

**2015 DRAFTING REQUEST**

**Bill**

Received: **11/13/2014** Received By: **fknepp**  
Wanted: **As time permits** Same as LRB:  
For: **Administration-Budget** By/Representing: **Stritchko**  
May Contact: Drafter: **fknepp**  
Subject: **Education - miscellaneous** Addl. Drafters:  
Extra Copies:

Submit via email: **YES**  
Requester's email:  
Carbon copy (CC) to: **fern.knepp@legis.wisconsin.gov**  
**sbostatlanguage@webapps.wi.gov**  
**tracy.kuczenski@legis.wisconsin.gov**

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**Pre Topic:**

DOA:.....Stritchko, BB0237 -

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**Topic:**

Community eligibility provisions

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	fknepp 11/25/2014			_____			
/P1	fknepp 1/28/2015	scalvin 11/26/2014	jmurphy 11/26/2014	_____	sbasford 11/26/2014		
/P2		jdyer	jfrantze	_____	lparisi		State

Vers. Drafted

Reviewed  
1/28/2015

Typed  
1/28/2015

Proofed  
\_\_\_\_\_

Submitted  
1/28/2015

Jacketed

Required  
S&L

FE Sent For:

<END>

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/?	fknepp 11/25/2014	<i>P2/28</i> <i>JL</i>	<i>J</i>	<i>RS</i> <i>28</i>			
/P1		scalvin 11/26/2014	jmurphy 11/26/2014		sbasford 11/26/2014		

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DOA:.....Stritchko, BB0237 - ✓

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**Topic:**

Community eligibility provisions ✓

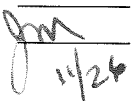
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**Instructions:**

See attached

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1/?	fknepp	/PI SAC 11/26/2014	/PI SAC 11/26/2014	 11/26			

FE Sent For:

<END>

## Knepp, Fern

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**From:** Hanaman, Cathlene  
**Sent:** Thursday, November 13, 2014 1:59 PM  
**To:** Knepp, Fern; Kuczenski, Tracy  
**Subject:** FW: Statutory Language Drafting Request - BB0237  
**Attachments:** DIN 7015 Community Eligibility Provision.docx

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**From:** MeganE.Stritchko@wisconsin.gov [mailto:MeganE.Stritchko@wisconsin.gov]  
**Sent:** Thursday, November 13, 2014 11:30 AM  
**To:** Hanaman, Cathlene  
**Cc:** Hynek, Sara - DOA; Stritchko, Megan E - DOA; Connor, Christopher B - DOA  
**Subject:** Statutory Language Drafting Request - BB0237

Biennial Budget: 2015-17

Topic: Community Eligibility Provision

Tracking Code: BB0237

SBO Team: EWD

SBO Analyst: Stritchko, Megan - DOA  
Phone: (608) 266-7329  
E-mail: [MeganE.Stritchko@wisconsin.gov](mailto:MeganE.Stritchko@wisconsin.gov)

Agency Acronym: DPI

Agency Number: 255

Priority: High

Intent:

Authorize DPI to utilize an alternative data collection mechanism for school districts participating in the Community Eligibility Provision (CEP) option, where current law references the National School Lunch Program and the School Breakfast Program.

See attached for more information.

Attachments: True

Please send completed drafts to [SBOStatlanguage@webapps.wi.gov](mailto:SBOStatlanguage@webapps.wi.gov)

DEPARTMENT OF PUBLIC INSTRUCTION

*Man*

2015-17 BIENNIAL BUDGET

DRAFTING REQUEST TO THE LEGISLATIVE REFERENCE BUREAU

Draft for Possible 2015-17 Budget Bill Introduction (*Agency Decision Item No. 7015*)

**Subject:** Community Eligibility Provision

**Request Date:** November 10, 2014

**Agency Contact:** Erin Fath, 266-2804

**Brief Description of Intent:**

The Department requests a change to statutory language to permit the Department to utilize an alternative data collection mechanism for school districts participating in the Community Eligibility Provision (CEP) Option, where current law references the National School Lunch Program (NSLP) and the School Breakfast Program (SBP) [42 USC 1758 (b)].

*Suggested language:*

At each Wis. Stats. reference to eligibility for free or reduced-price lunch, or to the National School Lunch Program and School Breakfast Program, **under 42 USC 1758 (b)**, add the language:

*as measured by*  
"... or an alternative data collection mechanism that meets the criteria established by the Department to collect the data necessary to administer the program [in this section]."  
*to determine if they would be eligible*

**Related Stat. Citations:**

Current law references free or reduced-price lunch eligibility under 42 USC 1758 (b) in the following locations:

- Grants for national teacher certification or master educator licensure [s. 115.42 (2) (c), Wis. Stats.]
- Wisconsin school day milk program [s. 115.343 (2) (b), Wis. Stats.]
- Precollege scholarships [s. 115.43 (1), Wis. Stats.]
- Sparsity Aid [s. 115.436 (2) (b), Wis. Stats.]
- SAGE Program [s. 118.43 (1) (b), Wis. Stats.]\*
- Low-income transportation assistance for open enrollment [s. 118.51 (14) (b), Wis. Stats.]
- Low-income transportation assistance for course options [s. 118.52 (11) (b), Wis. Stats.]
- Low-income transportation assistance for youth options [s. 118.55 (7) (g), Wis. Stats.]
- MPS 5K program expansion [s. 119.71(3) (a), Wis. Stats.]
- Free AP tests paid by school boards [s. 120.12 (22), Wis. Stats.]
- Transportation of indigent pupils paid by school boards [s. 120.13 (27m), Wis. Stats.]
- State Aid for High Poverty Districts [s. 121.136 (2), Wis. Stats.]
- Annual report on Chapter 220 Aid [s. 121.87 (1) (b), Wis. Stats.]\*\*

\*Reference to applicable federal law is incorrect in state statute. (Refers to 20 USC 2723)

*The parents of a meet*

*school*

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State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-0638/01/PI  
FFK:f:.... fml  
sac

In 11-25

DOA:.....Stritchko, BB0237 – Community eligibility provisions

**FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION**

Prof  
Jan  
11/26

DO NOT GEN

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 SECTION 1. 115.29 (8) of the statutes is created to read:

3 115.29 (8) ALTERNATIVE DATA COLLECTION METHOD; LOW-INCOME PUPILS. Use an  
4 alternative data collection method established by the department to identify pupils  
5 who satisfy the income eligibility criteria for a free or reduced-price lunch under 42  
6 USC 1758 (b) (1).

7 SECTION 2. 115.343 (2) (b) of the statutes is amended to read:

1 115.343 (2) (b) The child meets the income eligibility standard for a free or  
2 reduced-price lunch in the federal school lunch program under 42 USC 1758 (b) (1).

History: 1987 a. 27, 399; 1991 a. 39; 2001 a. 16; 2009 a. 302.

3 SECTION 3. 115.42 (2) (c) of the statutes is amended to read:

4 115.42 (2) (c) The amount of each grant under par. (a) shall be \$5,000 in any  
5 school year in which the recipient is employed in a school in which at least 60 percent  
6 of the pupils enrolled ~~are eligible~~ satisfy the income eligibility criteria for a free or  
7 reduced-price lunch under 42 USC 1758 (b) (1).

History: 1997 a. 237; 1999 a. 9; 2001 a. 16; 2007 a. 20; 2009 a. 180, 302; 2013 a. 20.

8 SECTION 4. 115.43 (1) of the statutes is amended to read:

9 115.43 (1) DEFINITION. In this section, “ economically disadvantaged pupil”  
10 means a pupil who ~~is eligible~~ satisfies the income eligibility criteria for a free or  
11 reduced-price lunch under 42 USC 1758 (b) (1).

History: 1985 a. 29; 1991 a. 39; 1993 a. 399; 1995 a. 27 ss. 3885, 9145 (1); 1997 a. 27; 2001 a. 48; 2007 a. 20.

12 SECTION 5. 115.436 (2) (b) of the statutes is amended to read:

13 115.436 (2) (b) At least 20 percent of the school district’s membership in the  
14 previous school year ~~was eligible~~ satisfied the income eligibility criteria for a free or  
15 reduced-price lunch under 42 USC 1758 (b) (1).

History: 2007 a. 20; 2009 a. 28.

16 SECTION 6. 118.51 (14) (b) of the statutes is amended to read:

17 118.51 (14) (b) *Low-income assistance.* The parent of a pupil who is eligible  
18 satisfies the income eligibility criteria for a free or reduced-price lunch under 42  
19 USC 1758 (b) (1) and who will be attending public school in a nonresident school  
20 district in the following school year under this section may apply to the department,  
21 on the form prepared under sub. (15) (a), for the reimbursement of costs incurred by  
22 the parent for the transportation of the pupil to and from the pupil’s residence and  
23 the school that the pupil will be attending. The department shall determine the

insert material from 1988 to 88



1 reimbursement amount and shall pay the amount from the appropriation under s.  
2 20.255 (2) (cy). The reimbursement amount may not exceed the actual  
3 transportation costs incurred by the parent or 3 times the statewide average per  
4 pupil transportation costs, whichever is less. If the appropriation under s. 20.255 (2)  
5 (cy) in any one year is insufficient to pay the full amount of approved claims under  
6 this paragraph, payments shall be prorated among the parents entitled thereto. By  
7 the 2nd Friday following the first Monday in May following receipt of the parent's  
8 application under sub. (3) (a), the department shall provide to each parent  
9 requesting reimbursement under this paragraph an estimate of the amount of  
10 reimbursement that the parent will receive if the pupil attends public school in the  
11 nonresident school district in the following school year.

12 **History:** 1997 a. 27, 41, 164; 1999 a. 117, 118; 2001 a. 16, 104; 2003 a. 55; 2005 a. 258; 2007 a. 222; 2009 a. 185, 250, 303, 304; 2011 a. 32, 114, 258; 2013 a. 20, 165.

12 **SECTION 7.** 118.52 (11) (b) of the statutes is amended to read:

13 118.52 (11) (b) *Low-income assistance.* The parent of a pupil who is attending  
14 a course at an educational institution under this section may apply to the  
15 department for reimbursement of the costs incurred by the parent for the  
16 transportation of the pupil to and from the pupil's residence or school in which the  
17 pupil is enrolled and the educational institution that the pupil is attending for the  
18 course if the pupil and parent are unable to pay the cost of such transportation. The  
19 department shall determine the reimbursement amount and shall pay the amount  
20 from the appropriation under s. 20.255 (2) (cy). The department shall give preference  
21 under this paragraph to those pupils who ~~are eligible~~ satisfy the income eligibility  
22 criteria for a free or reduced-price lunch under 42 USC 1758 (b) (1).<sup>v</sup>

23 **History:** 1997 a. 27, 41, 164.; 2001 a. 16; 2013 a. ~~20~~, 173.

23 **SECTION 8.** 118.55 (7g) of the statutes is amended to read:

1           118.55 (7g) TRANSPORTATION. The parent or guardian of a pupil who is  
2 attending an institution of higher education or technical college under this section  
3 and is taking a course for high school credit may apply to the state superintendent  
4 for reimbursement of the cost of transporting the pupil between the high school in  
5 which the pupil is enrolled and the institution of higher education or technical college  
6 that the pupil is attending if the pupil and the pupil's parent or guardian are unable  
7 to pay the cost of such transportation. The state superintendent shall determine the  
8 reimbursement amount and shall pay the amount from the appropriation under s.  
9 20.255 (2) (cw). The state superintendent shall give preference under this subsection  
10 to those pupils who ~~are eligible~~ satisfy the income eligibility criteria for a free or  
11 reduced-price lunch under 42 USC 1758 (b) (1).<sup>v</sup>

History: 1991 a. 39, 269, 315; 1993 a. 399; ~~1995 a. 27 ss. 3979m, 9145 (1); 1997 a. 27 ss. 2816 to 2819, 2821 to 2827m, 2844, 2845; Stats. 1997 s. 118.55; 1997 a. 113, 164, 237; 1999 a. 9; 2003 a. 131.~~

12           **SECTION 9.** 119.71 (3) (a) of the statutes is amended to read:

13           119.71 (3) (a) Annually, the board shall spend at least \$5,090,000 to expand its  
14 half-day 5-year-old kindergarten program to a full-day program, as provided under  
15 par. (b), and shall enroll in the expanded program only pupils who meet the income  
16 eligibility standards for a free lunch under 42 USC 1758 (b) (1). The board shall select  
17 pupils for the expanded program based on the order in which the pupils register for  
18 the program.

History: 1987 a. 399; 1989 a. 31; 1991 a. 39; ~~1993 a. 16; 1995 a. 27 s. 9145 (1); 1997 a. 27; 1999 a. 9.~~

19           **SECTION 10.** 120.12 (22) of the statutes is amended to read:

20           120.12 (22) ADVANCED PLACEMENT EXAMINATIONS. Using federal, state, local, or  
21 private funds, pay the costs of advanced placement examinations taken by pupils  
22 enrolled in the school district who ~~are eligible~~ satisfy the income eligibility criteria

1 for free or reduced-price lunches in the federal school lunch program under 42 USC  
2 1758 (b) (1).

**History:** 1973 c. 61, 90; 1975 c. 180, 421; 1977 c. 206, 418; 1979 c. 301, 318, 334; 1983 a. 189 s. 329 (21); 1985 a. 29, 218, 225; 1987 a. 285; 1989 a. 31, 114, 209, 264, 359; 1991 a. 39, 269; 1993 a. 16, 27, 437; 1995 a. 27 ss. 4022r, 4023m, 9126 (19), 9145 (1); 1995 a. 77, 201; 1997 a. 27, 160, 237, 240; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 30; 2005 a. 220; 2007 a. 20 s. 9121 (6) (a); 2007 a. 40; 2009 a. 28, 305, 309, 334; 2011 a. 10, 105, 166; 2013 a. 257.

3 **SECTION 11. 120.13 (27m)** of the statutes is amended to read:

4 **120.13 (27m)** TRANSPORTATION OF INDIGENT PUPILS. Provide transportation to  
5 and from school for indigent pupils who reside in the school district and who are not  
6 required to be transported under s. 121.54. In this subsection, “indigent pupils”  
7 means pupils who ~~are eligible~~ satisfy the income eligibility criteria for free lunches  
8 or reduced-price lunches under 42 USC 1758 (b) (1) or who are members of a  
9 Wisconsin works group, as defined in s. 49.141(1) (s), with a member who is  
10 participating in Wisconsin works under s. 49.147 (3) to (5) or any combination  
11 thereof, as determined by the school board. If a school board determines to provide  
12 transportation under this subsection, there shall be reasonable uniformity in the  
13 transportation furnished such pupils whether they attend public or private schools.  
14 The cost of transporting pupils under this subsection may not be included in the  
15 school district’s shared cost under s. 121.07 (6) (a).

**History:** 1973 c. 94, 290; 1975 c. 115, 321; 1977 c. 206, 211, 418, 429; 1979 c. 20, 202, 221, 301, 355; 1981 c. 96, 314, 335; 1983 a. 27, 193, 207, 339, 370, 518, 538; 1985 a. 29 ss. 1725e to 1726m, 1731; 1985 a. 101, 135, 211; 1985 a. 218 ss. 12, 13, 22; 1985 a. 332; 1987 a. 88, 187; 1989 a. 31, 201, 336, 359; 1991 a. 39, 226, 269; 1993 a. 16, 27, 284, 334, 399, 450, 481, 491; 1995 a. 27 ss. 4024, 9126 (19), 9145 (1); 1995 a. 29, 32, 33, 65, 75, 225, 235, 289, 439; 1997 a. 27, 155, 164, 191, 237, 335; 1999 a. 9, 19, 73, 83, 115, 128; 1999 a. 150 s. 672; 1999 a. 186; 2001 a. 38, 98, 103, 105; 2003 a. 254; 2005 a. 22, 194, 290, 346; 2005 a. 443 s. 265; 2007 a. 20 ss. 2738, 9121 (6) (a); 2007 a. 36, 70, 97; 2009 a. 14, 28, 76, 146, 185, 208, 218; 2011 a. 105, 162, 168, 258, 260; 2013 a. 186, 306.

16 **SECTION 12. 121.136 (2) (a)** of the statutes is amended to read:

17 **121.136 (2) (a)** In the 2009–10 school year and annually thereafter, the  
18 department shall pay additional state aid to a school district if at least 50 percent of  
19 the district’s enrollment on the 3rd Friday of September in the immediately  
20 preceding even-numbered year, as rounded to the nearest whole percentage point,  
21 ~~was eligible~~ satisfied the income eligibility criteria for a free or reduced-price lunch  
22 in the federal school lunch program under 42 USC 1758 (b) (1).

**History:** 2007 a. 20; 2009 a. 28.

1           **SECTION 13.** 121.87 (1) (b) of the statutes is amended to read:

2           121.87 (1) (b) The number of pupils who transferred to the school district under  
3 this subchapter who ~~are eligible~~ satisfy the income eligibility criteria for free or  
4 reduced-price lunches under 42 USC 1758 (b) (1).<sup>v</sup>

History: 1989 a. 31; 1995 a. 27 s. 9145 (1); 1997 a. 27, 113; 1999 a. 9, 19.

5           **SECTION 14.** 118.43 (1) (b) of the statutes is amended to read:

6           118.43 (1) (b) "Low income" means the ~~measure of low income that is used by~~  
7 ~~the school district under 20 USC 2723~~ pupils who satisfy the income eligibility  
8 criteria 42 USC 1758 (b) (1).

History: 1995 a. 27; 1997 a. 27, 252; 1999 a. 9; 2001 a. 16; 2005 a. 25, 125; 2009 a. 301; 2011 a. 32, 105; 2013 a. 165.

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State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-0638/P1  
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due TODAY

DOA:.....Stritchko, BB0237 – Community eligibility provisions

**FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION**

1/29/15

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1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

Ins 0638A ✓  
Insert Analysis ✓  
FE-STAL ✓

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 SECTION 1. 115.29 (8) of the statutes is created to read:

3 115.29 (8) ALTERNATIVE DATA COLLECTION METHOD; LOW-INCOME PUPILS. Use an  
4 alternative data collection method established by the department to identify pupils  
5 who satisfy the income eligibility criteria for a free or reduced-price lunch under 42  
6 USC 1758 (b) (1).

7 SECTION 2. 115.343 (2) (b) of the statutes is amended to read:

1 115.343 (2) (b) The child meets the income eligibility standard for a free or  
2 reduced-price lunch in the federal school lunch program under 42 USC 1758 (b) (1).

3 SECTION 3. 115.42 (2) (c) of the statutes is amended to read:

4 115.42 (2) (c) The amount of each grant under par. (a) shall be \$5,000 in any  
5 school year in which the recipient is employed in a school in which at least 60 percent  
6 of the pupils enrolled ~~are eligible~~ satisfy the income eligibility criteria for a free or  
7 reduced-price lunch under 42 USC 1758 (b) (1).

8 SECTION 4. 115.43 (1) of the statutes is amended to read:

9 115.43 (1) DEFINITION. In this section, “economically disadvantaged pupil”  
10 means a pupil who ~~is eligible~~ satisfies the income eligibility criteria for a free or  
11 reduced-price lunch under 42 USC 1758 (b) (1).

12 SECTION 5. 115.436 (2) (b) of the statutes is amended to read:

13 115.436 (2) (b) At least 20 percent of the school district’s membership in the  
14 previous school year ~~was eligible~~ satisfied the income eligibility criteria for a free or  
15 reduced-price lunch under 42 USC 1758 (b) (1).

16 SECTION 6. 118.43 (1) (b) of the statutes is amended to read:

17 118.43 (1) (b) “Low income” means ~~the measure of low income that is used by~~  
18 ~~the school district under 20 USC 2723~~ pupils who satisfy the income eligibility  
19 criteria 42 USC 1758 (b) (1).

20 SECTION 7. 118.51 (14) (b) of the statutes is amended to read:

21 118.51 (14) (b) *Low-income assistance.* The parent of a pupil who ~~is eligible~~  
22 satisfies the income eligibility criteria for a free or reduced-price lunch under 42  
23 USC 1758 (b) (1) and who will be attending public school in a nonresident school  
24 district in the following school year under this section may apply to the department,  
25 on the form prepared under sub. (15) (a), for the reimbursement of costs incurred by

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1 the parent for the transportation of the pupil to and from the pupil's residence and  
2 the school that the pupil will be attending. The department shall determine the  
3 reimbursement amount and shall pay the amount from the appropriation under s.  
4 20.255 (2) (cy). The reimbursement amount may not exceed the actual  
5 transportation costs incurred by the parent or 3 times the statewide average per  
6 pupil transportation costs, whichever is less. If the appropriation under s. 20.255 (2)  
7 (cy) in any one year is insufficient to pay the full amount of approved claims under  
8 this paragraph, payments shall be prorated among the parents entitled thereto. By  
9 the 2nd Friday following the first Monday in May following receipt of the parent's  
10 application under sub. (3) (a), the department shall provide to each parent  
11 requesting reimbursement under this paragraph an estimate of the amount of  
12 reimbursement that the parent will receive if the pupil attends public school in the  
13 nonresident school district in the following school year.

14 **SECTION 8.** 118.52 (11) (b) of the statutes is amended to read:

15 118.52 (11) (b) *Low-income assistance.* The parent of a pupil who is attending  
16 a course at an educational institution under this section may apply to the  
17 department for reimbursement of the costs incurred by the parent for the  
18 transportation of the pupil to and from the pupil's residence or school in which the  
19 pupil is enrolled and the educational institution that the pupil is attending for the  
20 course if the pupil and parent are unable to pay the cost of such transportation. The  
21 department shall determine the reimbursement amount and shall pay the amount  
22 from the appropriation under s. 20.255 (2) (cy). The department shall give preference  
23 under this paragraph to those pupils who are ~~eligible~~ satisfy the income eligibility  
24 criteria for a free or reduced-price lunch under 42 USC 1758 (b) (1).

25 **SECTION 9.** 118.55 (7g) of the statutes is amended to read:

1           118.55 (7g) TRANSPORTATION. The parent or guardian of a pupil who is  
2 attending an institution of higher education or technical college under this section  
3 and is taking a course for high school credit may apply to the state superintendent  
4 for reimbursement of the cost of transporting the pupil between the high school in  
5 which the pupil is enrolled and the institution of higher education or technical college  
6 that the pupil is attending if the pupil and the pupil's parent or guardian are unable  
7 to pay the cost of such transportation. The state superintendent shall determine the  
8 reimbursement amount and shall pay the amount from the appropriation under s.  
9 20.255 (2) (cw). The state superintendent shall give preference under this subsection  
10 to those pupils who ~~are eligible~~ satisfy the income eligibility criteria for a free or  
11 reduced-price lunch under 42 USC 1758 (b) (1).

12           **SECTION 10.** 119.71 (3) (a) of the statutes is amended to read:

13           119.71 (3) (a) Annually, the board shall spend at least \$5,090,000 to expand its  
14 half-day 5-year-old kindergarten program to a full-day program, as provided under  
15 par. (b), and shall enroll in the expanded program only pupils who meet the income  
16 eligibility standards for a free lunch under 42 USC 1758 (b) (1). The board shall select  
17 pupils for the expanded program based on the order in which the pupils register for  
18 the program.

19           **SECTION 11.** 120.12 (22) of the statutes is amended to read:

20           120.12 (22) ADVANCED PLACEMENT EXAMINATIONS. Using federal, state, local, or  
21 private funds, pay the costs of advanced placement examinations taken by pupils  
22 enrolled in the school district who ~~are eligible~~ satisfy the income eligibility criteria  
23 for free or reduced-price lunches in the federal school lunch program under 42 USC  
24 1758 (b) (1).

25           **SECTION 12.** 120.13 (27m) of the statutes is amended to read:



1           **120.13 (27m)** TRANSPORTATION OF INDIGENT PUPILS. Provide transportation to  
2 and from school for indigent pupils who reside in the school district and who are not  
3 required to be transported under s. 121.54. In this subsection, “indigent pupils”  
4 means pupils who ~~are eligible~~ satisfy the income eligibility criteria for free lunches  
5 or reduced-price lunches under 42 USC 1758 (b) (1) or who are members of a  
6 Wisconsin works group, as defined in s. 49.141 (1) (s), with a member who is  
7 participating in Wisconsin works under s. 49.147 (3) to (5) or any combination  
8 thereof, as determined by the school board. If a school board determines to provide  
9 transportation under this subsection, there shall be reasonable uniformity in the  
10 transportation furnished such pupils whether they attend public or private schools.  
11 The cost of transporting pupils under this subsection may not be included in the  
12 school district’s shared cost under s. 121.07 (6) (a).

13           **SECTION 13.** 121.136 (2) (a) of the statutes is amended to read:

14           **121.136 (2) (a)** In the 2009–10 school year and annually thereafter, the  
15 department shall pay additional state aid to a school district if at least 50 percent of  
16 the district’s enrollment on the 3rd Friday of September in the immediately  
17 preceding even-numbered year, as rounded to the nearest whole percentage point,  
18 ~~was eligible~~ satisfied the income eligibility criteria for a free or reduced-price lunch  
19 in the federal school lunch program under 42 USC 1758 (b) (1).

20           **SECTION 14.** 121.87 (1) (b) of the statutes is amended to read:

21           **121.87 (1) (b)** The number of pupils who transferred to the school district under  
22 this subchapter who ~~are eligible~~ satisfy the income eligibility criteria for free or  
23 reduced-price lunches under 42 USC 1758 (b) (1).

24           **(END)**

**2015-2016 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0638/P2  
FFK:.....

**ANALYSIS INSERT**

This bill allows DPI<sup>✓</sup> to use an alternative data collection method to identify pupils who satisfy the income eligibility for the federal free and reduced-price lunch program.

**END ANALYSIS INSERT**

1

*more inserts  
on next page*





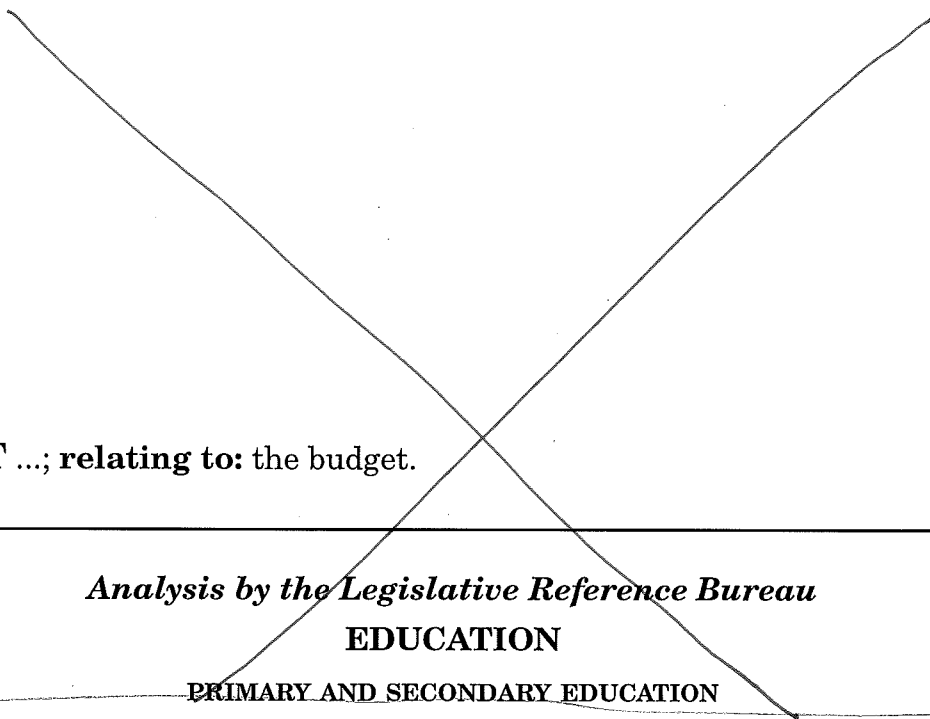
State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-0626/1  
FFK:cjs:rs

DOA:.....Stritchko, BB0224 – Sparsity aid – eliminate free and reduced lunch eligibility requirement

**FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION**



1 **AN ACT ...; relating to:** the budget.

*Analysis by the Legislative Reference Bureau*  
**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Ins 0626A

Under current law, a school district is eligible to receive sparsity aid if in the previous school year all of the following criteria were satisfied:

- 1. The number of pupils enrolled in the school district was no more than 725.
- 2. At least 20 percent of the pupils were eligible for a free or reduced-price lunch under the National School Lunch Program. ✓
- 3. The number of pupils enrolled in the district divided by the school district's area in square miles was less than ten. ✓

This bill eliminates the requirement that at least 20 percent of the pupils were eligible for a free or reduced-price lunch under the National School Lunch Program.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

Ins 0626 B  
3

**SECTION 1.** 115.436 (2) (b) of the statutes is repealed.

(END)

**2015-2016 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0638/P2ins  
FFK:.....

**INS 626C**

\*\*\*\*NOTE: This is reconciled s. 115.436 (2) (b).<sup>✓</sup> This SECTION has been affected by drafts with the following LRB numbers: -0626/1 and -0638/P1. (●)

**END INS 626C**

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0638/P2dn

FFK: ↑.....

date

Jcd

This draft reconciles LRB-0626/1 and LRB-0638<sup>1/PI.</sup> LRB-0626<sup>✓</sup> should be dropped from the compile.

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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0638/P2  
FFK:jld:jf

January 28, 2015

This draft reconciles LRB-0626/1 and LRB-0638/P1. LRB-0626 should be dropped from the compile.

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State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-0638/P2  
FFK:sac&jld:jf

DOA:.....Stritchko, BB0237 – Community eligibility provisions

**FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION**

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

Under current law, a school district is eligible to receive sparsity aid if in the previous school year all of the following criteria were satisfied:

1. The number of pupils enrolled in the school district was no more than 725.
2. At least 20 percent of the pupils were eligible for a free or reduced-price lunch under the National School Lunch Program.
3. The number of pupils enrolled in the district divided by the school district's area in square miles was less than ten.

This bill eliminates the requirement that at least 20 percent of the pupils were eligible for a free or reduced-price lunch under the National School Lunch Program.

This bill allows DPI to use an alternative data collection method to identify pupils who satisfy the income eligibility for the federal free and reduced-price lunch program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1**

1           **SECTION 1.** 115.29 (8) of the statutes is created to read:

2           **115.29 (8) ALTERNATIVE DATA COLLECTION METHOD; LOW-INCOME PUPILS.** Use an  
3 alternative data collection method established by the department to identify pupils  
4 who satisfy the income eligibility criteria for a free or reduced-price lunch under 42  
5 USC 1758 (b) (1).

6           **SECTION 2.** 115.343 (2) (b) of the statutes is amended to read:

7           **115.343 (2) (b)** The child meets the income eligibility standard for a free or  
8 reduced-price lunch in the federal school lunch program under 42 USC 1758 (b) (1).

9           **SECTION 3.** 115.42 (2) (c) of the statutes is amended to read:

10           **115.42 (2) (c)** The amount of each grant under par. (a) shall be \$5,000 in any  
11 school year in which the recipient is employed in a school in which at least 60 percent  
12 of the pupils enrolled ~~are eligible~~ satisfy the income eligibility criteria for a free or  
13 reduced-price lunch under 42 USC 1758 (b) (1).

14           **SECTION 4.** 115.43 (1) of the statutes is amended to read:

15           **115.43 (1) DEFINITION.** In this section, “economically disadvantaged pupil”  
16 means a pupil who ~~is eligible~~ satisfies the income eligibility criteria for a free or  
17 reduced-price lunch under 42 USC 1758 (b) (1).

18           **SECTION 5.** 115.436 (2) (b) of the statutes is repealed.

      \*\*\*\*NOTE: This is reconciled s. 115.436 (2) (b). This SECTION has been affected by  
drafts with the following LRB numbers: -0626/1 and -0638/P1.

19           **SECTION 6.** 118.43 (1) (b) of the statutes is amended to read:

20           **118.43 (1) (b)** “Low income” means ~~the measure of low income that is used by~~  
21 ~~the school district under 20 USC 2723~~ pupils who satisfy the income eligibility  
22 criteria 42 USC 1758 (b) (1).

23           **SECTION 7.** 118.51 (14) (b) of the statutes is amended to read:



1           118.51 (14) (b) *Low-income assistance*. The parent of a pupil who is eligible  
2           satisfies the income eligibility criteria for a free or reduced-price lunch under 42  
3           USC 1758 (b) (1) and who will be attending public school in a nonresident school  
4           district in the following school year under this section may apply to the department,  
5           on the form prepared under sub. (15) (a), for the reimbursement of costs incurred by  
6           the parent for the transportation of the pupil to and from the pupil's residence and  
7           the school that the pupil will be attending. The department shall determine the  
8           reimbursement amount and shall pay the amount from the appropriation under s.  
9           20.255 (2) (cy). The reimbursement amount may not exceed the actual  
10          transportation costs incurred by the parent or 3 times the statewide average per  
11          pupil transportation costs, whichever is less. If the appropriation under s. 20.255 (2)  
12          (cy) in any one year is insufficient to pay the full amount of approved claims under  
13          this paragraph, payments shall be prorated among the parents entitled thereto. By  
14          the 2nd Friday following the first Monday in May following receipt of the parent's  
15          application under sub. (3) (a), the department shall provide to each parent  
16          requesting reimbursement under this paragraph an estimate of the amount of  
17          reimbursement that the parent will receive if the pupil attends public school in the  
18          nonresident school district in the following school year.

19           **SECTION 8.** 118.52 (11) (b) of the statutes is amended to read:

20           118.52 (11) (b) *Low-income assistance*. The parent of a pupil who is attending  
21          a course at an educational institution under this section may apply to the  
22          department for reimbursement of the costs incurred by the parent for the  
23          transportation of the pupil to and from the pupil's residence or school in which the  
24          pupil is enrolled and the educational institution that the pupil is attending for the  
25          course if the pupil and parent are unable to pay the cost of such transportation. The

1 department shall determine the reimbursement amount and shall pay the amount  
2 from the appropriation under s. 20.255 (2) (cy). The department shall give preference  
3 under this paragraph to those pupils who ~~are eligible~~ satisfy the income eligibility  
4 criteria for a free or reduced-price lunch under 42 USC 1758 (b) (1).

5 **SECTION 9.** 118.55 (7g) of the statutes is amended to read:

6 118.55 (7g) TRANSPORTATION. The parent or guardian of a pupil who is  
7 attending an institution of higher education or technical college under this section  
8 and is taking a course for high school credit may apply to the state superintendent  
9 for reimbursement of the cost of transporting the pupil between the high school in  
10 which the pupil is enrolled and the institution of higher education or technical college  
11 that the pupil is attending if the pupil and the pupil's parent or guardian are unable  
12 to pay the cost of such transportation. The state superintendent shall determine the  
13 reimbursement amount and shall pay the amount from the appropriation under s.  
14 20.255 (2) (cw). The state superintendent shall give preference under this subsection  
15 to those pupils who ~~are eligible~~ satisfy the income eligibility criteria for a free or  
16 reduced-price lunch under 42 USC 1758 (b) (1).

17 **SECTION 10.** 119.71 (3) (a) of the statutes is amended to read:

18 119.71 (3) (a) Annually, the board shall spend at least \$5,090,000 to expand its  
19 half-day 5-year-old kindergarten program to a full-day program, as provided under  
20 par. (b), and shall enroll in the expanded program only pupils who meet the income  
21 eligibility standards for a free lunch under 42 USC 1758 (b) (1). The board shall select  
22 pupils for the expanded program based on the order in which the pupils register for  
23 the program.

24 **SECTION 11.** 120.12 (22) of the statutes is amended to read:

1           120.12 (22) ADVANCED PLACEMENT EXAMINATIONS. Using federal, state, local, or  
2 private funds, pay the costs of advanced placement examinations taken by pupils  
3 enrolled in the school district who ~~are eligible~~ satisfy the income eligibility criteria  
4 for free or reduced-price lunches in the federal school lunch program under 42 USC  
5 1758 (b) (1).

6           **SECTION 12.** 120.13 (27m) of the statutes is amended to read:

7           120.13 (27m) TRANSPORTATION OF INDIGENT PUPILS. Provide transportation to  
8 and from school for indigent pupils who reside in the school district and who are not  
9 required to be transported under s. 121.54. In this subsection, “indigent pupils”  
10 means pupils who ~~are eligible~~ satisfy the income eligibility criteria for free lunches  
11 or reduced-price lunches under 42 USC 1758 (b) (1) or who are members of a  
12 Wisconsin works group, as defined in s. 49.141 (1) (s), with a member who is  
13 participating in Wisconsin works under s. 49.147 (3) to (5) or any combination  
14 thereof, as determined by the school board. If a school board determines to provide  
15 transportation under this subsection, there shall be reasonable uniformity in the  
16 transportation furnished such pupils whether they attend public or private schools.  
17 The cost of transporting pupils under this subsection may not be included in the  
18 school district’s shared cost under s. 121.07 (6) (a).

19           **SECTION 13.** 121.136 (2) (a) of the statutes is amended to read:

20           121.136 (2) (a) In the 2009–10 school year and annually thereafter, the  
21 department shall pay additional state aid to a school district if at least 50 percent of  
22 the district’s enrollment on the 3rd Friday of September in the immediately  
23 preceding even-numbered year, as rounded to the nearest whole percentage point,  
24 ~~was eligible~~ satisfied the income eligibility criteria for a free or reduced-price lunch  
25 in the federal school lunch program under 42 USC 1758 (b) (1).

