



2005 SENATE BILL 436

November 16, 2005 – Introduced by Senators LAZICH, ZIEN, DARLING, S. FITZGERALD, GROTHMAN, A. LASEE, LASSA, LEIBHAM and ROESSLER, cosponsored by Representatives LOEFFELHOLZ, MUSSER, BIES, SHERMAN, TURNER, FREESE, GARD, GUNDERSON, HAHN, HEBL, HINES, KRAWCZYK, F. LASEE, LOTHIAN, MCCORMICK, MURSAU, PETROWSKI and SHERIDAN. Referred to Committee on Higher Education and Tourism.

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 and registration priority of persons called into active military
4 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 in which he or she is discharged, demobilized, or deactivated or the next succeeding semester, whichever the student prefers, and to give the student the same priority in

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registering for courses that the student would have had, had he or she registered for courses at the beginning of the registration period.

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

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 in which he or she is discharged, demobilized, or deactivated from active duty or the
8 next succeeding semester, whichever the student prefers, shall give the student the
9 same priority in registering for courses that the student would have had if he or she
10 had registered for courses at the beginning of the registration period, and, at the
11 student's request, do one of the following for all courses from which the student had
12 to withdraw:

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

14 38.12 **(13)** ARMED FORCES. (intro.) If a student who is ~~a resident of Wisconsin~~
15 and a member of a national guard or a member of a reserve unit of the U.S. armed
16 forces withdraws from school after September 11, 2001, because he or she is called
17 into state active duty ~~under ch. 21~~ or into active service with the U.S. armed forces
18 for at least 30 days, the district board shall reenroll the student beginning in the
19 semester in which he or she is discharged, demobilized, or deactivated from active
20 duty or the next succeeding semester, whichever the student prefers, shall give the
21 student the same priority in registering for courses that the student would have had

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1 if he or she had registered for courses at the beginning of the registration period, and,
2 at the student's request, do one of the following for all courses from which the student
3 had to withdraw:

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

6 **39.48 Armed forces.** (intro.) If a student who is ~~a resident of Wisconsin and~~
7 a member of a national guard or a member of a reserve unit of the U.S. armed forces
8 withdraws from a private nonprofit college or university located in this state after
9 September 11, 2001, because he or she is called into state active duty ~~under ch. 21~~
10 or into active service with the U.S. armed forces for at least 30 days, the college or
11 university shall, at the student's request, ~~grant~~ do all of the following:

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

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

16 39.48 (1) Reenroll the student beginning in the semester in which he or she is
17 discharged, demobilized, or deactivated from active duty or the next succeeding
18 semester, whichever the student prefers, and give the student the same priority in
19 registering for courses that the student would have had if he or she had registered
20 for courses at the beginning of the registration period.

21 (END)