

2005 ASSEMBLY BILL 378

April 27, 2005 – Introduced by Representatives MUSSER, GARD, KREIBICH, BALLWEG, NASS, TOWNS, BOYLE, PETTIS, PETROWSKI, J. FITZGERALD, PRIDEMORE, VAN ROY, GUNDERSON, AINSWORTH, LEMAHIEU, HAHN, CULLEN, KRAWCZYK, VOS, OWENS, BIES, FREESE, GUNDRUM, WOOD, HINES, DAVIS, McCORMICK, ALBERS, OTT, HUNDERTMARK, POCAN and SUDER, cosponsored by Senators KEDZIE, LEIBHAM, BRESKE, DARLING, HANSEN, LASSA, ROESSLER and GROTHMAN. Referred to Committee on Military Affairs.

1 **AN ACT** *to renumber and amend* 39.48; *to amend* 36.11 (47) (intro.) and 38.12
 2 (13) (intro.); and *to create* 39.48 (1) of the statutes; **relating to:** college
 3 reenrollment of persons called into active military service.

Analysis by the Legislative Reference Bureau

Current law requires public colleges and universities, including technical colleges, to allow a student who is forced to withdraw from school after September 11, 2001, because he or she is called into active military service to reimburse the student for tuition, fees, and prorated room and board or to grant the student an incomplete and allow the student to complete the courses within six months of leaving service without paying additional tuition or fees. Current law requires a private college or university to grant such a student an incomplete and allow the student to complete the courses within six months of leaving service, without paying additional tuition or fees, but does not give a private college or university the option of reimbursing tuition, fees, and prorated room and board instead of granting an incomplete and permitting the student to complete the course.

This bill requires the colleges and universities, in addition to the protections described above, to reenroll the student beginning in the semester following his or her military discharge or the next succeeding semester, whichever the student prefers.

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

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1 **SECTION 1.** 36.11 (47) (intro.) of the statutes is amended to read:

2 **36.11 (47) ARMED FORCES.** (intro.) If a student who is ~~a resident of Wisconsin~~
3 ~~and~~ a member of a national guard or a member of a reserve unit of the U.S. armed
4 forces withdraws from school after September 11, 2001, because he or she is called
5 into state active duty ~~under ch. 21~~ or into active service with the U.S. armed forces
6 for at least 30 days, the board shall reenroll the student beginning in the semester
7 following his or her discharge from active duty or the next succeeding semester,
8 whichever the student prefers, and, at the student's request, do one of the following
9 for all courses from which the student had to withdraw:

10 **SECTION 2.** 38.12 (13) (intro.) of the statutes is amended to read:

11 **38.12 (13) ARMED FORCES.** (intro.) If a student who is ~~a resident of Wisconsin~~
12 ~~and~~ a member of a national guard or a member of a reserve unit of the U.S. armed
13 forces withdraws from school after September 11, 2001, because he or she is called
14 into state active duty ~~under ch. 21~~ or into active service with the U.S. armed forces
15 for at least 30 days, the district board shall reenroll the student beginning in the
16 semester following his or her discharge from active duty or the next succeeding
17 semester, whichever the student prefers, and, at the student's request, do one of the
18 following for all courses from which the student had to withdraw:

19 **SECTION 3.** 39.48 of the statutes is renumbered 39.48 (intro.) and amended to
20 read:

21 **39.48 Armed forces.** (intro.) If a student who is ~~a resident of Wisconsin and~~
22 a member of a national guard or a member of a reserve unit of the U.S. armed forces
23 withdraws from a private nonprofit college or university located in this state after
24 September 11, 2001, because he or she is called into state active duty ~~under ch. 21~~

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1 or into active service with the U.S. armed forces for at least 30 days, the college or
2 university shall, at the student's request, ~~grant~~ do all of the following:

3 **(2)** Grant the student an incomplete in all of the courses from which the student
4 had to withdraw and permit the student to complete the courses, within 6 months
5 after leaving state service or active service, without paying additional tuition or fees.

6 **SECTION 4.** 39.48 (1) of the statutes is created to read:

7 39.48 **(1)** Reenroll the student beginning in the semester following his or her
8 discharge from active duty or the next succeeding semester, whichever the student
9 prefers.

10 **(END)**