms. MCCLELLAN, Mr. MCGOVERN, Ms. MOORE of Wisconsin, Mrs. NAPOLITANO, Ms. NORTON, Mr. PETERS, Ms. PINGREE, Ms. PLASKETT, Mr. POCAN, Ms. PRESSLEY, Mrs. RAMIREZ, Ms. SALINAS, Ms. SÁNCHEZ, Ms. SCHAKOWSKY, Ms. STANSBURY, Mr. TAKANO, Mr. THOMPSON of California, Ms. TLAIB, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Ms. WILD, Ms. WILLIAMS of Georgia, and Mr. AMO) 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 require mandatory certification for certain students and reduce stigma associated with unpaid school meal fees, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “No Shame at School  
3 Act of 2024”.

4 **SEC. 2. UNPAID MEAL DEBT.**

5 (a) **MANDATORY CERTIFICATION.**—Section 9(b)(5) of  
6 the Richard B. Russell National School Lunch Act (42  
7 U.S.C. 1758(b)(5)) is amended—

8 (1) in the heading, by striking “DISCRE-  
9 TIONARY” and inserting “MANDATORY”;

10 (2) by striking “any local” and inserting “a  
11 local”; and

12 (3) by striking “may” and inserting “shall”.

13 (b) **RETROACTIVE REIMBURSEMENT.**—Section  
14 9(b)(9)(C) of the Richard B. Russell National School  
15 Lunch Act (42 U.S.C. 1758(b)(9)(C)) is amended—

16 (1) by striking “Except” and inserting the fol-  
17 lowing:

18 “(i) **IN GENERAL.**—Except”;

19 (2) by redesignating clauses (i) and (ii) as sub-  
20 clauses (I) and (II); and

21 (3) by adding at the end the following:

22 “(ii) **RETROACTIVITY.**—A local edu-  
23 cational agency shall revise a previously  
24 submitted meal claim to reflect the eligi-  
25 bility approval of a child for free or re-  
26 duced price meals for the period that be-

1 gins on the first day of the current school  
2 year.

3 “(iii) MEAL CLAIM DEFINED.—In this  
4 subsection, the term ‘meal claim’ means  
5 any documentation provided by a school  
6 food authority to a State agency in order  
7 to receive reimbursement for the cost of a  
8 meal served to a child by such school food  
9 authority.”.

10 (c) REDUCING STIGMA ASSOCIATED WITH UNPAID  
11 SCHOOL MEAL FEES.—Section 9(b)(10) of the Richard  
12 B. Russell National School Lunch Act (42 U.S.C.  
13 1758(b)(10)) is amended to read as follows:

14 “(10) REDUCING STIGMA ASSOCIATED WITH UN-  
15 PAID SCHOOL MEAL FEES.—

16 “(A) OVERT IDENTIFICATION PROHIBITED.—A  
17 local educational agency or school food authority  
18 may not, based on the status of a covered child as  
19 a covered child—

20 “(i) physically segregate such covered  
21 child;

22 “(ii) overtly identify such covered child—

23 “(I) through the use of special tokens  
24 or tickets; or

1                   “(II) by an announcement or a pub-  
2                   lished list of names; or

3                   “(iii) identify or stigmatize such covered  
4                   child by any other means.

5                   “(B) ELIGIBILITY DETERMINATION BY LOCAL  
6                   EDUCATIONAL AGENCY.—For any covered child who  
7                   is a member of a household that owes a week or  
8                   more of unpaid school meal fees, a local educational  
9                   agency shall—

10                   “(i) attempt to directly certify such cov-  
11                   ered child for free meals under paragraph (4)  
12                   or (5); or

13                   “(ii) in a case where the local educational  
14                   agency is not able to directly certify such cov-  
15                   ered child under paragraph (4) or (5), provide  
16                   to the household of such covered child—

17                   “(I) a household application and ap-  
18                   plicable descriptive material; and

19                   “(II) written and oral communications  
20                   to encourage submission of the application.

21                   “(C) COLLECTION OF UNPAID SCHOOL MEAL  
22                   FEES.—In attempting to collect unpaid school meal  
23                   fees from a household, a local educational agency or  
24                   school food authority may not—

1           “(i) except as described in subparagraph  
2           (D), direct any communication regarding un-  
3           paid school meal fees to a covered child who is  
4           a member of such household;

5           “(ii) withhold educational opportunities  
6           (including grades and participation in extra-  
7           curricular activities or local educational agency  
8           programs or services) from, or otherwise stig-  
9           matize, a covered child due to the status of the  
10          covered child as a covered child; or

11          “(iii) use a debt collector (as such term is  
12          defined in section 803 of the Consumer Credit  
13          Protection Act (15 U.S.C. 1692a)).

14          “(D) LETTERS.—A school food authority may  
15          require that a covered child deliver a sealed letter  
16          addressed to a parent or guardian of the covered  
17          child that contains a communication relating to un-  
18          paid school meal fees, subject to the condition that  
19          the letter shall not be distributed to the covered  
20          child in a manner that stigmatizes the covered child.

21          “(E) ELIMINATING STIGMA IN MEAL SERV-  
22          ICE.—In providing a meal to a covered child, a local  
23          educational agency or school food authority may not,  
24          based on the status of the covered child as a covered  
25          child, dispose of or take away from the covered child

1 any food that has already been served to such cov-  
2 ered child.

3 “(F) DEFINITIONS.—In this paragraph:

4 “(i) COVERED CHILD.—The term ‘covered  
5 child’ means a child who—

6 “(I) is—

7 “(aa) enrolled in a school that  
8 participates in the school lunch pro-  
9 gram under this Act or the school  
10 breakfast program under section 4 of  
11 the Child Nutrition Act of 1966 (42  
12 U.S.C. 1773); and

13 “(bb) is a member of a household  
14 that owes unpaid school meal fees; or

15 “(II) is eligible for a free or reduced  
16 price lunch under this section.

17 “(ii) UNPAID SCHOOL MEAL FEES.—The  
18 term ‘unpaid school meal fees’ means out-  
19 standing fees owed by a household to a local  
20 educational agency for lunches under this Act  
21 or breakfasts under section 4 of the Child Nu-  
22 trition Act of 1966 (42 U.S.C. 1773).”.

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