

AMENDMENT TO RULES COMMITTEE PRINT

119–22

OFFERED BY MS. OMAR OF MINNESOTA

Add at the end of subtitle D of title XII the following:

1 SEC. 12414. 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 heading, by striking “DISCRE-
6 TIONARY” and inserting “MANDATORY”;

7 (2) by striking “any local” and inserting “a
8 local”; and

9 (3) by striking “may” and inserting “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 striking “Except” and inserting the fol-
14 lowing:

15 “(i) IN GENERAL.—Except”;

16 (2) by redesignating clauses (i) and (ii) as sub-
17 clauses (I) and (II); and

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

1 “(ii) RETROACTIVITY.—A local edu-
2 cational agency shall revise a previously
3 submitted meal claim to reflect the eligi-
4 bility approval of a child for free or re-
5 duced price meals for the period that be-
6 gins on the first day of the current school
7 year.

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

15 (c) REDUCING STIGMA ASSOCIATED WITH UNPAID
16 SCHOOL MEAL FEES.—Section 9(b)(10) of the Richard
17 B. Russell National School Lunch Act (42 U.S.C.
18 1758(b)(10)) is amended to read as follows:

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

21 “(A) OVERT IDENTIFICATION PROHIBITED.—A
22 local educational agency or school food authority
23 may not, based on the status of a covered child as
24 a covered child—

1 “(i) physically segregate such covered
2 child;

3 “(ii) overtly identify such covered child—

4 “(I) through the use of special tokens
5 or tickets; or

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

8 “(iii) identify or stigmatize such covered
9 child by any other means.

10 “(B) ELIGIBILITY DETERMINATION BY LOCAL
11 EDUCATIONAL AGENCY.—For any covered child who
12 is a member of a household that owes a week or
13 more of unpaid school meal fees, a local educational
14 agency shall—

15 “(i) attempt to directly certify such cov-
16 ered child for free meals under paragraph (4)
17 or (5); or

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

22 “(I) a household application and ap-
23 plicable descriptive material; and

24 “(II) written and oral communications
25 to encourage submission of the application.

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

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

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

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

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

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

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

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

11 “(I) is—

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

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

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

22 “(ii) UNPAID SCHOOL MEAL FEES.—The
23 term ‘unpaid school meal fees’ means out-
24 standing fees owed by a household to a local
25 educational agency for lunches under this Act

1 or breakfasts under section 4 of the Child Nu-
2 trition Act of 1966 (42 U.S.C. 1773).”.

