

School Code Update: School Boards Must Prohibit Lunch Shaming

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On Sunday, November 5, 2017, Governor Wolf allowed HB 178, the omnibus School Code bill, to become law without his signature. The bill, now Act 55 of 2017, among other things, amends Section 1337 of the School Code to prohibit “lunch shaming.”

Specifically, to ensure that “lunch shaming” no longer occurs in Pennsylvania school districts, Act 55 imposes the following responsibilities on school boards:

- School boards must establish a requirement that a school food program meal is provided to every student who requests one regardless of whether the student can pay or owes money (unless a student’s parents have provided directive to the school to withhold a meal). See 24 P.S. 13-1337(d)(2).
- When any student owes money for five or more school meals, school boards must require that their schools make at least two attempts to reach the student’s parents or guardians to have them apply for participation in the free or reduced lunch program. Schools may offer assistance in helping the parents or guardians apply for the program. See 24 P.S. 13-1337(d)(3).
- School boards must require that their schools direct all communications regarding money owed by a student to the student’s parents or guardians and not to the student. Schools may contact a student’s parents or guardians via a letter addressed to the parent but delivered by the student. See 24 P.S. 13-1337(d)(4).
- School boards must prohibit their schools from: 1) publically identifying or stigmatizing any student who cannot pay or who owes money for school meals; 2) requiring any student who cannot pay to perform chores; or 3) requiring a student to discard a school meal after it was served if the student can’t pay or owes money. See 24 P.S. 13-1337(d)(5).

These requirements became effective on December 5, 2017. School boards should review their policies with their Solicitor to ensure that they are in compliance with Act 55’s anti “lunch shaming” requirements.

For additional information contact Chris Voltz.