

## Chapter VA 2

### VETERANS ASSISTANCE GRANTS

VA 2.01	Subsistence and health care aid grant programs.	VA 2.05	Recovery of erroneous payments.
VA 2.02	Veterans tuition reimbursement program.	VA 2.07	Grants to nonprofit organizations.
VA 2.03	Retraining grants.	VA 2.08	Veterans employment and entrepreneurship grants.
VA 2.04	Standard student budget.		

**Note:** Chapter VA 2 as it existed on December 31, 1979 was repealed and a new chapter VA 2 was created effective January 1, 1980. Chapter VA 2 as it existed on April 30, 1986 was repealed and a new chapter VA 2 was created effective May 1, 1986.

**Note:** 2005 Wis. Act 22 repealed and recreated Ch. 45, Stats. Cross–references to Ch. 45, Stats., were corrected by the revisor under s. 13.93 (2m) (b) 7., Stats.

**VA 2.01 Subsistence and health care aid grant programs. (1g) AUTHORITY AND PURPOSE.** (a) The purpose of this section is to establish rules for the administration of the subsistence and health care aid grant programs, as authorized under s. 45.40, Stats.

(b) The subsistence and health care aid grant programs provide limited financial assistance to eligible veterans or their dependents who are in need.

(c) Grants may be used up to the maximum grant limits as specified in this section.

**(1r) DEFINITIONS.** In this section the following terms shall have the designated meanings:

(b) “Applicant’s family” means the applicant’s spouse and dependents or, where the applicant is a dependent, the parents, stepparents, or any custodial guardians of the dependent.

(c) “Approved treatment programs” means treatment programs approved by the USDVA or alcohol and other drug treatment programs certified by the Wisconsin department of health services.

(d) “Available liquid assets” means cash on hand, including cash in checking, savings, money market or similar accounts, owned, either jointly or solely, by the applicant or the applicant’s family.

(dm) “Change in refractive error” means an increase or decrease of sphere, cylinder or power of at least the following: sphere power of + or – .25 diopter; cylinder power of + or – .5 diopter; axis change of + or –.25 to .75 diopters at 5 degrees, + or – 1 to 2 diopters at 3 degrees or + or –2.25 or more diopters at 2 degrees.

(e) “Declaration of aid” means a written determination regarding the availability of county, state, or federal aid administered by the county for an applicant. A declaration of aid must be signed by a county official authorized to determine whether aid is available for an applicant and the applicant’s family and whether the applicant has accepted the aid available.

(f) “Dental care” means any care provided by a licensed dentist given to teeth, the supporting natural and artificial structures for teeth, and any replacement or restoration of teeth.

(i) “Description of benefits” means a written determination that an applicant is eligible for health care aid. A description of benefits expires 90 days after the date of eligibility is established and printed by the department unless extended by the department.

(j) “Earned income” means all anticipated family monthly take home earnings from employment including armed forces reserve and national guard pay, and work study payments, after all payroll deductions of the applicant and the applicant’s family except payroll deductions for savings plans and payment of debts.

(k) “Economic emergency” means a natural disaster which damages an applicant’s primary living residence, a medical emergency, the failure of the applicant’s sole means of transportation, or a severe disruption in essential household systems caused by a failure of the applicant’s stove, refrigerator, heating system, ventilating and air conditioning system, plumbing system, or electrical system such that it materially compromises the applicant’s ability to live.

(kr) “Extended dental care” means a dental device, including dentures, that replaces one or more teeth and includes all dental preparation and the manufacture and fitting of the device.

(L) “Health care” means dental care, extended dental care, hearing care, and vision care.

(m) “Health care aid” means the payment by the department for health care.

(n) “Hearing care” means any care provided by a licensed audiologist related to hearing, including hearing exams or hearing aids.

(o) “Illness or injury” means a physical or mental health problem that has been diagnosed by a licensed physician, dentist, optometrist, or audiologist.

(p) “Month” means any consecutive 30–calendar day period.

(q) “Natural disaster” means a catastrophic occurrence over which the applicant or family members living with the applicant has no control, including, but not limited to, a fire, flood, tornado, blizzard, or earthquake.

(r) “Subsistence” means essential living expenses including current rent or mortgage payments on the applicant’s primary residence, food, current medical insurance premiums, current costs for prescribed medications, essential travel, child care required because of employment, educational, or medical reasons, and current costs for electricity, heat, basic internet service not otherwise covered within the applicant’s basic telephone service, and basic telephone service for the applicant’s primary residence. “Subsistence” also means any repairs or purchases required due to an economic emergency.

(s) “Subsistence aid” means the grant payment provided by the department for subsistence.

(t) “Unearned income” means the estimated amount the applicant and the applicant’s family receives in benefits or grants during any month from the USDVA or other government agencies, scholarships, fellowships, grants, tuition and fee waivers, all other definite awards other than loans, including amounts paid to the applicant or the applicant’s family or to the school on behalf of the applicant or applicant’s family for vocational rehabilitation by the USDVA or any other agency, income from trusts or inheritances, unemployment insurance benefits, worker’s compensation, social security payments, net rentals from real estate, interest or dividend income or other income not included under earned income. “Unearned income” does not include death benefits paid by the USDVA or other federal agencies.

(u) “Vision care” means a vision exam provided by a licensed vision care provider and a prescription for lens and frame.

**(2) SUBSISTENCE AID.** (a) *Application.* 1. A grant application for subsistence aid shall be submitted on a form approved by the department.

**Note:** The application for subsistence aid (form WDVA 2453) may be obtained at WisVets.com or by request: 1–800–WIS–VETS or 2135 Rimrock Road, PO Box 7843, Madison, WI 53707–7843.

2. The application may be submitted through a county veterans service officer, through any other department authorized agent, or directly to the department, either manually or electronically.

3. The application shall be submitted to the department no later than 12 months following the verified loss of income due to illness, injury, or natural disaster.

4. A declaration of aid shall be submitted with the application. The declaration shall state that the applicant has applied for all aid offered through or administered by the county, including aid from the federal or state government.

5. The application shall list all of the applicant's household assets and the household living expenses for the period of 6 months immediately preceding the date of the application.

6. If requested by the department the applicant shall submit evidence establishing that all other available aid has been applied for and accepted.

7. The department may request additional verification of any information provided in the application.

8. The department shall notify the applicant or the applicant's county veterans service officer if any required documentation is missing or if further verification is required to make a decision on the applicant's eligibility. The department may terminate an application if such documentation or verification does not arrive at the department's central office within 60 days of that notification.

(b) *Eligibility.* An applicant is eligible to receive grant funds under this subsection when all of the following apply:

1. The applicant satisfies the requirements of s. 45.01 (12), Stats., to be considered a veteran, or is a spouse or dependent of an individual who satisfies the requirements of s. 45.01 (12), Stats.

2m. The applicant has suffered a loss of income due to illness, injury, or natural disaster. If the loss of income is the result of alcohol or other drug abuse, the applicant shall verify current participation in a department-approved treatment program.

3m. Except for an applicant who is eligible under par. (d), the applicant's household income may not exceed 200 percent of the federal poverty guidelines, in effect on the date the application arrives at the department's central office, for the number of family members living in the primary residence.

4. The applicant lacks other assets or income to meet basic subsistence needs and is not eligible to receive aid from other sources to meet those needs.

(c) *Unremarried surviving spouse and dependent of a veteran who dies in the line of duty.* An unremarried surviving spouse and a dependent claiming eligibility due to the death of a veteran in the line of duty shall submit evidence from the appropriate military service indicating that the veteran died in the line of duty.

(d) *Spouse and dependent of activated or deployed member.* A spouse and dependent of a member of the U.S. armed forces or of the Wisconsin national guard claiming eligibility shall submit evidence that the service member has been deployed or activated, that due to the activation or deployment a loss of income has occurred, that an economic emergency has occurred during the activation or deployment, and that the spouse and dependent are residents of the state.

(e) *Limitations.* 1. Subsistence aid is available for the 90–day period following the date of the verified loss of income due to illness, injury, or a natural disaster.

2. An application for subsistence aid shall be submitted within 12 months following the date of the verified loss of income.

3. Payments may be provided in 30–day increments or for a 90–day period, beginning with the date of eligibility, as determined by the application.

4. Subsistence aid shall be limited to the difference between the amount of earned and unearned income available before the loss of income and the earned and unearned income being received after the loss of income, subject to the limitations under s. 45.40 (1m) (b) and (3), Stats.

(f) *Loss of income verification.* 1. The applicant shall verify the loss of income by submitting verification of income forms, certified public accounting statements, or any other evidence the department deems credible.

2. If the loss of income is due to an illness or injury, the illness or injury shall be verified in writing on a form approved by the department.

**Note:** The Verification of Illness or Disability form (WDVA 2045) may be obtained at WisVets.com or by request: 1–800–WIS–VETS or 2135 Rimrock Road, PO Box 7843, Madison, WI 53707–7843.

3. When the department has evidence that the incapacitation will cause an income loss for 90 days or longer, subsistence grants will be prorated for each of the 30–day periods unless the department determines that an alternate distribution of the grant would benefit the applicant.

(g) *Maximum amount of subsistence aid.* 1. An application approved by the department shall have the balance of the maximum available aid allocated unless the applicant indicates a lesser amount in writing.

2. The maximum amount of subsistence aid payable in a consecutive 12–month period is \$3,000.

**(3m) HEALTH CARE AID.** (a) *Application.* 1. A grant application for health care aid shall be submitted on a form approved by the department.

**Note:** The grant application (form WDVA 2450) may be obtained at WisVets.com or by request: 1–800–WIS–VETS or 2135 Rimrock Road, PO Box 7843, Madison, WI 53707–7843.

2. An application may be submitted through a county veterans service officer, through any other department–authorized agent, or directly to the department, either manually or electronically.

3. The application shall list all of the applicant's household assets.

4. A declaration of aid shall be submitted with the application. The declaration shall state that the applicant has applied for all aid offered through or administered by the county, including aid from the state or federal government.

5. The department shall notify the applicant or the applicant's county veterans service officer if any required documentation is missing or if further verification is required to make a decision on the applicant's eligibility. The department may terminate an application if such documentation or verification does not arrive at the department's central office within 60 days after that notification.

(b) *Eligibility.* An applicant is eligible to receive grant funds under this subsection when all of the following apply:

1. The applicant satisfies the requirements of s. 45.01 (12), Stats., to be considered a veteran, or is a spouse or dependent of an individual who satisfies the requirements of s. 45.01 (12), Stats.

2. Except for an applicant who is eligible under par. (f), the applicant's household income may not exceed 200 percent of the federal poverty guidelines, in effect on the date the application arrives at the department's central office, for the number of family members living in the primary residence.

3. The applicant's liquid assets may not exceed \$1,000. When determining the liquid assets of the veteran, the department may not include the first \$50,000 of cash surrender value of any life insurance policy.

(c) *Requirements.* 1. An application approved by the department shall have the balance of the maximum available aid allocated unless the applicant indicates a lesser amount in writing.

2. The department shall indicate on each description of benefits the type of aid authorized, the date the department confirmed that the applicant was eligible for the grant, a date 90 calendar days from that date, the unallocated amount available for the type of aid and for the cumulative limits of aid under this section, and the amount of aid being authorized.

3. The department's determination of whether the veteran has sufficient available liquid assets to contribute towards a payment is based on verification of the applicant's income at the time of the application. If the veteran's income increases after the department determines eligibility, the veteran shall notify the department in writing within 30 days. The department shall determine whether the veteran remains eligible for future aid payments based on the veteran's availability of liquid assets and capability to make payments on any outstanding statement balances from a health care provider.

(d) *Payments.* 1. No more than one description of benefits may be outstanding at any time, except where a health care provider has submitted a binding quote prior to the issuance of more than one description of benefits, and is willing to accept payment from this program in full for any service rendered to the applicant in accordance with the description of benefits.

2. The department shall pay the lesser amount of either the actual cost of services invoiced or the binding quote submitted by the health care provider.

3. No payment shall be made by the department unless an itemized written invoice is received by the department within 60 days of the expiration date, or any approved extension of that expiration date, as identified in the applicable description of benefits.

4. If the department does not receive an itemized written invoice within 60 days of the expiration date, or any approved extension of that expiration date, as identified in the applicable description of benefits, the healthcare provider, except for a department-approved payment, may not charge the applicant and shall only accept payments from any of the following sources:

- a. The applicant's health insurance.
- b. Third-party payments on behalf of the applicant.
- c. A department-approved payment from the applicant.

5. An authorized application for health care aid may not be withdrawn without the agreement of the provider of the health care aid.

(e) *Unremarried surviving spouse and dependent of a veteran who dies in the line of duty.* An unremarried surviving spouse and a dependent claiming eligibility due to the death of a veteran in the line of duty shall submit evidence from the appropriate military service indicating that the veteran died in the line of duty.

(f) *Spouse and dependent of activated or deployed member.* A spouse and dependent of a member of the U.S. armed forces or of the Wisconsin national guard claiming eligibility shall submit evidence that the service member has been deployed or activated, that due to the activation or deployment a loss of income has occurred, that an economic emergency has occurred during the activation or deployment, and that the spouse and dependent are residents of the state.

(g) *Health care providers.* 1. The department may grant payments for health care aid to a health care provider if the health care services are rendered within 90 days after the department confirms that the applicant is eligible and only after a description of benefits has been transmitted to the applicant or the county veterans service officer.

2. The department may accept a second application for the health care listed on the first description of benefits if the department receives a statement from the health care provider, within 14 calendar days before the expiration listed on the first description of benefits, that the health care authorized is still being provided and that the patient will not incur costs.

(h) *Extensions.* A health care provider providing health care services under par. (g) may submit an application to the department to request an extension of the 90 days. The application requesting the extension shall comply with all of the following:

1. Include a statement that the health care services to be provided are included in the description of benefits authorized under par. (g).

2. Include a statement that the patient will not incur additional costs for health care services authorized under par. (g).

3. Be received by the department no later than 14 calendar days before the expiration date listed on the description of benefits authorized under par. (g).

(i) *Limitations.* 1. The department may provide a grant only if the health care provider agrees to accept and only accepts payments from any of the following sources:

- a. Grant funds.
- b. The applicant's health insurance.
- c. Third-party payments on behalf of the applicant.
- d. A department-approved payment from the applicant.

2. The department may approve a payment by the veteran when a provider refuses to accept the maximum grant available to the veteran as payment in full if the veteran has sufficient available liquid assets to contribute an amount that will induce the provider to accept the aggregate payment as payment in full.

(j) *Types of health care aid.* 1. 'Dental care aid.' a. A dental care provider shall indicate in writing that the dental procedure performed was directly necessary to dental care.

b. Aid for dental procedures may not exceed \$800.00 in any consecutive 12-month period.

c. Aid for extended dental care may not exceed \$4,000 in any consecutive 24-month period.

2. 'Hearing care aid.' a. Hearing care aid may not exceed \$200.00 in any consecutive 12-month period except where a left or right hearing aid, or both, is required.

b. Aid for each hearing aid may not exceed \$1,875 in any consecutive 24-month period.

c. An applicant may qualify for a grant for an additional or more costly hearing aids and a related examination if a hearing care provider identifies, in writing, a medical condition that warrants additional financial assistance.

3. 'Vision care aid.' a. A grant for vision care may not exceed \$400.00 in any consecutive 12-month period; however, an applicant may obtain a grant for replacement glasses before 12 consecutive months have elapsed if the eyewear is prescribed because of a documented change in refractive error.

b. An applicant may qualify for vision care aid for an additional visit to a vision care provider and for a more costly set of corrective eyewear or for an additional set of corrective eyewear if an optometrist or an ophthalmologist identifies, in writing, a medical condition that warrants additional financial assistance.

**History:** Cr Register, April, 1986, No. 364, eff. 5–1–86; am. (1) (a), (c), (d), (g), (2) (b) 1., 2., 7., 10., 13., and 14., (2) (c) 4., cr. (1) (am), r. (2) (b) 11., and 12., and (2) (c) 2., Register, February, 1989, No. 398, eff. 3–1–89; am. (2) (b) 2. and 10., r. (2) (b) 5., Register, January, 1990, No. 409, eff. 2–1–90; am. (2) (b) 2., Register, September, 1990, No. 417, eff. 10–1–90; am. (1) (b), (c), (2) (b) 2., 7., 13., 14., and (c) 4., cr. (1) (em), r. and recr. (2) (c) 3., Register, June, 1992, No. 438, eff. 7–1–92; am. (1) (d), (2) (b) 13. and 14., cr. (2) (b) 15. to 17., Register, January, 1996, No. 481, eff. 2–1–96; cr. (1) (am) and (2) (b) 18. and 19., r. (1) (c), (f), (2) (b) 3., 9., 16. and 17., am. (1) (d), (2) (b) 7., 10. and 13., Register, July, 1998, No. 511, eff. 8–1–98; emerg. am. (2) (b) 2., eff. 10–12–98; am. (2) (b) 2., Register, March, 1999, No. 519, eff. 4–1–99; am. (2) (b) 15., Register, July, 2000, No. 535, eff. 8–1–00; CR 03–024: am. (2) (b) 1., (3) (b) Register July 2003 No. 571, eff. 8–1–03; CR 05–097: r. and recr. Register January 2006 No. 601, eff. 2–1–06; CR 09–026: am. (2) (a), (b) 1., (3) (b) and (c) Register October 2009 No. 646, eff. 11–1–09; correction in (1) (c) made under s. 13.92 (4) (b) 6., Stats., Register October 2009 No. 646; correction in (3) (b) made under s. 13.92 (4) (b) 7., Stats., Register June 2010 No. 654; CR 09–091: cr. (1) (u), (v), (3) (d) to (g) Register August 2010 No. 656, eff. 9–1–10; titles created in (3) (d) to (g) under s. 13.92 (4) (b) 2. Register August 2010 No. 656; 2013 Wis. Act 189: am. (2) (b) 1., (3) (b) Register April 2014 no. 700, eff. 5–1–14; CR 21–012: am. (title), renum. (1) (intro.) to (1r) (intro.) and am., r. (1) (a), renum. (1) (b) to (f), (g) to (1r) (b) to (f), (kr) and, as renumbered, am. (1r) (c), (d), (f), (kr), r. (1) (h), renum. (1) (i) to (u) to (1r) (i) to (u) and, as renumbered, am. (1r) (i), (k), (L), (n), (r) to (u), renum. (1) (v) to (1r) (dm), cr. (1g),



(1r) (kg), am. (2) (title), (a) (title), renum. (2) (a) to (2) (a) 1. and am., cr. (2) (b) (intro.), r. and recr. (2) (b) 1., renum. (2) (b) 2., 3. to (2) (c), (d) and am., cr. (2) (b) 2m., 3m., 4., (e) 3., r. (3) (a), renum. (3) (b), (c), (d) to (2) (e) 1., (g) 2., (3m) (i) 1. to 3. and am., cr. (2) (g) 1., (3m) (a) to (i), (i) (title) Register September 2021 No. 789, eff. 10–1–21; correction in (3m) (c) 3. made under s. 35.17, Stats., and (3m) (i), (1r) (kg) renumbered to (3m) (j), VA 2.08 (3) (fe) under s. 13.92 (4) (b) 1., Stats., Register September 2021 No. 789; correction in (3m) (h) made under s. 13.92 (4) (b) 7., Stats., Register April 2022 No. 796.

### VA 2.02 Veterans tuition reimbursement program.

**(1g) AUTHORITY AND PURPOSE.** The purpose of ss. VA 2.02 to 2.05 is to establish rules for the implementation and administration of grants to veterans for tuition reimbursement and retraining, as authorized under ss. 45.20 and 45.21, Stats.

**(1r) DEFINITIONS.** In ss. VA 2.02 to 2.05, the following terms shall have the designated meanings:

(b) “Income” means the annualized adjusted gross income of the veteran and the veteran’s spouse reportable on their federal tax return.

(c) “Tuition” has the meaning specified in s. 45.20 (1) (d), Stats.

(d) “Undergraduate degree” means a bachelor’s degree.

**(2) APPLICATION.** (a) An application shall be submitted electronically through an online portal or manually on a form approved by the department.

**Note:** The Veterans Education Grant Application (form WDVA 2200) may be obtained at WisVets.com or by request: 1–800–WIS–VETS or 2135 Rimrock Road, PO Box 7843, Madison, WI 53707–7843.

(b) The application may be submitted through a county veterans service officer, through any other agent authorized by the department, or directly to the department.

(c) The application shall be received by the department or an authorized agent no later than 60 days after the starting date of the course, term, or semester for which reimbursement is requested.

(d) An application is considered received if all student information is completed and a physical or electronic date stamp is affixed to the application.

(e) The school veterans coordinator shall list the completion date of the semester, the cost of tuition, other assistance received or applied for by the applicant, the number of credits enrolled in during the semester, and the semester grade point average.

(f) An application is considered complete when all required information has been provided and the completed application is submitted to the department manually or electronically.

(g) A completed application submitted more than 60 days after the last day of the course, term, or semester for which reimbursement is requested shall be denied unless good cause can be shown for the delay in submission.

**(3) LIMITATIONS.** (a) *Undergraduate enrollment.* Reimbursement may be made only if a representative of the educational institution, center, or school certifies that the veteran was enrolled as an undergraduate during the semester for which reimbursement is sought and that the veteran does not have an undergraduate degree.

(c) *Eligibility.* 1. A veteran may not receive reimbursement for any semester or course for which the veteran is eligible for or received a grant under s. 321.40, Stats., or 10 USC 2007.

2. A veteran who fails to comply with the procedural requirements or maintain the requisite grade point average applicable to the grant or who takes any action that may disqualify the veteran from receiving the applicable grant is considered to still be eligible for the applicable grant for the purpose of determining whether the veteran is entitled to reimbursement under this section for a subsequent semester.

(d) *Duplicate benefits.* Reimbursement is limited to that portion of a veteran’s tuition not paid for by other grants or scholarships, including any offsets or remissions the veteran is entitled to receive under any other program.

(e) *Grade point average.* The department shall utilize the grade point average calculated and reported by the school.

**History:** Cr. Register, April, 1986, No. 364, eff. 5–1–86; r. (2), am. (3) and (6), Register, February, 1989, No. 398, eff. 3–1–89; am (5), Register, August, 1993, No. 452, eff. 9–1–93; CR 04–080: cr. (8) Register November 2004 No. 587, eff. 12–1–04; CR 05–096: r. and recr. Register January 2006 No. 601, eff. 2–1–06; CR 07–083: am. (3) (b) Register February 2008 No. 626, eff. 3–1–08; correction in (3) (c) made under s. 13.92 (4) (b) 7., Stats., Register October 2009 No. 646; EmR0944: emerg. am. (2), eff. 1–4–10; CR 09–122: am. (2) Register June 2010 No. 654, eff. 7–1–10; 2013 Wis. Act 189: r. (3) (b) Register April 2014 No. 700, eff. 5–1–14; CR 21–012: cr. (1g), renum. (1) (intro.) to (1r) (intro.) and am., r. (1) (a), renum. (1) (b) to (d) to (1r) (b) to (d), r. (1) (e), am. (2) (title), renum. (2) to (2) (a) and am., am. (3) (a), renum. (3) (c) to (3) (c) 1. Register September 2021 No. 789, eff. 10–1–21.

### VA 2.03 Retraining grants. (1) DEFINITIONS.

In this section the following terms shall have the designated meanings:

(a) “Available liquid assets” means cash on hand, cash in a checking or savings account, stocks, bonds, certificates of deposit, treasury bills, money market funds and other liquid investments owned individually or jointly by the applicant and the applicant’s spouse, unless the applicant and spouse are separated or are in the process of obtaining a divorce as established by the criteria set forth in s. VA 1.12 (4), but does not include funds deposited in IRAs, Keogh plans, deferred compensation plans, or cash surrender value of life insurance policies.

**Note:** Section VA 1.12 (4) has been repealed.

(b) “Course of instruction” means any series of classroom or shop courses that have a unified purpose and lead to a diploma or degree or to an occupational or vocational objective.

(c) “Earned income” means all anticipated monthly and academic year take-home earnings from employment, including armed forces reserve and national guard pay and work-study pay, after all payroll deductions of the veteran and the veteran’s spouse, except payroll deductions for savings plans and payment of debts.

(d) “FAO” means a school’s financial aid officer.

(e) “Grant period” means one year from the date the application is received by the department or until the anticipated completion date of the applicant’s approved retraining program, whichever is earlier.

(f) “Underemployed” means the status of a veteran whose annual income from employment does not exceed the federal poverty guidelines, as established by the department of health and human services, for the veteran’s family size. The department shall adjust the guidelines on July 1 of each year to reflect the most recent federal poverty guidelines.

(g) “Unearned income” means the estimated amount the veteran and spouse will receive during the academic year from USDVA educational assistance allowance (G.I. Bill) benefits, scholarships, fellowships, grants, tuition and fee waivers, all other definite awards other than loans, including amounts paid to the veteran or to the school on behalf of the veteran for vocational rehabilitation by the USDVA or any other agency, income from trusts or inheritances, unemployment insurance benefits, worker’s compensation, social security payments, net rentals from real estate, interest or dividend income, or other unearned income, but does not include disability compensation paid to the veteran by the USDVA for service-connected disabilities, armed forces disability retirement pay, or parental contributions.

(h) “Unusual expenses” means monthly or academic year payments that a veteran will be required to make on medical and dental expenses or alimony being paid under a final judgment or decree of divorce.

**(2) LIMITATIONS.** (b) *Amount of grant.* 1. An applicant who qualifies for a retraining grant under the provisions of this section and s. 45.21, Stats., are entitled to a grant equal to their need during the grant period or the statutory maximum grant, whichever is less.

2. Except as provided in par. (h), need shall be determined by deducting 75 percent of earned income and all unearned income

to be received by the applicant during the grant period, available liquid assets in excess of \$2,400 plus 6 months' living expenses computed as set forth in s. VA 2.04 held by the applicant at the time of application and all other financial aid that will be received by the applicant during the grant period from the amount needed during the grant period.

3. The amount needed will be the sum of the amount shown on the standard student budget described in s. VA 2.04 for the appropriate time period and for the appropriate number of family members plus any unusual expenses reported by the applicant.

(d) *Completion date.* The anticipated completion date of a course of instruction or a structured on-the-job training program may not be more than 2 years from the date the application is received by the department.

(e) *Number of retraining grants.* A veteran may receive only one grant in a 12-month period. A check for an additional grant may not be mailed until a year has passed since the date the check for the previous grant was mailed. No more than 2 grants may be awarded to a veteran.

(f) *Qualifying prior employment.* The veteran shall demonstrate a work history of at least 6 consecutive months of employment with one employer or in the same or similar occupations. Loss of that employment or a reduction in earnings may not be caused by the voluntary actions of the veteran.

(g) *Grant payments.* 1. The department may make partial grant payments to assure that the veteran continues to pursue an approved course of instruction or engage in an approved structured on-the-job training program during the grant period.

2. The department may require written verification from the school or the employer that the veteran is making satisfactory progress towards completion of the course of instruction or the structured on-the-job training program.

3. If the veteran is unable to verify satisfactory progress towards completion or discontinues pursuit of the course of education or engagement in the structured on-the-job training program, the department may cancel any unpaid portion of the grant.

(h) *Earned income.* Income from an employer who is providing an approved structured on-the-job training program to the veteran shall be disregarded in determining the veteran's need under par. (b).

(i) *Grant limit.* The maximum grant payable under this section for each grant period is \$3,000.

(j) *Lifetime limit.* The total cumulative amount that a veteran may receive under this section is \$6,000.

(k) *Other available financial assistance.* The department may not provide a grant payment under this section if other financial assistance is available to meet the veteran's needs.

**(3) GRANT APPLICATION.** (a) *Required information.* A grant application for retraining funds shall include all of the following exhibits and supplements:

1. Documentation verifying the applicant has a period of qualifying prior employment, is enrolled in a qualifying course of instruction or is engaged in a structured on-the-job training program that meets the requirements of sub. (5).

2. Documentation verifying the applicant has become unemployed, underemployed, or received a notice of termination of employment within the year prior to the date the application is received by the department or has received a retraining grant within 13 months prior to the date the department receives an application for a second grant.

3. A statement written by the applicant explaining the circumstances leading to the need for retraining and an explanation as to why the applicant feels that the desired retraining will lead to gainful employment.

(b) *Procedure for a school-based course.* 1. An application shall be initiated in the office of a county veterans service officer

and completed and submitted by the FAO or other appropriate official representing the school attended by the applicant.

2. The application shall include verification that the applicant has received counseling from an assessment counselor and the counselor approves of the retraining to be taken.

(c) *Procedure for structured on-the-job training program.* 1. The application shall be initiated, completed, and submitted by the office of a county veterans service officer.

2. Each application shall contain a certification by the employer that the requirements of sub. (5) are met.

3. The department shall evaluate the program and determine whether the requirements of sub. (5) are met.

**(4) COORDINATION WITH OTHER OCCUPATIONAL TRAINING PROGRAMS.** (a) The department shall stay in regular contact with and shall promote cooperation with the United States department of labor, the USDVA, the department of workforce development, and any other occupational training program administrator as appropriate.

(b) The department may exchange program literature with the agencies and encourage county veterans service officers to provide information about other programs to veterans who participate in or inquire about the retraining grant program.

**(5) ON-THE-JOB TRAINING PROGRAMS.** All of the following requirements shall be met for approval of a grant for engagement in a structured on-the-job training program:

(a) The employer is planning, upon completion of the veteran's training program, to employ the veteran for the position for which the veteran has been trained and the employer reasonably expects that such a position will be available to the veteran on a stable and permanent basis at the end of the training period.

(b) The training program is not for employment that consists of seasonal, intermittent, or temporary jobs.

(c) The training content of the program is adequate to accomplish the training objective of the program taking into account the occupation for which training is to be provided and the content of comparable, available training opportunities that lead to the occupation.

(d) The wages and benefits to be paid to the veteran participating in the training program may not be less than the wages and benefits normally paid to other employees participating in a comparable training program.

(e) The employment of a veteran under the program may not result in the full or partial displacement of currently employed workers.

(f) The employment of a veteran under this program may not be in a job while any other individual is on layoff from the same or substantially equivalent job or the opening that was created as a result of having terminated the employment of any regular employee or otherwise having reduced the work force with the intention of hiring a veteran under this program.

(g) The employer may not employ in this program a veteran who is already qualified by training or experience for the job for which training is to be provided.

(h) The employer shall consider the veteran's prior applicable training and may shorten the training program accordingly.

(i) Each participating veteran shall be employed full-time in the program of job training.

(j) The training period under the proposed program may not be longer or shorter than the training period that employers in the community customarily require new employees to complete in order to become competent in the occupation for which training is to be provided.

(k) The training establishment or place of employment shall have adequate space, equipment, instructional material, and instructor personnel as needed to accomplish the training objective.

(L) The employer shall keep records adequate to show the progress made by each veteran participating in the program and otherwise to demonstrate compliance with the requirements of the program for at least 3 years. The employer shall make these records and accounts available for examination by the department as may be required.

**History:** Cr. Register, January, 1990, No. 409, eff. 2–1–90; am. (1) (d), (2) (e) and (3) (a), Register, June 1992, No. 438, eff. 7–1–92; r. (1) (f), am. (2) (b) (3) (a), cr. (2) (f), (4), Register, August, 1993, No. 452, eff. 9–1–93; cr. (1) (f), am. (2) (f) and (3) (a), Register, January, 1996, No. 481, eff. 2–1–96; am. (1) (e), (2) (b), (d), (3) (a) and (b), r. (2) (a) and (c), cr. (2) (g), (h), (3) (c), and (5), Register, July, 1998, No. 511, eff. 8–1–98; CR 05–091: am. (2) (g), cr. (2) (i) to (k) Register January 2006 No. 601, eff. 2–1–06; corrections in (4) made under s. 13.92 (4) (b) 6., Stats., Register October 2009 No. 646; 2013; Wis. Act 189: am. (1) (b) to (d), (g), (h), (2) (b) Register April 2013 No. 700, eff. 5–1–14; CR 21–012: am. (1) (intro.), (d), (g), renum. (2) (b) to (2) (b) 1. and am., am. (2) (e), renum. (2) (g) to (2) (g) 1. and am., am. (2) (k), renum. (3) (a), (b), (c), (4) to (3) (a) (intro.), (b) 1., (c) 1., (4) (a) and am., am. (5) (b) to (L) Register September 2021 No. 789, eff. 10–1–21.

**VA 2.04 Standard student budget. (1) EDUCATIONAL BUDGET.** A standard educational budget for a single or married student shall include standard living expenses and all actual expenses for tuition, course fees, and book and materials costs for the academic year.

(2) STANDARD LIVING EXPENSES. (a) Living expenses shall be based upon 9 months living expenses per academic year.

(b) An amount determined under par. (d) shall be added to the budget per month per dependent not including the student's spouse.

(c) A budget for standard living expenses plus the amount to be added to the budget for dependents shall be increased on July 1 of every year.

(d) The amount to be added shall be computed on the basis of the percentage of the increase in the consumer price index for all urban consumers during the preceding calendar year rounded to the nearest dollar.

**History:** Cr. Register, December, 1973, No. 216, eff. 1–1–74; emerg. am., eff. 10–1–74; emerg. am., eff. 1–29–75; emerg. am., eff. 6–25–75; emerg. am., eff. 10–25–75; emerg. am., eff. 1–30–76; emerg. am., eff. 6–1–76; emerg. am., eff. 9–28–76; emerg. am., eff. 2–3–77; emerg. am., eff. 6–4–77; emerg. am., eff. 10–3–77; emerg. am., eff. 1–30–78; emerg. am., eff. 5–31–78; am. Register, September, 1978, No. 273, eff. 10–1–78; am. Register, December, 1979, No. 288, eff. 1–1–80; am. Register, October, 1980, No. 298, eff. 11–1–80; am. Register, April, 1986, No. 364, eff. 5–1–86; am. Register, February, 1989, No. 398, eff. 3–1–89; 2013 Wis. Act 189: renum. from VA 9.03 Register April 2013 No. 700, eff. 5–1–14; CR 21–012: am. (title), renum. VA 2.04 to VA 2.04 (1), (2) (a), (c), (d) and am., cr. (2) (b) Register September 2021 No. 789, eff. 10–1–21.

**VA 2.05 Recovery of erroneous payments. (1) CRITERIA.** The department may recover payments made as a grant under s. 45.20 or 45.21, Stats., if any of the following apply:

(a) The information provided by the applicant or the school is inaccurate.

(b) The department incorrectly calculated the grant amount.

(c) The applicant is not entitled to a grant or is entitled to a lower grant amount as a result of a change in circumstances that affects the applicant's eligibility to receive the grant.

(2) AMOUNT OF RECOVERY. The department may recover only the portion of the grant to which the applicant would not have been entitled if the correct information had been provided or the grant had been properly calculated, or as a change in circumstances warrants.

(3) REMEDIES. (a) The department may request repayment of the amount due under sub. (2).

(b) In lieu of a lump sum payment, the department may enter into an agreement under which the applicant may repay the amount due within a 12-month period.

(c) If the applicant fails to repay the amount due within 30 days of a request for repayment or fails to comply with the terms of a repayment agreement, the department may offset future grants that the applicant may be entitled to under s. 45.20 or 45.21, Stats., until the amount due has been recovered.

(d) The department may also suspend other benefits available to the applicant until the amount due has been recovered, except

that the department may not suspend benefits available under s. 45.40, Stats.

(4) WAIVER. The department may temporarily or permanently waive its authority to recover payments under sub. (1) or suspend benefits under sub. (3) if the applicant's household income is totally exempt from garnishment under s. 812.34 (2) (b), Stats.

(5) ADMINISTRATIVE REVIEW. Any department decision under this section is subject to appeal under s. VA 1.03.

**History:** CR 04–003: cr. Register June 2004 No. 582, eff. 7–1–04; CR 21–012: am. (2), renum. (3) to (3) (a) and am. Register September 2021 No. 789, eff. 10–1–21.

## VA 2.07 Grants to nonprofit organizations.

(1) AUTHORITY AND PURPOSE. The purpose of this section is to establish rules for the implementation and administration of grants to nonprofit organizations that provide financial assistance or other services to Wisconsin veterans and their dependents, as authorized under s. 45.46, Stats.

(2) APPLICABILITY. This section applies to grants awarded under s. 45.46, Stats.

(3) DEFINITIONS. In this section the following terms shall have the designated meanings:

(a) "Applicant" means a nonprofit organization that applies for a grant to provide financial assistance or other services to veterans or their dependents.

(c) "Evaluation committee" means a committee established to evaluate applications made under this section that is comprised of at least one member of the board of veterans affairs and other individuals appointed by the department.

(cm) "Financially viable" means the nonprofit organization is able to meet its financial obligations as they become due for the duration of the grant period.

(d) "Nonprofit organization" means an organization described in section 501 (c) (3) of the internal revenue code that is exempt from federal income tax under section 501 (a) of the internal revenue code.

(4) ELIGIBLE APPLICANT. A nonprofit organization is eligible to receive a grant under this section when all of the following apply:

(a) It provides financial or other assistance to veterans or to the dependents of veterans.

(b) It is current on all federal and state tax obligations.

(c) It is a financially viable nonprofit organization. In this subsection, a nonprofit organization is financially viable if the nonprofit organization can meet its financial obligations for the duration of the grant period.

(d) It is in current good standing with the Wisconsin department of financial institutions.

(5) APPLICATION. (a) *Competitive solicitation.* The department shall ensure that all solicitations are conducted in a manner that provides for fairness and competition.

(b) *Public notice.* 1. The department shall provide reasonable public notice of all solicitations of grant proposals under s. 45.46, Stats.

2. Notice may be made through the print, broadcast, or telecommunications media, including the Internet, at the discretion of the department.

3. The notice shall include the purpose of the grant, the selection criteria, application procedures, and all applicable solicitation deadlines that an applicant is required to meet, or shall contain instructions for obtaining this information.

(c) *Application requirements.* 1. An application for a grant under s. 45.46, Stats., shall be submitted to the department as directed in the notice provided under par. (b).

2. An application shall be fully completed and signed by a representative of the applicant having authority to act for the applicant, and submitted by the required filing deadline.

3. An application shall include all of the following:



- a. Proof of nonprofit status and other financial eligibility criteria listed in sub. (4) (b) to (d).
- b. Information about the organization.
- c. A description of the financial or other assistance or other services it provides to veterans and their dependents.
- d. A description of the need for the requested funds.

**(6) EVALUATION OF APPLICATIONS.** (a) *Evaluation criteria.* The evaluation committee shall evaluate grant applications submitted under sub. (5) utilizing all of the following criteria:

1. Organizational experience providing services to veterans.
2. Understanding and ability to communicate the needs of veterans and their dependents.
3. Stated purpose and objectives for the grant funds and method and timetable for expending funds.
4. Budget clarity and justification.
5. Evaluation plan for the project.
6. Outreach and referral plan to identify and assist veterans or their dependents with services.
7. Program implementation timeline.
9. Past performance.
10. Experience serving underserved populations or underserved geographic areas.
11. Past working relationships with veteran service organizations.

(b) *Rating applications.* 1. The evaluation committee shall weight the importance of each evaluation criterion by using a numerical point system.

2. Using the evaluation criteria specified in par. (a) the evaluation committee shall evaluate each application against each applicable criterion and assign points signifying the degree to which the application meets the criterion up to the maximum number of points.

3. The total points assigned to the application for all applicable criteria will be the score for the application.

4. The evaluation committee shall numerically rank each solicitation for grant proposals under this section.

**(7) NOTIFICATION.** Each applicant shall be notified in writing of the department's decision in accordance with the public notice.

**(8) GRANT AWARDS.** (a) The department shall award a grant to the applicants with the highest numerical score as funds are available.

(b) A grant awarded under this section shall be made on forms approved by the department. The award shall be signed by the authorized representative of the department and shall list the conditions to which the award is subject.

(c) The authorized representative of the recipient nonprofit organization shall accept the grant award by signing the award document and returning it to the department. The department may terminate a grant award if the award is not accepted within 10 calendar days of the date of issuance by the department.

**(10) RESTRICTIONS.** (a) *Prohibited use of funds.* 1. Grant funds shall be used only for the payment or reimbursement of expenses which are reasonable, necessary, and properly assignable to the purposes of the approved grant. Any other use of grant funds is prohibited.

2. A grantee may not use more than a percentage, as determined by the department, of the grant funds for employee wages, compensation, travel, and related expenses assignable to the approved program.

3. A grantee may not use grant funds to purchase capital equipment unless specified in the grant award.

(b) *Violation of prohibited use of funds.* If a grantee uses grant funds for prohibited activities under par. (a), the department may terminate the grant and recover funds previously paid to the

grantee for that funding period on a recoupment schedule specified in the grant award.

(c) *Record keeping.* A grantee shall maintain grant records for at least 3 years and shall provide information to the department as required by the department for the purposes of program or fiscal audits and, at the request of the department, shall appear before the department to respond to any questions about the grant and use of grant funds.

**(11) AMOUNT OF GRANTS.** (a) Subject to pars. (b) and (c), the amount of a grant award shall be based on the amount requested by the applicant and the amount approved by the evaluation committee.

(b) The maximum amount of a grant that the department may make to any nonprofit organization during any fiscal year is \$25,000.

(c) The amount of a grant award is subject to the availability of funds under s. 20.485 (2) (tf), Stats.

**(12) REPORTING REQUIREMENTS.** A grantee receiving a grant under this section shall submit to the department data and information on the use and effect of the grant funds as specified in this section and in the grant award by the later of 6 months from the date of award or June 30 of the fiscal year in which the grant is awarded. The grantee shall authorize the department to audit and inspect its records.

**(13) ASSURANCES AND CERTIFICATIONS.** (a) *Authority to sign and accept funds.* The grantee shall certify that the designated signatory official has the authority to sign on behalf of the grantee and has the authority to accept funds.

(b) *Compliance statement.* Before the department releases grant funds, the grantee shall provide a statement that it is in compliance with applicable state and federal laws, rules, and regulations, including tax laws, the requirements of this section, and the grant award.

(c) *Nondiscrimination and equal opportunity.* In accordance with s. 16.765, Stats., the grantee shall follow all state and federal anti-discrimination laws and equal employment opportunity practices in the administration and delivery of program services to eligible applicants.

**History:** EmR1416: emerg. cr., eff. 8–14–16; CR 14–058: cr. Register September 2017 No. 741, eff. 10–1–17; correction in (5) (c) 1. made under s. 13.92 (4) (b) 7., Stats., Register September 2017 No. 741; CR 21–012: am. (3) (intro.), r. (3) (b), am. (3) (c), cr. (3) (cm), am. (3) (d), (4) (d), renum. (5) (b), (c) to (5) (b) 1., (c) 1. and am., r. (6) (a) 8., renum. (6) (b) to (6) (b) 1. and am., am. (8) (b), r. (9), renum. (10) (a) to (10) (a) 1. and am., am. (13) (c) Register September 2021 No. 789, eff. 10–1–21; correction in (3) (c) made under s. 35.17, Stats., Register September 2021 No. 789.

## VA 2.08 Veterans employment and entrepreneurship grants.

**(1) AUTHORITY AND PURPOSE.** The purpose of this section is to establish rules for the implementation and administration of grants to assist veteran entrepreneurs, to give employers in this state incentives to hire veterans, especially disabled veterans, to improve veteran employment outcomes, and to help fund employment training for veterans, especially disabled veterans, as authorized under s. 45.437, Stats.

**(2) APPLICABILITY.** This section applies to grants awarded under s. 45.437, Stats.

**(3) DEFINITIONS.** In this section the following terms have the designated meanings:

(a) "Applicant" means an employer or nonprofit organization located in this state that applies for a grant to improve employment outcomes for veterans living in this state.

(b) "Certification request" means a form approved by the department used to verify the employee is a veteran and a resident of this state in accordance with ss. 45.01 (12) and 45.02, Stats., and has a service-connected disability rating of at least 50 percent, under 38 USC 1114 or 1134.

(d) "Disabled veteran" means a veteran who is verified by the department to have a service-connected disability rating of at least 50 percent under 38 USC 1114 or 1134.

(e) “Employee” means a person who is hired for a wage, salary, fee, or payment to perform work for an employer.

(f) “Employer” means a person or organization located in the state that employs people, but does not include local, state, and federal government agencies.

(fe) “Entrepreneur” means an individual who organizes, manages, and assumes the risks of a business, enterprise, or non-profit organization.

(g) “Evaluation committee” means a committee established to evaluate applications made under sub. (5) that is comprised of at least one member of the board of veterans affairs and other individuals appointed by the department.

(gm) “Financially viable” means a nonprofit organization is able to sustain itself over the long term in order fulfill the organization’s mission and support continuance of the organization’s operations, programs, and services without the sole reliance on grant funds awarded under this section.

(h) “Full-time job” means a regular, nonseasonal, full-time position in which an individual, as a condition of employment, is required to work at least 2,080 hours per year, including paid leave and holidays.

(i) “Grant” means an agreement between the department and the grantee where the department provides funds from the appropriation under s. 20.485 (2) (qm), Stats., for the purposes specified in s. 45.437, Stats.

(j) “Grantee” means an employer or nonprofit organization receiving a grant from the department.

(k) “Grant participant” means a person who meets the requirements of s. 45.01 (12), Stats., and receives services under sub. (5).

(L) “Nonprofit organization” means an organization described in section 501 (c) (3) or 501 (c) (6) of the Internal Revenue Code that is exempt from federal income tax under section 501 (a) of the Internal Revenue Code.

(m) “Part-time job” means a regular, nonseasonal, part-time position in which an individual, as a condition of employment, is required to work fewer than 2,080 hours per year, including paid leave and holidays.

(mg) “Program” means the veterans employment and transition support grant program.

(mr) “Transitioning service member” means an individual who is separating or has separated from the U.S. armed forces to return to civilian life.

(n) “Underserved geographic areas of the state” means rural communities.

(o) “Underserved veteran populations” means minority groups, women, low-income, or veterans with disabilities.

**(4) VETERANS EMPLOYMENT GRANTS.** (a) From the appropriation under s. 20.485 (2) (qm), Stats., the department may award a grant in any of the following amounts to any employer who hires a disabled veteran to work at a business in this state:

1. For each disabled veteran the employer employs for 12 consecutive months to work a full-time job at the employer’s business in this state, \$2,500 following the first 6 months of employment, and \$2,500 following the second 6 months of employment.

2. Subject to par. (d), for each disabled veteran the employer employs for 12 consecutive months to work a part-time job at the employer’s business in this state, \$1,250 following the first 6 months of employment, and \$1,250 following the second 6 months of employment.

(b) 1. A grant application shall be submitted, manually or electronically, directly to the department on a form approved by the department.

2. The application shall specify employer and employee contact information and verification of employee employment status.

3. The department may request additional verification of any information provided in the application.

4. A certification request shall be submitted with the application. The certification shall be used to verify the employee is a veteran and a resident of this state in accordance with ss. 45.01 (12) and 45.02, Stats., and has a service-connected disability rating of at least 50 percent, under 38 USC 1114 or 1134.

(c) The department may not pay a grant to an applicant if the veteran voluntarily or involuntarily terminates employment with the applicant.

(d) The department shall determine the amount of the grant under sub. (4) (a) as follows:

1. Divide the number of hours that the disabled veteran worked for the applicant for 6 consecutive months of employment by 1040, or for 12 consecutive months of employment by 2,080.

2. Multiply the number determined under subd. 1. by \$1,250 for 6 consecutive months of employment or \$2,500 for 12 consecutive months of employment.

**(5) VETERANS ENTREPRENEURSHIP GRANTS.** (a) *Eligible applicant.* A nonprofit organization is eligible to receive a grant under this subsection when the organization meets all of the following conditions:

1. It provides entrepreneurship training, technical or business assistance, financial assistance, or other assistance to veteran entrepreneurs to improve employment outcomes.

2. It is current on all federal and state tax obligations.

3. It is a financially viable nonprofit organization.

4. It is registered and in good standing with the Wisconsin department of financial institutions.

(b) *Competitive solicitation of grant proposals.* The department shall ensure that it conducts all solicitations of grant proposals in a fair and competitive manner.

(c) *Public notice of solicitation of grant proposals.* 1. The department shall provide reasonable public notice of all solicitations by the department for proposals for the award of grants by the department under s. 45.437, Stats.

2. Notice may be made through print, broadcast, or telecommunications media, including the Internet, at the discretion of the department.

3. The notice shall include the purpose of the grants and the selection criteria, application procedures, and all applicable solicitation deadlines that an applicant is required to meet, or shall contain instructions for obtaining this information.

(d) *Grant application requirements.* A representative of the applicant having authority to act for the applicant shall sign the application, ensure that it is complete, and submit it by the deadline. Applications shall include all of the following:

1. Application on a form approved by the department.

2. Proof of nonprofit status as an organization registered under section 501(c)(3) or 501(c)(6) of the Internal Revenue Code.

3. Grant request cover letter that includes a synopsis of the grant proposal and amount of grant requested.

4. A description of the entrepreneurship training, technical, business, or financial assistance, or other entrepreneurship assistance that it provides to veterans.

5. Most recent annual report or other literature summarizing the organization’s programs.

6. List of board members and executive officers including titles and affiliations.

7. Income statement and balance sheet for the most recent fiscal year, as well as a budget and income projection for the grant period, as disclosed in the notice described in sub. (5).



8. Information that demonstrates that the applicant has achieved all of the following required program goals during the previous year:

a. Expansion of entrepreneur opportunities for veterans by providing services that may include entrepreneurship training, technical and business assistance, financial assistance, or other entrepreneurship services to veterans.

b. Increase of collaboration with other agencies to strengthen the delivery of programs, resources, and services to veteran entrepreneurs.

c. Expansion of outreach to underserved geographic areas of the state and underserved veteran populations.

9. Disclosure of any other grants funds received from any other state agency for the same or similar purpose.

10. A signed verification of matching funds form, if required by the department.

(e) *Evaluation of grant applications.* The evaluation committee shall evaluate grant applications submitted under this subsection against selection criteria. The department shall develop criteria to evaluate applicants with regard to all of the following rating categories:

1. The applicant's background and organizational history.
2. The applicant's organizational qualifications and past performance.
3. The applicant's experience working with veterans.
4. The applicant's need for grant funding, including a detailed budget.
5. The applicant's outreach and referral plan.
6. The applicant's program implementation timeline.
7. The applicant's monitoring and program evaluation.
8. The applicant's program goals and objectives.
9. The applicant's past working relationships with other start-up businesses and entrepreneurship programs.

(f) *Notification of award or denial of grant.* The department shall notify each applicant in writing of its decision to award or not award a grant in accordance with the public notice under this subsection.

(g) *Grant awards.* 1. The department shall award grants to the applicants with the highest numerical scores determined under the criteria developed under par. (e) as funds are available.

2. A grant awarded under this section shall be made on forms approved by the department.

3. The award shall be signed by the authorized representative of the department and shall list any conditions to which the award is subject.

(h) *Grant acceptance.* The authorized representative of the recipient nonprofit organization shall accept the grant award by signing the award document and returning it to the department. The department may terminate a grant award if the award is not accepted within 10 calendar days of the date of issuance by the department.

(i) *Amount of grants.* The amount of each grant will be based on the amount requested and the amount approved by the evaluation committee. The grant award may not exceed the amount requested.

(j) *Restrictions.* 1. 'Prohibited use of funds.' ae. Grant funds shall be used only for the payment or reimbursement of reasonable and appropriate expenses assignable to the approved purposes of the grant. Any other use of grant funds is prohibited.

am. A grantee may not use more than a percentage, as determined by the department, of the grant funds for employee wages, compensation, travel, and related expenses assignable to the approved program.

as. A grantee may not use grant funds to purchase capital equipment unless specified in the grant award.

b. A grantee agrees that no grant appropriated funds will be paid to any person for influencing or attempting to influence an officer or employee of any agency, any member of the Wisconsin legislature, or an employee of a member of the legislature in connection with the awarding of any state contract, the making of any state grant, the making of any state loan, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any state contract, grant, loan, or cooperative agreement.

c. A grantee may not use grant funds to make loans or for repayment of loans or mortgages.

d. A grantee may not charge interest or otherwise financially profit from funds awarded under this section.

e. A grantee may not reassign grant funds.

f. A grantee shall comply with any other restrictions as determined by the department.

2. 'Violation of prohibited use of funds.' If a grantee uses grant funds for prohibited activities under par. (a), the department may terminate the grant and recover funds previously paid to the grantee for that funding period on a recoupment schedule specified by the department.

3. 'Record keeping.' A grantee shall maintain grant records for at least 3 years and shall provide information to the department as required by the department for the purposes of program or fiscal audits and, at the request of the department, shall appear before the department to respond to any questions about the grant and use of grant funds.

(k) *Eligibility and certification.* A grantee shall verify eligibility of each grant participant. Only eligible grant participants shall receive services funded by a grant awarded under this subsection.

(L) *Reporting requirements.* A grantee receiving a grant under this subsection shall submit to the department data and information specified in the grant agreement.

(m) *Assurances and certifications.* 1. 'Authority to sign and accept funds.' The grantee shall certify that the designated signatory official has the authority to sign on behalf of the grantee and has the authority to accept funds.

2. 'Compliance statement.' Before the department releases grant funds, the grantee shall provide a statement that it is in compliance with applicable state and federal laws, rules, and regulations, including tax laws, the requirements of this section, and the grant award.

3. 'Nondiscrimination and equal opportunity.' In accordance with s. 16.765, Stats., the grantee shall follow all state and federal anti-discrimination laws and equal employment opportunity practices in the administration and delivery of program services to eligible applicants.

(6) VETERANS EMPLOYMENT AND TRANSITION SUPPORT GRANT PROGRAM. (a) *Purpose.* The purpose of the program is to award grants to nonprofit organizations that develop and maintain a peer network of mentors to connect transitioning service members with employment opportunities.

(b) *Public notice.* 1. The department shall provide reasonable public notice of solicitations of grants awarded under this subsection to enable any eligible applicant to submit an application throughout the fiscal year subject to the availability of funds.

2. The department may communicate the public notice through print, broadcast, telecommunications media, or the Internet.

3. The notice shall include the purpose of the grant solicitation, eligibility criteria, application requirements and procedures, and any applicable deadlines that an applicant is required to meet or shall contain instructions for obtaining this information.

(c) *Eligible applicant.* A nonprofit organization is eligible to apply for grant funds under this subsection if it meets all of the following conditions:

1. It has a signed memorandum of agreement with the regional Veterans Integrated Services Network for the purpose of assisting servicemembers throughout the transition process from military through civilian life.

2. It is a Wisconsin nonprofit organization that currently serves veterans.

3. It is current on all federal and state tax obligations.

4. It is a financially viable nonprofit organization.

5. It is registered and in good standing with the Wisconsin department of financial institutions.

6. It has been in existence for a minimum of 5 consecutive years preceding the application.

7. It is current on any reporting requirements for previously received grants awarded by the department.

(d) *Grant application requirements.* An application submitted to the department shall include all of the following:

1. A complete application on a form approved by the department and signed by a representative having authority to act for the applicant.

**Note:** The application form may be obtained on the Department's website at <https://dva.wi.gov>, or by request from the Department of Veterans Affairs, 2135 Rimrock Road, P.O. Box 7843, Madison, WI 53707–7843, or call 800–WIS–VETS (800–947–8387).

2. A cover letter.

3. The amount of grant funds requested.

4. Proof of the organization's nonprofit status.

5. A certificate of status from the Wisconsin department of financial institutions.

**Note:** A Certificate of Status may be obtained from the Department of Financial Institutions at <https://wdfi.org/apps/ccs/>.

6. A copy of the signed memorandum of agreement with the regional Veterans Integrated Services Network as required under par. (c) 1.

7. A description of the organization that includes the following information:

a. A summary of the services provided to service members and veterans.

b. A list of current board members and executive officers including titles and affiliations.

c. A statement that demonstrates the organization's experience with or how it proposes to recruit and maintain a network of trained and certified veteran peer mentors.

d. A statement that demonstrates the organization's experience with or how it proposes to connect veterans with relevant employment opportunities proportionate to the transitioning service member's level of skill, training, education, and experience attained through military service and personal development.

8. An income statement and balance sheet for the most recent fiscal year.

9. A detailed budget that describes how grant funds will be used.

10. A statement that the organization is in compliance with applicable state and federal laws, rules, and regulations, including tax laws, and the requirements of this subsection.

11. Disclosure of any other grant funds received from the department or any other state agency for the same or a similar purpose.

12. Any other relevant information required by the department.

(e) *Grant awards.* 1. The department shall award grants as funds are available.

2. The number of grants awarded during any fiscal year shall be determined by the department.

3. The grant application shall list any conditions to which the grant award is subject and as part of the grant application the representative having authority to act for the applicant, who signed

the grant application, shall agree to be bound by those terms and conditions.

(f) *Amount of grants.* 1. The department may allocate grant funds to support the program, subject to availability of funds under s. 20.485 (2) (qm), Stats.

2. The amount of each grant shall be determined by the department based on the amount requested but may not exceed the amount requested and may not exceed \$20,000 per applicant during any fiscal year.

(g) *Prohibited use of funds.* 1. Grant funds shall only be used for the payment or reimbursement of reasonable and appropriate expenses that relate to improving employment outcomes. Reasonable and appropriate expenses are solely expenses that are consistent with the approved purposes of the grant as determined by the department. Any other use of grant funds is prohibited.

2. Grant funds awarded under this subsection shall only be used to provide program-related services to a transitioning service member.

3. A grantee may not use more than a percentage, as determined by the department, of the grant funds for employee wages, compensation, and travel expenses incurred while performing program-related work.

4. Grant funds may not be used to purchase capital equipment unless specified in the grant.

5. Grant funds may not be used to pay any person for influencing or attempting to influence an officer or employee of any agency, any member of the Wisconsin legislature, or an employee of a member of the legislature in connection with the awarding of any state contract, the making of any state grant, the making of any state loan, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any state contract, grant, loan, or cooperative agreement.

6. A grantee may not charge interest or otherwise financially profit from grant funds awarded under this subsection.

7. A grantee may not reassign grant funds awarded under this subsection.

8. If a grantee uses grant funds for prohibited activities, the department may terminate the grant and recover funds previously paid to the grantee for that funding period on a recoupment schedule specified by the department.

(h) *Reporting requirements.* A grantee shall submit to the department data and information specified in the grant application terms and conditions.

(i) *Record keeping.* 1. A grantee shall maintain grant records for at least 6 years and shall provide required information to the department upon request.

2. The department may audit a grantee's records to ensure compliance with applicable grant requirements in accordance with s. 45.47, Stats.

(j) *Assurances and certifications.* 1. 'Authority to sign and accept funds.' The grantee shall certify that the designated signatory official has the authority to sign on behalf of the grantee and has the authority to accept funds.

2. 'Nondiscrimination and equal opportunity.' In accordance with s. 16.765, Stats., the grantee shall follow all state and federal anti-discrimination laws and equal employment opportunity practices in the administration and delivery of services funded under this program.

**History:** CR 17–003: cram. Register March 2018 No. 747, eff. 4–1–17; correction in (3) (b), (g), (k), (L), (o), (4) (b), (5) (a) 3., (d) 2., 7., made under s. 35.17, Stats., and (4) (b) (title) deleted under s. 13.92 (4) (b) 2., Stats., Register March 2018 No. 747; CR 21–012: am. (3) (intro.), (b), r. (3) (c), am. (3) (g), cr. (3) (gm), am. (3) (h), (i), (L), (m), r. (3) (p), renum. (4) (b) to (4) (b) 1. and am., am. (4) (c), (d) 1., (5) (a) 3., renum. (5) (c) to (5) (c) 1. and am., am. (5) (d) 1., 5., cr. (5) (d) 9., 10., renum. (5) (g) to (5) (g) 1. and am., am. (5) (i), renum. (5) (j) 1. a. to (5) (j) 1. ae. and am., cr. (5) (j) 1. c. to f., am. (5) (j) 2., (k), renum. (5) (L) (intro.) to (5) (L) and am., r. (5) (L) 1. to 4., am. (5) (m) 3. Register September 2021 No. 789, eff. 10–1–21; (3) (fe) renumbered from (1r) (kg) under s. 13.92 (4) (b) 1., Stats., and correction in (3) (g) made under s. 35.17, Stats., Register September 2021 No. 789; EmR2201: cr. (3) (c), (km), (mm), (p) to (r), (6), eff. 1–21–22; CR 22–042: am. (1), cr. (3) (mg), (mr), (6) Register

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DEPARTMENT OF VETERANS AFFAIRS

**VA 2.08**

April 2023 No. 808, eff. 5-1-23; correction in (6) (d) 6. made under s. 13.92 (4) (b) 7., Stats., Register May 2023 No. 809.