



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4694/1
MDK&EHS:kjf

2019 BILL

1 **AN ACT to create** 20.235 (1) (fx), 20.437 (1) (ch), 36.27 (3g), 38.24 (5m) and 39.52
2 of the statutes; **relating to:** University of Wisconsin and technical college
3 tuition remissions for and grants to support foster care and other out-of-home
4 placement students and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Board of Regents of the University of Wisconsin System and technical college system district boards to grant tuition remissions to any student who was in foster care or other placement out of his or her parent's home. This bill also requires the Department of Children and Families to distribute \$120,000 in grants to UW and Wisconsin Technical College System institutions for programs for former foster youth.

Under current law, if the court assigned to exercise jurisdiction under the Children's Code or Juvenile Justice Code (juvenile court) adjudges a child to be in need of protection or services, the juvenile court may order the child to be removed from the home of the child's parent and placed in the home of a foster parent, guardian, relative other than a parent, or nonrelative or in a group home, residential care center for children and youth, or shelter care facility (out-of-home placement). Under the bill, a student is eligible for a UW or technical college tuition remission if he or she is a state resident to whom any of the following applies: 1) he or she resided in an out-of-home placement in this state under a juvenile court order ("out-of-home care placement") on his or her 18th birthday; 2) he or she resided in an out-of-home care placement and after his or her 13th birthday he or she was

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adopted or appointed a nonagency guardian; or 3) he or she resided in an out-of-home care placement for at least one year on or after his or her 13th birthday and then returned to live in the home of his or her parent after termination of the order.

The bill requires the Board of Regents to grant a tuition remission for each semester or session that an eligible student completes the federal Free Application for Federal Student Aid (FAFSA) and is enrolled in an associate degree or bachelor’s degree program. A technical college district board must grant a tuition remission for each semester or session that an eligible student completes the FAFSA and is enrolled in a technical diploma or associate degree program. Both the Board of Regents and technical college district boards may not grant the remissions after a student is awarded the diploma or degree for the program in which he or she is enrolled, or attains the age of 25 years, whichever occurs first. In addition, the bill prohibits a student from receiving a remission from either the Board of Regents or a technical college district board for more than a total of 12 semesters or sessions. Also, both the Board of Regents and technical college district boards must deduct from a remission any federal scholarship, grant, or aid, other than a loan, awarded for a student.

The bill also makes an appropriation to the Higher Educational Aids Board to reimburse the Board of Regents and technical college district boards for remissions granted under the bill. If the appropriation is not sufficient to make full reimbursement, HEAB must prorate the reimbursements.

This bill also makes an appropriation to DCF for the purpose of distributing at least four grants per biennium of up to \$30,000 each to UW or Wisconsin Technical College System institutions for the purpose of supporting programming for former foster youth who are enrolled in the institution.

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:

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

		2019-20		2020-21
3 20.235 Higher educational aids board				
4 (1) STUDENT SUPPORT ACTIVITIES				
5 (fx) Foster care remissions	GPR	B	410,000	410,000

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2 (1) CHILDREN AND FAMILY SERVICES

3 (ch) Grants to support former foster

4 youth in higher education GPR B -0- 120,000

5 **SECTION 2.** 20.235 (1) (fx) of the statutes is created to read:6 20.235 (1) (fx) *Foster care remissions.* Biennially, the amounts in the schedule
7 to reimburse the Board of Regents of the University of Wisconsin System and
8 technical college district boards under s. 39.52 for fee remissions made under ss.
9 36.27 (3g) and 38.24 (5m).10 **SECTION 3.** 20.437 (1) (ch) of the statutes is created to read:11 20.437 (1) (ch) *Grants to support former foster youth in higher education.*
12 Biennially, the amounts in the schedule for at least 4 grants to University of
13 Wisconsin System institutions or technical colleges within the Wisconsin Technical
14 College System for the purpose of providing resources, programs, and activities for
15 former foster youth enrolled in the university or technical college. No grant under
16 this paragraph may exceed \$30,000.17 **SECTION 4.** 36.27 (3g) of the statutes is created to read:

18 36.27 (3g) FOSTER CARE REMISSIONS. (a) In this subsection:

19 1. "Eligible individual" means a state resident to whom any of the following
20 applies:21 a. He or she resided in an out-of-home care placement on his or her 18th
22 birthday.

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1 b. He or she resided in an out-of-home care placement and after his or her 13th
2 birthday, he or she was adopted or appointed a nonagency guardian under s. 48.977
3 or 54.10 (1).

4 c. He or she resided in an out-of-home care placement for at least one year on
5 or after his or her 13th birthday and he or she returned to live in the home of his or
6 her parent after termination of the order.

7 2. "Federal assistance" means any federal scholarship, grant, or aid, other than
8 a loan, provided to a student or to a student's educational institution on behalf of a
9 student.

10 3. "Out-of-home care placement" means the placement of a child out of his or
11 her home, in this state, under a court order under s. 48.355, 48.357, 48.365, 938.355,
12 938.357, or 938.365.

13 (b) Subject to par. (c), the board shall grant full remission of academic fees and
14 segregated fees to any eligible individual for a semester or session if the individual
15 satisfies each of the following:

16 1. The individual completes the federal Free Application for Federal Student
17 Aid, as described in 20 USC 1090 (a), for that semester or session.

18 2. The individual is enrolled in an associate degree or bachelor's degree
19 program in that semester or session.

20 (c) 1. The board shall deduct from a remission granted to an eligible individual
21 under par. (b) for a semester or session the amount of federal assistance awarded for
22 the individual for that semester or session.

23 2. The board may not grant a remission under par. (b) to an eligible individual
24 after the eligible individual is awarded a bachelor's degree or attains the age of 25
25 years, whichever occurs first.

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1 3. An eligible student may receive a remission under par. (b) or s. 38.24 (5m)
2 (b) for no more than a total of 12 semesters. For purposes of this subdivision, a
3 session is counted as a semester.

4 **SECTION 5.** 38.24 (5m) of the statutes is created to read:

5 38.24 (5m) FOSTER CARE REMISSIONS. (a) In this subsection:

6 1. "Eligible individual" has the meaning given in s. 36.27 (3g) (a) 1.

7 2. "Federal assistance" has the meaning given in s. 36.27 (3g) (a) 2.

8 (b) Subject to par. (c), a district board shall grant full remission of fees under
9 sub. (1m) (a) to (c) to any eligible individual for a semester or session if the individual
10 satisfies each of the following:

11 1. The individual completes the federal Free Application for Federal Student
12 Aid, as described in 20 USC 1090 (a), for that semester or session.

13 2. The individual is enrolled in a technical diploma or associate degree program
14 in that semester or session.

15 (c) 1. A district board shall deduct from a remission granted to an eligible
16 individual under par. (b) for a semester or session the amount of federal assistance
17 awarded for the individual for that semester or session.

18 2. An eligible individual may not receive a remission under par. (b) after the
19 eligible individual is awarded a diploma or degree in the program in which he or she
20 is enrolled or attains the age of 25 years, whichever occurs first.

21 3. An eligible student may receive a remission under par. (b) or s. 36.27 (3g) (b)
22 for no more than a total of 12 semesters. For purposes of this subdivision, a session
23 is counted as a semester.

24 **SECTION 6.** 39.52 of the statutes is created to read:

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1 **39.52 Foster care remissions. (1) UNIVERSITY OF WISCONSIN SYSTEM.** At the
2 end of each semester, the Board of Regents of the University of Wisconsin System
3 shall certify to the board the number of students enrolled in the University of
4 Wisconsin System to whom fees have been remitted under s. 36.27 (3g) and the
5 amount of fees remitted. Subject to sub. (3), if the board approves the information
6 certified under this subsection, the board, from the appropriation account under s.
7 20.235 (1) (fx), shall reimburse the Board of Regents for the full amount of fees
8 remitted. The Board of Regents shall credit any amounts received under this
9 subsection to the appropriation under s. 20.285 (1) (k) and shall expend those
10 amounts received for degree credit instruction.

11 **(2) TECHNICAL COLLEGES.** At the end of each semester, each technical college
12 district board shall certify to the board the number of students enrolled in the
13 technical college governed by the district board to whom fees have been remitted
14 under s. 38.24 (5m) and the amount of those fees remitted. Subject to sub. (3), if the
15 board approves the information certified under this subsection, the board, from the
16 appropriation account under s. 20.235 (1) (fx), shall reimburse the district board for
17 the full amount of fees remitted.

18 **(3) PRORATED REIMBURSEMENT.** In June of each fiscal year, the board shall
19 determine the total amount of fees remitted by the Board of Regents that are eligible
20 for reimbursement under sub. (1) and fees remitted by the district boards that are
21 eligible for reimbursement under sub. (2). If the moneys appropriated under s.
22 20.235 (1) (fx) are not sufficient to reimburse the Board of Regents for the full amount
23 of those fees and each district board for the full amount of those fees, the board shall
24 prorate the reimbursement paid under subs. (1) and (2) in the proportion that the

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1 moneys available bears to the total amount eligible for reimbursement under subs.
2 (1) and (2).

3 **SECTION 7. Initial applicability.**

4 (1) This act first applies to eligible individuals, as defined in s. 36.27 (3g) (a)
5 1., enrolled in the University of Wisconsin System or Technical College System in the
6 first semester or session following the effective date of this subsection.

7 (END)