



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-2595/1  
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## 2021 ASSEMBLY BILL 1088

March 7, 2022 - Introduced by Representatives SUBECK, SHELTON, BALDEH, CABRERA, EMERSON, HEBL, HESSELBEIN, MILROY, OHNSTAD, SINICKI, SPREITZER, STUBBS and VRUWINK, cosponsored by Senators WIRCH, CARPENTER, JOHNSON, LARSON, RINGHAND and ROYS. Referred to Committee on Colleges and Universities.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT to create** 20.235 (1) (fx), 20.437 (1) (ch), 36.27 (3g), 38.24 (5m), 39.52 and  
2           48.543 of the statutes; **relating to:** University of Wisconsin System and  
3           technical college tuition remissions for and grants to support foster care and  
4           other out-of-home care placement students and making an appropriation.

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### *Analysis by the Legislative Reference Bureau*

This bill requires the Board of Regents of the University of Wisconsin System and technical college district boards to grant tuition remission to certain students who were in foster care or other placement out of their parents' homes. This bill also requires the Department of Children and Families to distribute to University of Wisconsin System institutions and technical colleges within the Technical College System \$120,000 in grants for programs that support former foster youth.

Under current law, if the 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 an out-of-home care placement, such as the home of a foster parent, guardian, relative other than a parent, or nonrelative or a group home, residential care center for children and youth, or shelter care facility. Under the bill, a student is eligible for institution or technical college tuition remission if the student is a state resident to whom any of the following applies: 1) the individual resided in an out-of-home care placement on his or her 18th birthday; 2) the individual resided in an out-of-home care placement and after his or her 13th birthday the individual was adopted or appointed a nonagency guardian; or 3) the individual resided in an out-of-home care placement for at least one year after his

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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 an eligible student a tuition remission for each semester or session that the 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 an eligible student a tuition remission for each semester or session that the student completes the FAFSA and is enrolled in a technical diploma or associate degree program. The technical college district boards may not grant the tuition remission after a technical college 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. The Board of Regents may not grant the tuition remission after a student is awarded a bachelor's degree or attains the age of 25, whichever occurs first. In addition, the bill prohibits a student from receiving this tuition remission from either the Board of Regents or a technical college district board for more than a total of 12 semesters or sessions. 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 University of Wisconsin institutions or technical colleges for the purpose of supporting programming for former foster youth who are enrolled in the institution.

The bill also provides additional funding for the University of Wisconsin System under its general program operations appropriation and for special education aid for school districts, independent charter schools, cooperative educational service agencies, and county children with disabilities education boards for purposes of maintaining compliance with maintenance of effort requirements of the federal Consolidated Appropriations Act and the federal American Rescue Plan Act.

For further information see the state and 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:***

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

**ASSEMBLY BILL 1088****2021-22      2022-23****1      20.235   Higher educational aids board**

2      (1)    STUDENT SUPPORT ACTIVITIES

3      (fx)   Foster care remissions                      GPR      B            410,000      410,000

**4      20.437   Children and families, department of**

5      (1)    CHILDREN AND FAMILY SERVICES

6      (ch)   Grants to support former foster

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

8                      **SECTION 2.** 20.235 (1) (fx) of the statutes is created to read:

9                      20.235 (1) (fx) *Foster care remissions.* Biennially, the amounts in the schedule  
10                      to reimburse the Board of Regents of the University of Wisconsin System and  
11                      technical college district boards under s. 39.52 for fee remissions made under ss.  
12                      36.27 (3g) and 38.24 (5m).

13                      **SECTION 3.** 20.437 (1) (ch) of the statutes is created to read:14                      20.437 (1) (ch) *Grants to support former foster youth in higher education.*

15                      Biennially, the amounts in the schedule for grants under s. 48.543.

16                      **SECTION 4.** 36.27 (3g) of the statutes is created to read:

17                      36.27 (3g) FOSTER CARE REMISSIONS. (a) In this subsection:

18                      1. "Eligible individual" means a state resident to whom any of the following  
19                      applies:

20                      a. He or she resided in an out-of-home care placement on his or her 18th  
21                      birthday.

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1           b. He or she resided in an out-of-home care placement and subsequently, after  
2 his or her 13th birthday, he or she was adopted or appointed a nonagency guardian  
3 under s. 48.977 or 48.9795.

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

**ASSEMBLY BILL 1088****SECTION 6**

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 and the district  
23 boards for the full amount of those fees, the board shall prorate the reimbursement  
24 paid under subs. (1) and (2) in the proportion that the moneys available bears to the  
25 total amount eligible for reimbursement under subs. (1) and (2).

