

118TH CONGRESS
2D SESSION

S. 5200

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 SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Ms. SMITH 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 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,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. UNPAID MEAL DEBT.**

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

5 (1) in the paragraph heading, by striking “DIS-
6 CRETIONARY” and inserting “MANDATORY”; and

7 (2) in the matter preceding subparagraph (A),
8 by striking “any local educational agency may” and
9 inserting “a local educational agency shall”.

10 (b) RETROACTIVE REIMBURSEMENT.—Section
11 9(b)(9)(C) of the Richard B. Russell National School
12 Lunch Act (42 U.S.C. 1758(b)(9)(C)) is amended—

13 (1) by redesignating clauses (i) and (ii) as sub-
14 clauses (I) and (II), respectively;

15 (2) in the matter preceding subclause (I) (as so
16 redesignated), by striking “Except” and inserting
17 the following:

18 “(i) IN GENERAL.—Except”; and

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

20 “(ii) RETROACTIVITY.—

21 “(I) IN GENERAL.—A local edu-
22 cational agency shall revise a pre-
23 viously submitted meal claim to reflect
24 the eligibility approval of a child for
25 free or reduced price meals for the pe-

1 riod that begins on the first day of
2 the current school year.

3 “(II) DEFINITION OF MEAL
4 CLAIM.—In this clause, the term
5 ‘meal claim’ means any documenta-
6 tion provided by a school food author-
7 ity to a State agency to receive reim-
8 bursement for the cost of a meal
9 served to a child by that school food
10 authority.”.

11 (c) REDUCING STIGMA ASSOCIATED WITH UNPAID
12 SCHOOL MEAL FEES.—Section 9(b) of the Richard B.
13 Russell National School Lunch Act (42 U.S.C. 1758(b))
14 is amended by striking paragraph (10) and inserting the
15 following:

16 “(10) REDUCING STIGMA ASSOCIATED WITH
17 UNPAID SCHOOL MEAL FEES.—

18 “(A) DEFINITIONS.—In this paragraph:

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

21 “(I) is—

22 “(aa) enrolled in a school
23 that participates in the school
24 lunch program under this Act or
25 the school breakfast program

1 under section 4 of the Child Nu-
2 trition Act of 1966 (42 U.S.C.
3 1773); and

4 “(bb) is a member of a
5 household that owes unpaid
6 school meal fees; or

7 “(II) is eligible for a free or re-
8 duced price lunch under this section.

9 “(ii) UNPAID SCHOOL MEAL FEES.—
10 The term ‘unpaid school meal fees’ means
11 outstanding fees owed by a household to a
12 local educational agency for lunch provided
13 under the school lunch program under this
14 Act or breakfast provided under the school
15 breakfast program under section 4 of the
16 Child Nutrition Act of 1966 (42 U.S.C.
17 1773).

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

22 “(i) physically segregate the covered
23 child;

24 “(ii) overtly identify the covered
25 child—

1 “(I) through the use of special
2 tokens or tickets; or

3 “(II) by an announcement or a
4 published list of names; or

5 “(iii) identify or stigmatize the cov-
6 ered child by any other means.

7 “(C) ELIGIBILITY DETERMINATION BY
8 LOCAL EDUCATIONAL AGENCY.—For any cov-
9 ered child who is a member of a household that
10 owes 1 week or more of unpaid school meal
11 fees, a local educational agency shall—

12 “(i) attempt to directly certify that
13 covered child for free meals under para-
14 graph (4) or (5); or

15 “(ii) if a local educational agency is
16 not able to directly certify that covered
17 child under paragraph (4) or (5), provide
18 to the household of the covered child—

19 “(I) a household application for
20 free meals and applicable descriptive
21 material; and

22 “(II) written and oral commu-
23 nications to encourage submission of
24 that application.

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

“(i) except as described in subparagraph (E), direct any communication regarding unpaid school meal fees to a covered child who is a member of that household;

“(ii) withhold educational opportunities (including grades and participation in extracurricular activities or local educational agency programs or services) from, or otherwise stigmatize, a covered child who is a member of that household; or

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

“(E) LETTERS.—A school food authority may require that a covered child deliver a sealed letter addressed to a parent or guardian of the covered child that contains a communication relating to unpaid school meal fees, subject

1 to the condition that the letter shall not be dis-
2 tributed to the covered child in a manner that
3 stigmatizes the covered child.

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

