

1 **AN ACT** *to renumber* 45.10; and *to create* 45.10 of the statutes; **relating to:** veterans
2 education and training.

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

COMMENT: This draft shows how s. 45.10 will appear as a result of the renumbering and amending in WLC: 0051/P1.

3 **SECTION 1.** 45.10 of the statutes is renumbered ____.

4 **SECTION 2.** 45.10 of the statutes is created to read:

5 **45.10 Veterans education programs. (1) GENERAL PROVISIONS. (a) Definitions.** In
6 this section:

7 1. “Institution of higher education” has the meaning given in 20 USC 1001 (a).

8 2. “Part–time classroom study” means any of the following:

9 a. Enrollment by a graduate student in courses for which no more than 8 semester or
10 the equivalent trimester or quarter credits will be given upon satisfactory completion.

11 b. Enrollment by a graduate student in courses that upon satisfactory completion will
12 fulfill no more than the minimum semester or equivalent trimester or quarter credit
13 requirements of the program or school in which the student is enrolled.

14 c. Enrollment by any other eligible student in courses for which no more than 11
15 semester or the equivalent trimester or quarter credits will be given upon satisfactory
16 completion.

17 d. Study during a summer semester or session.

1 3. “Tuition”, when referring to the University of Wisconsin System, means “academic
2 fees”, as described in s. 36.27 (1), and when referring to the technical colleges, means
3 “program fees”, as described in s. 38.24 (1m) (a) and (b).

4 (b) *Income limit.* 1. No veteran may receive reimbursement under this section if the
5 department determines that the income of the veteran and his or her spouse exceeds \$50,000
6 plus \$1,000 for each dependent in excess of 2 dependents.

7 2. In determining eligibility under this section, the department shall verify all reported
8 income amounts by contacting the employer designated by the veteran or spouse, securing a
9 copy of their prior year’s income tax returns or obtaining a profit and loss statement from the
10 veteran for at least 6 of the 12 months immediately preceding the application date.

11 (c) *Reimbursement limit.* The amount of the reimbursement under sub. (2) or (3) may
12 not exceed the total cost of the veteran’s tuition or the standard cost for a state resident for
13 tuition for an equivalent undergraduate course at the University of Wisconsin–Madison per
14 course, whichever is less, minus any grants or scholarships that the veteran receives
15 specifically for the payment of tuition.

16 (d) *Child support or maintenance delinquency.* The department may provide
17 reimbursement under sub. (2) or (3) to a veteran who is delinquent in child support or
18 maintenance payments or who owes past support, medical expenses or birth expenses, as
19 established by appearance of the veteran’s name on the statewide support lien docket under
20 s. 49.854 (2) (b), only if the veteran provides the department with one of the following:

21 1. A repayment agreement that the veteran has entered into, that has been accepted by
22 the county child support agency under s. 59.53 (5) and that has been kept current for the
23 6–month period immediately preceding the date of the application.

1 2. A statement that the veteran is not delinquent in child support or maintenance
2 payments and does not owe past support, medical expenses, or birth expenses, signed by the
3 department of workforce development or its designee within 7 working days before the date
4 of the application.

COMMENT: The current statutes on child support delinquency for the 2
educational programs are slightly different in their references to
maintenance. This draft incorporates the more elaborate of the 2
provisions, but the subcommittee should review this. The current
statutes are ss. 45.25 (4) (b) and 45.396 (6).

5 **(2) TUITION REIMBURSEMENT PROGRAM.** (a) *Eligibility.* A veteran is eligible for the
6 tuition reimbursement program under this subsection if he or she meets all of the following:

7 1. The veteran applies for the tuition reimbursement program for courses begun within
8 10 years after separation from the service.

9 2. The veteran is a resident at the time of application for the tuition reimbursement
10 program and was a Wisconsin resident at the time of entry or reentry into service or was a
11 resident for any consecutive 12-month period after entry or reentry into service and before
12 the date of his or her application.

13 3. The veteran is enrolled for at least 12 credits during the semester for which
14 reimbursement is sought.

15 (b) *Program benefits.* 1. A veteran who meets the requirements under par. (a), upon
16 satisfactory completion of a full-time undergraduate semester in any institution of higher
17 education in this state, any school that is approved under s. 45.35 (9m), any proprietary school
18 that is approved under s. 39.90, or any institution from which the veteran receives a waiver
19 of nonresident tuition under s. 39.47, may be reimbursed an amount not to exceed the total cost
20 of the veteran's tuition minus any grants or scholarships that the veteran receives specifically

1 for the payment of the tuition. Reimbursement is available only for tuition that is part of a
2 curriculum that is relevant to a degree in a particular course of study at the institution.

3 2. An application for reimbursement of tuition under this subsection shall meet all of
4 the following:

5 a. Be completed and received by the department no later than 60 days after the
6 completion of the semester. The department may accept an application received more than
7 60 days after the completion of the semester if the applicant shows good cause for the delayed
8 receipt.

9 b. Contain the information necessary to establish eligibility as determined by the
10 department.

11 c. Be on the application form established by the department.

12 d. Contain the signatures of both the applicant and a representative of the institution or
13 school certifying that the applicant has satisfactorily completed the semester.

14 3. Reimbursement provided under this subsection shall be paid from the appropriation
15 under s. 20.485 (2) (tf). If the amount of funds applied for exceeds the amount available under
16 s. 20.485 (2) (tf), the department may deny applications for reimbursement that would
17 otherwise qualify under this subsection. In those cases, the department shall determine
18 eligibility on the basis of the dates on which applications for reimbursement were received.

19 4. Reimbursement of tuition and fees for a course may be provided at an institution or
20 school under subd. 1. other than one from which the veteran is receiving his or her degree if
21 all of the following apply:

22 a. The curriculum at the institution or school consists only of courses necessary to
23 complete a degree in a particular course of study.

1 b. The course is accepted as transfer credits at the institution or school listed under subd.
2 1. from which the veteran is receiving his or her degree but is not available at that institution
3 or school.

4 (c) *Limitations.* 1. A veteran is not eligible for reimbursement under this subsection
5 for more than 120 credits or 8 full semesters of full-time study at any institution of higher
6 education in this state, 60 credits or 4 full semesters of full-time study at any institution of
7 higher education, as defined in s. 45.396 (1) (a), in this state that offers a degree upon
8 completion of 60 credits, or an equivalent amount of credits at a school that is approved under
9 s. 45.35 (9m), at a proprietary school that is approved under s. 39.90, or at an institution where
10 he or she is receiving a waiver of nonresident tuition under s. 39.47.

11 2. A veteran may not receive reimbursement under this subsection for any semester in
12 which he or she received reimbursement under s. 21.49 or sub. (3).

13 **(3) CORRESPONDENCE COURSES AND PART-TIME CLASSROOM STUDY.** (a) *Program benefits.*

14 1. A veteran, upon the completion of any correspondence course or part-time classroom study
15 from an institution of higher education located in this state, from a school that is approved
16 under s. 45.35 (9m), from a proprietary school that is approved under s. 39.90, or from any
17 public or private high school, may be reimbursed in part for the cost of the course by the
18 department. The veteran shall present to the department a certificate from the school
19 indicating that the veteran has completed the course and stating the cost of the course and shall
20 apply for reimbursement on an application that is received by the department no later than 60
21 days after the termination of the course for which the application for reimbursement is made.
22 The department shall accept and process an application received more than 60 days after the
23 termination of the course if the applicant shows good cause for the delayed receipt. The
24 department may not require that an application be received sooner than 60 days after a course

1 is completed. Benefits granted under this section shall be paid out of the appropriation under
2 s. 20.485 (2) (th).

COMMENT: Can “tuition” be substituted for “the cost of the course”?

Can the sentence that prohibits the department from requiring submission of an application earlier than 60 days after course completion be eliminated?

Is the reference to costs of high school courses appropriate, especially with regard to public high schools?

3 2. A veteran who is a resident of this state and otherwise qualified to receive benefits
4 under this subsection may receive the benefits under this subsection upon the completion of
5 any correspondence courses or part–time classroom study from an institution of higher
6 education located outside this state, from a school that is approved under s. 45.35 (9m), or from
7 a proprietary school that is approved under s. 39.90, if any of the following applies:

8 a. The part–time classroom study is not offered within 50 miles of the veteran’s
9 residence by any school or institution under sub. (2) and the educational institution from which
10 the study is offered is located not more than 50 miles from the boundary line of this state.

11 b. The correspondence course is not offered in this state.

12 3. Enrolled part–time classroom study or direct correspondence courses from a
13 qualified educational institution may be authorized and the veteran reimbursed in part by the
14 department when the courses are related to one’s occupational, professional or employment
15 objectives, and to the extent that payment or reimbursement is not available from any other
16 sources, or, in cases where reimbursement is not specifically for tuition, to the extent that the
17 reimbursement is insufficient to cover all educational costs.

18 (b) *Limitations.* 1. a. No veteran or eligible dependent who has obtained a master’s
19 degree or its equivalent is eligible for reimbursement under this subsection.

1 b. No veteran or eligible dependent who has obtained at least a baccalaureate degree
2 or its equivalent but not a master’s degree or its equivalent is eligible for reimbursement under
3 this subsection if the person has remaining U.S. department of veterans affairs education
4 benefits.

COMMENT: The only reference in current s. 45.396 to eligible dependents is in the provisions dealing with ineligibility. Since the provisions dealing with eligibility provide only that veterans are eligible, it appears that these references to eligible dependents should be deleted.

5 c. For the purpose of this subsection, any student who has received a baccalaureate
6 degree shall be deemed to be a graduate student whether he or she is taking graduate or
7 undergraduate courses.

8 2. The department may not provide reimbursement under this subsection unless the
9 department determines that a course for which an application is made is related to the
10 applicant’s occupational, professional or employment objectives.

11 3. A veteran may not be reimbursed under this subsection more than 4 times during any
12 consecutive 12–month period.

13 (END)