

117TH CONGRESS
2D SESSION

H. R. 8477

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.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2022

Ms. OMAR (for herself, Mr. DESAULNIER, Ms. SCANLON, Mr. BOWMAN, Ms. SCHAKOWSKY, Ms. ADAMS, Ms. WILSON of Florida, Ms. MOORE of Wisconsin, Mr. WELCH, Ms. JAYAPAL, Mr. RUPPERSBERGER, Mr. RASKIN, Mr. HUFFMAN, Ms. NORTON, Ms. PRESSLEY, Mr. DANNY K. DAVIS of Illinois, Ms. TLAIB, Mr. SMITH of Washington, Mr. CÁRDENAS, Mr. ESPAILLAT, Mr. LAWSON of Florida, Mr. LOWENTHAL, Mrs. CHERFILUS-McCORMICK, Ms. KUSTER, Mrs. WATSON COLEMAN, Ms. BASS, Mr. CARTER of Louisiana, Mr. CORREA, Mr. CARSON, Ms. WILD, Mr. AUCHINCLOSS, Mr. DAVID SCOTT of Georgia, Mrs. CAROLYN B. MALONEY of New York, Mr. MCGOVERN, Mr. GALLEG0, Ms. PINGREE, Mr. GARCÍA of Illinois, Mr. POCAN, Mr. TAKANO, Ms. BARRAGÁN, Mrs. NAPOLITANO, Mr. NADLER, Ms. CLARKE of New York, Ms. VELÁZQUEZ, Ms. ROYBAL-ALLARD, Mr. THOMPSON of California, Ms. STANSBURY, Mr. JONES, and Ms. KELLY of Illinois) introduced the following bill; which was referred to the Committee on Education and Labor

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 2022”.

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
 15 UNPAID SCHOOL MEAL FEES.—

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

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

22 “(ii) overtly identify such covered
 23 child—

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

1 “(II) by an announcement or a
2 published list of names; or

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

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

10 “(i) attempt to directly certify such
11 covered child for free meals under para-
12 graph (4) or (5); or

13 “(ii) in a case where the local edu-
14 cational agency is not able to directly cer-
15 tify such covered child under paragraph
16 (4) or (5), provide to the household of such
17 covered child—

18 “(I) a household application and
19 applicable descriptive material; and

20 “(II) written and oral commu-
21 nications to encourage submission of
22 the application.

23 “(C) COLLECTION OF UNPAID SCHOOL
24 MEAL FEES.—In attempting to collect unpaid
25 school meal fees from a household, a local edu-

1 cational agency or school food authority may
2 not—

3 “(i) except as described in subpara-
4 graph (D), direct any communication re-
5 garding unpaid school meal fees to a cov-
6 ered child who is a member of such house-
7 hold;

8 “(ii) withhold educational opportuni-
9 ties (including grades and participation in
10 extracurricular activities or local edu-
11 cational agency programs or services)
12 from, or otherwise stigmatize, a covered
13 child due to the status of the covered child
14 as a covered child; or

15 “(iii) use a debt collector (as such
16 term is defined in section 803 of the Con-
17 sumer Credit Protection Act (15 U.S.C.
18 1692a)).

19 “(D) LETTERS.—A school food authority
20 may require that a covered child deliver a
21 sealed letter addressed to a parent or guardian
22 of the covered child that contains a communica-
23 tion relating to unpaid school meal fees, subject
24 to the condition that the letter shall not be dis-

1 tributed to the covered child in a manner that
2 stigmatizes the covered child.

3 “(E) ELIMINATING STIGMA IN MEAL SERV-
4 ICE.—In providing a meal to a covered child, a
5 local educational agency or school food author-
6 ity may not, based on the status of the covered
7 child as a covered child, dispose of or take away
8 from the covered child any food that has al-
9 ready been served to such covered child.

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

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

13 “(I) is enrolled in a school that
14 participates in the school lunch pro-
15 gram under this Act or the school
16 breakfast program under section 4 of
17 the Child Nutrition Act of 1966 (42
18 U.S.C. 1773); and

19 “(II) is a member of a household
20 that owes unpaid school meal fees.

21 “(ii) UNPAID SCHOOL MEAL FEES.—
22 The term ‘unpaid school meal fees’ means
23 outstanding fees owed by a household to a
24 local educational agency for lunches under
25 this Act or breakfasts under section 4 of

1 the Child Nutrition Act of 1966 (42
2 U.S.C. 1773).”.

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