



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

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

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.

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

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

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

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

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

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

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

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

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

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(END)