



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-1278/P1  
FFK:klm

DOA:.....Kretschmann, BB0443 - School breakfast reimbursement

**FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**PRIMARY AND SECONDARY EDUCATION**

***School breakfast program***

This bill expands eligibility for reimbursement under the school breakfast program to include operators of independent charter schools, the director of the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, the director of the Wisconsin Center for the Blind and Visually Impaired, and operators of residential care centers for children and youth. This bill also prohibits DPI from making reimbursements under the school breakfast program for breakfasts served in the prior school year if the school ceased operations during the prior school year. This prohibition does not apply to reimbursements to a school district.

For further information see the 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.** 115.341 of the statutes is amended to read:

**115.341 School breakfast program.** (1) From the appropriation under s. 20.255 (2) (cm), the state superintendent shall reimburse each school board, each operator of a charter school under s. 118.40 (2r) or (2x), each operator of a residential care center for children and youth, as defined in s. 115.76 (14g), the director of the program under s. 115.52, and the director of the center under s. 115.525 15 cents for each breakfast served at a school, as defined in 7 CFR 220.2, that meets the requirements of 7 CFR 220.8 or 220.8a, whichever is applicable, and shall reimburse each governing body of a private school or tribal school 15 cents for each breakfast served at the private school or tribal school that meets the requirements of 7 CFR 220.8 or 220.8a, whichever is applicable.

(2) If the appropriation under s. 20.255 (2) (cm) in any fiscal year is insufficient to pay the full amount of aid under this section, the state superintendent shall prorate state aid payments among the school boards, operators, directors, and governing bodies of private schools and tribal schools entitled to the aid under sub. (1).

**SECTION 2.** 115.341 (3) of the statutes is created to read:

115.341 (3) Notwithstanding sub. (1), the state superintendent may not reimburse the operator of a charter school under s. 118.40 (2r) or (2x), the operator of a residential care center for children and youth, as defined in s. 115.76 (14g), the director of the program under s. 115.52, the director of the center under s. 115.525, or the governing body of a private or tribal school for any breakfasts served at a school, as defined in 7 CFR 220.2, during the prior school year if the school ceased operations during that prior school year.

(END)