

Report From Agency

**FINAL REPORT
CLEARINGHOUSE RULE 22-006
CHAPTER PI 24**

**STATE AID FOR ACHIEVEMENT GUARANTEE CONTRACTS AND PARTIAL DEBT SERVICE
REIMBURSEMENT**

Analysis by the Department of Public Instruction

Statutory authority: s. 118.44 (6) (e), Stats.

Statute interpreted: s. 118.44, Stats.

The objective of the proposed rule is to make updates to the calculation and payment of aid under the achievement gap reduction (AGR) program. The proposed rule will provide that school districts participating in the AGR program shall use prior year enrollment data to calculate the number of low-income pupils enrolled in a grade eligible for funding under the AGR program in the eligible school.

The hearing notice was published in the January 18, 2022 edition of the Wisconsin Administrative Register. A public hearing was held on February 9, 2022.

The following persons testified at the February 9, 2022 hearing:

NAME	ORGANIZATION	IN FAVOR OR GENERALLY IN FAVOR	OPPOSED OR GENERALLY OPPOSED	OTHER
Sandra Mountain	School District of Random Lake			X

Summary of public comments relative to the rule and the agency's response to those comments:

- The respondent offering comment voiced concerns with the current requirements around school district reporting for students that are eligible for a free or reduced-price lunch (FRL) as a means of calculating the amount of funding that school districts receive under the AGR program. The respondent notes there has been a large reduction in the number of families that go through the FRL application process, which has been the practice in the past to determine FRL eligibility, because the federal government now provides free lunch for all students regardless of income status. The respondent argues this has, therefore, negatively impacted the number of reportable FRL-eligible pupils by school districts, and, in the AGR aid formula, has resulted in a reduction in AGR funding for school districts even though needs for support under the program are still present.

Agency Response: Section 118.44, Stats., requires that, for each pupil that satisfies the eligibility criteria for a free or reduced-price lunch enrolled in a participating grade, the department shall pay to a school district that has entered into an AGR contract with the department in an amount that is prorated among all FRL-eligible pupils in all participating grades. The comment with respect to FRL reporting is a requirement created in statute and is therefore outside the scope of this rule change. However, because the proposed rule will allow school districts to use the prior year's enrollment data for calculating pupils eligible for aid under the AGR program, school districts will have additional time when collecting enrollment data to verify the income status of pupils in determining the amount of AGR funding entitled to a school district. No further changes to the rule are necessary.

Changes made as a result of oral or written testimony:

No changes were made.

Changes to the analysis or the fiscal estimate:

No changes were made.

Responses to Clearinghouse Report:

The changes are accepted.