



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-5690/1  
ARG:kjf

## 2019 ASSEMBLY BILL 1003

March 11, 2020 - Introduced by Representatives SARGENT, BROSTOFF, ANDERSON, EMERSON, HEBL, OHNSTAD, SINICKI, STUBBS and SUBECK, cosponsored by Senators LARSON, WIRCH and SMITH. Referred to Committee on Colleges and Universities.

1     **AN ACT to create** 20.235 (1) (fr), 39.439 and 227.01 (13) (Lt) of the statutes;  
2             **relating to:** creating a grant program to cover tuition and other educational  
3             expenses at public institutions of higher education, granting rule-making  
4             authority, and making an appropriation.

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### *Analysis by the Legislative Reference Bureau*

This bill creates a Wisconsin Promise Program, administered by the Higher Educational Aids Board (HEAB), to provide grants to eligible students to cover tuition and other fees (tuition), along with housing and textbook costs as calculated by HEAB using a median per-student figure (other educational expenses), at any University of Wisconsin System institution or college campus, any technical college, or any tribal college in this state (collectively "public institution"). In general, a student is eligible for a grant under the program if the student: 1) is a resident enrolled at least half-time in a public institution; 2) has completed counseling explaining the program; and 3) signs an agreement that includes a promise to graduate with a cumulative grade point average of at least 3.0 and a promise to be continuously employed, subject to certain grace periods, within this state for at least three years after graduation. The grant amount is the amount of the student's tuition and other educational expenses after other financial aid in the form of grants and scholarships has been applied, based on the tuition and expenses level in the student's first year of enrollment and extended for the greater of four semesters or 60 credits. However, with an exception, if a student who receives a grant fails to comply with the terms of the agreement described in item 3), above, the grant

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converts to a loan that must be repaid at an annual interest rate of 5 percent. HEAB must, by rule, provide for a hardship exception under which the student may obtain a waiver under which the grant is not converted to a loan as a result of the student's failure to comply with the terms of the agreement. HEAB must specify standards for the determination of hardship and a process for seeking a waiver from HEAB.

The bill also provides that a student who is not a U.S. citizen is eligible for grants under the program if he or she satisfies the requirements described above, as well as the following: 1) the student graduated from a Wisconsin high school or received a declaration of equivalency of high school graduation from Wisconsin; 2) the student was continuously present in Wisconsin for at least three years following the first day of attending a Wisconsin high school or immediately preceding receipt of a declaration of equivalency of high school graduation; and 3) the student enrolls in a public institution and provides the institution with an affidavit stating that he or she has filed or will file an application for permanent residency with U.S. Citizenship and Immigration Services as soon as the student is eligible to do so.

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.** 20.235 (1) (fr) of the statutes is created to read:

2           20.235 (1) (fr) *Wisconsin promise grants.* A sum sufficient for Wisconsin  
3           promise grants under s. 39.439.

4           **SECTION 2.** 39.439 of the statutes is created to read:

5           **39.439 Wisconsin promise grants. (1) DEFINITIONS.** In this section:

6           (a) "Expected family contribution" means the amount that a student and the  
7           student's family are expected to contribute toward the student's tuition and other  
8           educational expenses in the student's first year of enrollment at a public institution  
9           of higher education, as determined after the student and student's family have  
10          completed the most recent federal Free Application for Federal Student Aid, as  
11          described in 20 USC 1090 (a), and the amounts of all other available grants and  
12          scholarships are applied.

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1 (b) "Other educational expenses" means the median cost per student calculated  
2 by the board under sub. (7).

3 (c) "Public institution of higher education" means any of the following:

- 4 1. Any institution or college campus of the University of Wisconsin System.
- 5 2. Any technical college established under ch. 38.
- 6 3. Any tribally controlled college located in this state.

7 (d) "Resident student" includes a student who is a citizen of a country other  
8 than the United States and who meets all of the following requirements:

9 1. The student graduated from a high school in this state or received a  
10 declaration of equivalency of high school graduation from this state.

11 2. The student was continuously present in this state for at least 3 years  
12 following the first day of attending a high school in this state or immediately  
13 preceding receipt of a declaration of equivalency of high school graduation.

14 3. The student enrolls in a public institution of higher education and provides  
15 that institution with proof that the person has filed or will file an application for a  
16 permanent resident visa with U.S. Citizenship and Immigration Services as soon as  
17 the student is eligible to do so.

18 (e) "Tuition," when referring to the University of Wisconsin System, means  
19 academic fees and segregated fees; when referring to the technical colleges, means  
20 "program fees" and "additional fees" as described in s. 38.24 (1m) and (1s); and when  
21 referring to a tribally controlled college, means the charge for the courses for which  
22 a student is enrolled.

23 **(2) ESTABLISHMENT OF GRANT PROGRAM.** There is established, to be administered  
24 by the board, a Wisconsin promise program to provide grants to students who meet  
25 the eligibility criteria specified in sub. (3).

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1           **(3) ELIGIBILITY.** Subject to subs. (5) and (6), a student is eligible for a grant  
2 under this section if the student meets all of the following criteria:

3           (a) The student is a resident student enrolled at least half-time in a public  
4 institution of higher education.

5           (b) The student has successfully completed counseling explaining the benefits  
6 and obligations of the program under this section, including the terms and conditions  
7 of the agreement under par. (c) and consequences of noncompliance specified in sub.  
8 (5).

9           (c) The student signs an agreement that includes all of the following:

10           1. A promise to graduate from the public institution of higher education with  
11 a cumulative grade point average of at least 3.0 on a 4-point scale or the equivalent.

12           2. A promise to be employed within 3 months after the date of the student's  
13 graduation and to remain continuously employed within this state for at least 3 years  
14 thereafter, except for no more than 45 days of unemployment within this 3-year  
15 period and except that the start of the student's employment may be deferred if the  
16 student's studies continue after graduation, such as when the student graduates  
17 from the collegiate transfer program of a technical college or the student graduates  
18 with a bachelor's degree and continues to graduate school.

19           **(4) AMOUNT OF GRANT.** The amount of the grant under this section shall be based  
20 on the expected family contribution and shall be an amount calculated to cover the  
21 expected family contribution for 4 semesters or 60 credits, whichever is greater. The  
22 grant shall be paid from the appropriation account under s. 20.235 (1) (fr).

23           **(5) GRANT CONVERSION TO LOAN.** (a) Except as provided in par. (b), if a student  
24 who received a grant under this section fails to comply with the terms of the  
25 agreement under sub. (3) (c), including failure to satisfy the promises in sub. (3) (c)

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1 1. and 2., the grant shall convert to a loan. This loan shall be repaid at an annual  
2 interest rate of 5 percent, calculated from the date the grant funds were disbursed.

3 (b) In the rules under sub. (8), the board shall provide for a hardship exception  
4 under which a student who fails to comply with the terms of the agreement under  
5 sub. (3) (c), including failure to satisfy either of the promises in sub. (3) (c) 1. or 2.,  
6 may obtain a waiver from the board under which the grant received by the student  
7 is not converted to a loan under par. (a). The rules shall specify standards for the  
8 board's determination of hardship and a process for seeking a waiver under this  
9 paragraph.

10 (c) The board shall deposit in the general fund as general purpose  
11 revenue-earned all repayments of loans under par. (a) and the interest on the loans.

12 **(6) DELINQUENT SUPPORT OBLIGATIONS.** The board may not make a grant under  
13 this section to a person whose name appears on the statewide support lien docket  
14 under s. 49.854 (2) (b), unless the person provides to the board a payment agreement  
15 that has been approved by the county child support agency under s. 59.53 (5) and that  
16 is consistent with rules promulgated under s. 49.858 (2) (a).

17 **(7) CALCULATING HOUSING AND MATERIALS COSTS.** The board shall annually  
18 calculate, for students at public institutions of higher education, the median cost per  
19 student, for an academic year, of all of the following:

20 (a) Housing.

21 (b) Textbooks and other books and materials required for classes in which a  
22 student is enrolled, including laboratory materials and supplies.

23 **(8) RULES.** The board shall promulgate rules to implement this section.

24 **SECTION 3.** 227.01 (13) (Lt) of the statutes is created to read:

