

CERTIFICATE

STATE OF WISCONSIN )  
 ) ss.  
DEPARTMENT OF TRANSPORTATION )

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SEP 17 1992  
1:45 pm  
Revisor of Statutes  
Bureau

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to **minority civil engineer scholarships and loan repayment incentive grants**, was duly approved and adopted by this Department on September 16, 1992.

I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 16 day of September, 1992.



Charles H. Thompson  
CHARLES H. THOMPSON  
Secretary

IN THE MATTER OF a rule creating ch. Trans 403, Wisconsin Administrative Code, relating to minority civil engineer scholarships and loan repayment incentive grants.

**ORDER ADOPTING RULE**

**Analysis Prepared by the Wisconsin Department of Transportation**

**STATUTORY AUTHORITY:** ss. 85.16(1) and 85.107, Stats.

**STATUTE INTERPRETED:** s. 85.107, Stats.

**General Summary of Rule.** The executive budget bill of the 1987 Legislature (1987 Wis. Act 27) created s. 85.107, Stats., to provide for a minority civil engineer scholarship and loan repayment incentive grant program for the purpose of improving the representation of minorities among employees of the Department of Transportation who are classified as civil engineers. This rule describes the Department's implementation of the program and its administrative interpretation of s. 85.107, Stats.

Under the rule, the program will be administered jointly by the Department's Division of Highways and Division of Business Management. The Department will establish a committee, whose members will include the agency's affirmative action and equal employment opportunity officer and representatives of participating highway districts, for the purpose of screening applicants and evaluating scholarship recipients.

Scholarship applications are to be submitted to the Department at the end of the winter-spring academic term for scholarships to be awarded under the program for the following academic year. Participants in the program must be resident minority group members who are enrolled full time and registered as sophomores, juniors or seniors in a civil engineering bachelor of science program offered by an accredited institution of higher education in Wisconsin. Participants will be required to demonstrate satisfactory academic progress and interest in civil engineering training and employment opportunities with the Department. As a condition of a scholarship award, a participant will also be required to accept a position with the Department as a limited term employee or cooperative education program employee for the summer months following the academic term for which the award is made, unless the participant is a graduating senior. Program participants may work part time for the Department during an academic term but are not required to do so.

The rule also specifies certain conditions for the Department's loan repayment incentive grant program for minority civil engineers. The program is available to minority civil engineers who begin work as civil engineers on or after August 1, 1987, and who have completed at least one year of permanent full-time employment with the Department in that capacity. The grants are for the repayment of education loans incurred to obtain the civil engineering bachelor of science degree. The loans must be from a recognized lending institution, including major credit card companies.

**Fiscal Estimate.** The Department does not anticipate any independent fiscal impact as a result of the promulgation of this rule. Since the enactment of s. 85.107, Stats., as part of the 1987 budget act, the Department has expended \$18,500 in fiscal year 1988, \$27,000 in fiscal year 1989 and \$38,400 in fiscal year 1990 for scholarships and loan repayment grants under the program. The Department anticipates that funding for the entire program will rise to an annual level of \$50,000 in state funds from the appropriation under s. 20.395(4)(aq), Stats. The rule will have no effect on the fiscal liabilities and revenues of any county, city, village, town, school district, vocational, technical and adult education district, or sewerage district.

**Final Regulatory Flexibility Analysis.** The proposed rule has no effect on any small businesses as the rule provides scholarship and loan repayment grants only to individuals.

**Contact Persons.** Persons having questions about this rule may contact Jim Zegers, Division of Highways, 4802 Sheboygan Avenue, Room 951, Madison, Wisconsin, 53707, telephone (608) 267-7354; or Demetri Fisher, Division of Business Management, 4802 Sheboygan Avenue, Room 132-B, Madison, Wisconsin, 53707, telephone (608) 266-0507.

**Copies of Rule.** Copies of this rule are available, free of charge, upon request from the Wisconsin Department of Transportation, Office of General Counsel, P.O. Box 7910, 4802 Sheboygan Avenue, Room 115-B, Madison, Wisconsin, 53707-7910, telephone (608) 266-8810.

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## **TEXT OF RULE**

Under the authority vested in the state of Wisconsin, department of transportation, by ss. 85.16(1) and 85.107, Stats., the department of transportation hereby adopts a rule interpreting s. 85.107, Stats., relating to the minority civil engineer scholarship and loan repayment incentive grant program.

SECTION 1. Chapter Trans 403 is created to read:

### **CHAPTER TRANS 403**

#### **MINORITY CIVIL ENGINEER SCHOLARSHIP AND LOAN REPAYMENT**

#### **INCENTIVE GRANT PROGRAM**

**TRANS 403.01 PURPOSE AND SCOPE.** (1) **PURPOSE.** The purpose of this chapter is to set forth the department of transportation's administrative interpretation of s.

85.107, Stats., and to prescribe the administrative policies and procedures for implementing the minority civil engineer scholarship and loan repayment incentive grant program.

(2) SCOPE. This chapter establishes eligibility criteria for the program, standards for continuing participation in the program and conditions for awarding scholarships and educational loan repayment incentive grants under the program.

**TRANS 403.02 DEFINITIONS.** In this chapter:

(1) "Department" means the department of transportation.

(2) "Minority" has the meaning specified for "minority group member" under s. 560.036(1)(f), Stats.

(3) "Program" means the minority civil engineer scholarship and loan repayment incentive grant program authorized under s. 85.107, Stats.

(4) "Satisfactory academic progress" means that level of academic performance, as defined by the institution in which the student is enrolled, which is normally required to insure adequate progress toward the attainment of the degree or certificate required under s. 85.107, Stats.

**TRANS 403.03 PROGRAM ADMINISTRATION.** (1) JOINT ADMINISTRATION.

The program will be administered jointly by the department's division of highways and division of business management.

(2) COMMITTEE. The department shall establish a committee consisting of representatives of the divisions identified in sub. (1) for the purpose of screening applicants for scholarships, evaluating scholarship recipients for continuing participation in the program and screening applicants for loan repayment incentive grants. The committee shall include the administrator of the division of highways or the administrator's designee, the affirmative action and equal employment opportunity officer for the department and one representative

from each transportation district that provides training or work experience for students in the program. The committee may establish criteria in addition to those specified in this chapter in order to perform its screening and evaluation functions. The committee may conduct personal interviews of applicants and program participants or may provide for such interviews to be conducted by a panel selected by the committee.

**TRANS 403.04 SCHOLARSHIPS.** (1) **SELECTION PROCESS.** The department shall annually select scholarship recipients on the basis of written application materials, any criteria developed by the committee under s. Trans 403.03(2) and personal interviews. Recipients of scholarships are required to submit new applications for each subsequent academic year for which scholarship aid is sought.

(2) **SCHEDULE.** The department shall establish annually a schedule for the distribution and submission of application materials. The schedule shall provide for the submission of application materials to the department at the end of the winter-spring academic term for scholarships to be awarded for the following academic year. The schedule shall include a recruitment program during the winter-spring academic term to inform prospective applicants of the scholarships, training and employment opportunities available under the program.

(3) **ELIGIBILITY CRITERIA.** (a) To qualify for a minority civil engineer scholarship, a person shall meet all the following criteria:

1. Be a minority group member.
2. Be a resident of this state as determined by the department.
3. Be enrolled full time and registered as a sophomore, junior or senior at an accredited institution of higher education in this state. In this subdivision, "full time" includes enrollment in that number of academic courses that enables a student who

participates in cooperative engineering employment with the department to complete a civil engineering degree within the period of time normally required to do so while participating in a cooperative training program under s. 230.22(4), Stats., and s. ER-PERS 6.13, Wisconsin administrative code.

4. Demonstrate satisfactory academic progress in a civil engineering bachelor of science program offered by the institution of higher education in which the student is enrolled or, if the person is not permitted to participate in the civil engineering program until having completed prerequisite coursework, demonstrate satisfactory academic progress in that prerequisite coursework and demonstrate intent to participate in a civil engineering bachelor of science program.

5. Demonstrate an interest in civil engineering training and employment opportunities with the department and in program activities.

(b) The department shall adopt the determination of the institution of higher education in which a person is enrolled with respect to whether a person demonstrates satisfactory academic progress in a civil engineering bachelor of science program.

(4) APPLICATION PROCESS. An applicant for a scholarship shall submit to the department a completed application form prescribed by the department, a statement of interest in the program, a certified copy of the applicant's transcript and such other information as the department may request.

**NOTE:** The Minority Engineering Program Application form--AP750--can be obtained from the Wisconsin Department of Transportation, Bureau of Human Resource Services, P. O. Box 7915, Room 132-B, Madison, WI 53707-7915.

(5) PARTICIPATION REQUIREMENTS. (a) A student who is awarded a scholarship shall accept, as a condition of the award, a position with the department as a limited term employee or cooperative education program employee for the summer months

following the academic term for which the award was made and during which the student was classified as a sophomore, junior or senior. The department shall assign a civil engineer mentor to orient and work with each student during the student's required summer employment or training period under this paragraph. A student who is awarded a scholarship may work part time for the department during an academic term but is not required to do so. The committee under s. Trans 403.03(2) may make exceptions to the summer employment or training requirement on a case-by-case basis. The summer employment or training requirement does not apply to a graduating senior.

(b) A student who is awarded a scholarship shall maintain the standards for eligibility under sub. (3)(a) 1 to 4 and demonstrate ongoing interest in the program and in future employment as a civil engineer with the department for the duration of the student's participation in the program. The department shall evaluate each student participant in the program each semester or other academic term for compliance with this paragraph.

(6) REMOVAL FROM PROGRAM. The department may terminate a student's participation in the program for noncompliance with the standards under sub. (5)(b), poor work performance, voluntary or involuntary removal from the institution of higher education in which the student is enrolled, conduct which under department work rules would be cause for discipline or termination of employment, or other reasons specified by the committee under s. Trans 403.03(2) as criteria for termination from the program.

(7) DISTRIBUTION OF AWARDS. The department shall determine the scholarship amount that may be awarded annually to a program applicant on the basis of the applicant's student status, as specified in s. 85.107(3)(a), Stats. The department shall distribute 50% of a scholarship at the beginning of the fall academic term to which the award applies. Subject to a satisfactory evaluation under sub. (5), the department shall

distribute the remainder of the scholarship at the beginning of the winter-spring academic term to which the award applies.

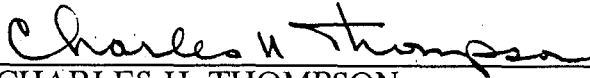
**TRANS 403.05 LOAN REPAYMENT INCENTIVE GRANTS.** The department may make loan repayment incentive grants as specified in s. 85.107(3)(b), Stats., to minority civil engineers who begin full-time employment as civil engineers with the department on or after August 1, 1987, and who have completed one year of permanent full-time employment with the department. A loan repayment incentive grant shall be used only to repay a minority civil engineer's education loans that are directly attributable to his or her acquiring a civil engineering bachelor of science degree and that are outstanding on the date a grant applicant begins full-time employment as a civil engineer with the department. Only loans from recognized lending institutions, including major credit card companies, shall be eligible for loan repayment incentive grants.

(END OF RULE TEXT)

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**Effective Date.** This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 16 day of September, 1992.

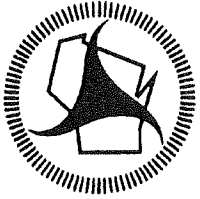
  
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CHARLES H. THOMPSON  
Secretary  
Wisconsin Department of Transportation

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## Wisconsin Department of Transportation

Tommy G. Thompson  
Governor

Charles H. Thompson  
Secretary

OFFICE OF GENERAL COUNSEL  
P. O. Box 7910  
Madison, WI 53707-7910

September 17, 1992

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Mr. Gary Poulson  
Assistant Revisor of Statutes  
119 Martin Luther King, Jr. Blvd.  
2nd Floor  
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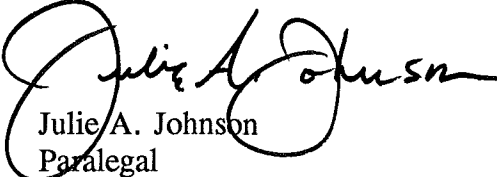
RE: **CLEARINGHOUSE RULE 92-70**

In the Matter of the Adoption of **TRANS 403**, Wisconsin Administrative Code, relating to **minority civil engineer scholarships and loan repayment incentive grants**.

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 92-70**, an administrative rule relating to the above-mentioned matter. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,

  
Julie A. Johnson  
Paralegal

Enclosures

cc: Tom Walker  
Dorothy Kapke  
Jim McDonnell  
Fred Ross  
Jim Zegers  
Demetri Fisher