

2013 Senate Bill 334 (LRB -3154)

An Act to create 20.235 (1) (fw) and 39.415 of the statutes; relating to: technical excellence higher education scholarships, granting rule-making authority, and making an appropriation. (FE)

2013

10-04. S. Introduced by Senators **Gudex, Darling, L. Taylor, Lehman and Olsen**; cosponsored by Representatives **Krug, Ballweg, Stone, Petryk, Marklein, Wright, Kestell, Nygren, Kleefisch, T. Larson, Bies, C. Taylor, Weatherston, Tranel, Pridemore, Bernier, Endsley, LeMahieu and Murphy**. 388

10-04. S. Read first time and referred to Committee on Economic Development and Local Government 388

10-09. S. Fiscal estimate received

10-10. S. Public hearing held

10-11. S. Senator Lassa added as a coauthor 411

10-11. S. Executive action taken

10-11. S. Report passage recommended by Committee on Economic Development and Local Government, Ayes 5, Noes 0 409

10-11. S. Available for scheduling

10-11. S. Fiscal estimate received

10-15. S. Referred to joint committee on Finance by committee on Senate Organization pursuant to Senate Rule 41 (1)(e), Ayes 5, Noes 0 418

10-15. S. Executive action taken

10-16. S. Report introduction and adoption of Senate Amendment 1 recommended by Joint Committee on Finance, Ayes 16, Noes 0 (**LRB a1002**) 427

10-16. S. Report passage as amended recommended by Joint Committee on Finance, Ayes 16, Noes 0 427

10-16. S. Available for scheduling

11-01. S. Senator Carpenter added as a coauthor 453

11-04. S. Placed on calendar 11-5-2013 pursuant to Senate Rule 18(1) 455

11-05. S. Senator Hansen added as a coauthor

11-05. S. Read a second time

11-05. S. **Senate Amendment 1 adopted**

11-05. S. Ordered to a third reading

11-05. S. Rules suspended

11-05. S. Read a third time and **passed**, Ayes 33, Noes 0

11-05. S. Ordered immediately messaged

11-05. A. Received from Senate

11-05. A. Rules suspended

11-05. A. Read first time and referred to calendar of 11-5-2013

11-05. A. Read a second time

11-05. A. Assembly Amendment 1 offered by Representatives C. Taylor, Mason, Kessler, Berceau, Hesselbein, Pasch, Clark, Sinicki, Zepnick, Ringhand, Kolste, Bernard Schaber, Shankland, Billings, Johnson, Ohnstad, Goyke, Pope and Hebl (**LRB a1108**)

11-05. A. Assembly Amendment 1 laid on table, Ayes 56, Noes 39

11-05. A. Ordered to a third reading

11-05. A. Rules suspended

11-05. A. Read a third time and **concurred in**, Ayes 92, Noes 3

11-05. A. Ordered immediately messaged

11-06. S. Received from Assembly concurred in

SB

2013

ENROLLED BILL

13en S B-334

ADOPTED DOCUMENTS:

Orig Engr ___ SubAmdt ___

13- 3154/3

Amendments to above (if none, write "NONE"): SA1 - a 1002/1

Corrections - show date (if none, write "NONE"): NONE

Topic Rel

11-6-13

Date

[Signature]

Enrolling Drafter



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3154/3
GMM:sac&kjf:jm

2013 SENATE BILL 334

October 4, 2013 – Introduced by Senators GUXEY, DARLING, L. TAYLOR, LEHMAN and OLSEN, cosponsored by Representatives KRUG, BALLWEG, STONE, PETRYK, MARKLEIN, WRIGHT, KESTELL, NYGREN, KLEEFISCH, T. LARSON, BIES, C. TAYLOR, WEATHERSTON, TRANEL, PRIDEMORE, BERNIER, ENDSLEY, LEMAHIEU and MURPHY. Referred to Committee on Economic Development and Local Government.

1 **AN ACT to create** 20.235 (1) (fw) and 39.415 of the statutes; **relating to:** technical
2 excellence higher education scholarships, granting rule-making authority, and
3 making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the Higher Educational Aids Board (HEAB) administers the Academic Excellence Higher Education Scholarship Program under which HEAB awards scholarships to certain scholars, designated on the basis of grade point average, who enroll, on a full-time basis, in a public or private institution of higher education in this state. Under the program, a higher education scholarship recipient who enrolls in a technical college district school is exempt from all tuition and fees, up to \$2,250 per academic year, for each year, up to three years, that the recipient is enrolled full time, maintains at least a 3.000 grade point average, and makes satisfactory progress toward an associate or a bachelor's degree or a vocational diploma. Under that program, HEAB pays the institution of higher education attended by a scholar up to \$1,125 per academic year and the institution must match the amount paid to the institution by HEAB.

Currently, those scholarships may be awarded: 1) to the senior with the highest grade point average from each high school in this state enrolling at least 80 but fewer than 500 pupils; 2) to the two seniors with the two highest grade point averages from each high school in this state enrolling at least 500 but fewer than 1,000 pupils; 3) to the three seniors with the three highest grade point averages from each high school in this state enrolling at least 1,000 but fewer than 1,500 pupils; 4) to the four

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seniors with the four highest grade point averages from each high school in this state enrolling at least 1,500 but fewer than 2,000 pupils; 5) to the five seniors with the five highest grade point averages from each high school in this state enrolling at least 2,000 but fewer than 2,500 pupils; and 6) to the six seniors with the six highest grade point averages from each high school in this state enrolling 2,500 or more pupils. In addition, those scholarships may be awarded to the senior with the highest grade point average from the school operated by the Wisconsin Center for the Blind and Visually Impaired and the school operated by the Wisconsin Educational Services Program for the Deaf and Hard of Hearing and not more than ten scholarships statewide may be awarded to seniors with the highest grade point averages from high schools enrolling fewer than 80 pupils.

This bill creates a Technical Excellence Higher Education Scholarship Program under which HEAB awards scholarships to certain scholars, designated on the basis of level of proficiency in technical education subjects, who enroll, on a full-time basis, in a technical college district school. Under the Technical Excellence Higher Education Scholarship Program, the number and amounts of scholarships awarded, the duration for which a scholarship may be awarded, the conditions for continued receipt of a scholarship, and the institutional match requirement are the same as under the Academic Excellence Higher Education Scholarship Program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

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

2 20.235 (1) (fw) *Technical excellence higher education scholarships.* A sum

3 sufficient for payment to technical college district schools under s. 39.415.

4 **SECTION 2.** 39.415 of the statutes is created to read:

5 **39.415 Technical excellence higher education scholarships. (1)**

6 DEFINITIONS. In this section:

7 (a) “Executive secretary” means the executive secretary of the board.

8 (b) “Faculty of the high school” means the principal administrative unit of the
9 faculty personnel of a high school.

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1 (c) “Level of proficiency in technical education subjects” means the level of
2 proficiency of a senior in technical education subjects according to criteria developed
3 and approved under sub. (2).

4 (d) “School board” has the meaning given in s. 115.001 (7).

5 (e) “School district” has the meaning given in s. 115.01 (3).

6 (f) “Senior” means a pupil enrolled in the 12th grade in a public or private high
7 school, a tribal school, the school operated by the Wisconsin Educational Services
8 Program for the Deaf and Hard of Hearing, or the school operated by the Wisconsin
9 Center for the Blind and Visually Impaired.

10 (g) “Tribal school” has the meaning given in s. 115.001 (15m).

11 (h) “Vocational diploma” means a diploma granted to a person who has
12 completed a 2-year, full-time program in an area designated and approved by the
13 technical college system board for which the course requirements are established by
14 that board.

15 **(2) LEVEL OF PROFICIENCY CRITERIA.** (a) Each school board of a school district
16 operating one or more high schools and each governing body of a private high school
17 or tribal high school shall develop criteria to determine the level of proficiency in
18 technical education subjects of seniors enrolled in a high school operated by the
19 school district or governed by the governing body and submit those criteria to the
20 board for approval. If the board approves those criteria, the school board or
21 governing body may use those criteria to designate seniors as scholars under sub. (3)
22 (a) or to nominate seniors for designation as scholars under sub. (3) (b) and the
23 faculty of the high school may use those criteria to select seniors for designation as
24 scholars or to certify alternates under sub. (3) (d) or (e).

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1 (b) The executive secretary shall develop criteria to determine the level of
2 proficiency in technical education subjects of seniors enrolled in the school operated
3 by the Wisconsin Educational Services Program for the Deaf and Hard of Hearing
4 or the school operated by the Wisconsin Center for the Blind and Visually Impaired
5 and of seniors nominated under sub. (3) (b) and submit those criteria to the board for
6 approval. If the board approves those criteria, the executive secretary may use those
7 criteria to designate seniors as scholars under sub. (3) (c) 1., 2., or 3., or to select
8 alternates under sub. (3) (f) or (g).

9 **(3) DESIGNATION OF SCHOLARS.** (a) Subject to par. (d), by February 25 of each
10 school year, the school board of each school district operating one or more high
11 schools and the governing body of each private high school and of each tribal high
12 school shall:

13 1. For each high school with an enrollment of at least 80 pupils but fewer than
14 500 pupils, designate the senior with the highest level of proficiency in technical
15 education subjects as a scholar.

16 2. For each high school with an enrollment of at least 500 pupils but fewer than
17 1,000 pupils, designate the 2 seniors with the 2 highest levels of proficiency in
18 technical education subjects as scholars.

19 3. For each high school with an enrollment of at least 1,000 pupils but fewer
20 than 1,500 pupils, designate the 3 seniors with the 3 highest levels of proficiency in
21 technical education subjects as scholars.

22 4. For each high school with an enrollment of at least 1,500 pupils but fewer
23 than 2,000 pupils, designate the 4 seniors with the 4 highest levels of proficiency in
24 technical education subjects as scholars.

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1 5. For each high school with an enrollment of at least 2,000 pupils but fewer
2 than 2,500 pupils, designate the 5 seniors with the 5 highest levels of proficiency in
3 technical education subjects as scholars.

4 6. For each high school with an enrollment of 2,500 or more pupils, designate
5 the 6 seniors with the 6 highest levels of proficiency in technical education subjects
6 as scholars.

7 (b) Subject to par. (e), by February 25 of each school year, the school board of
8 each school district operating one or more high schools and the governing body of
9 each private high school and of each tribal high school may, for each high school with
10 an enrollment of fewer than 80 pupils, nominate for designation as a scholar by the
11 executive secretary under par. (c) 3. the senior with the highest level of proficiency
12 in technical education subjects.

13 (c) The executive secretary shall do all of the following:

14 1. Subject to par. (f), for the school operated by the Wisconsin Center for the
15 Blind and Visually Impaired, designate the senior with the highest level of
16 proficiency in technical education subjects as a scholar.

17 2. Subject to par. (g), for the school operated by the Wisconsin Educational
18 Services Program for the Deaf and Hard of Hearing, designate the senior with the
19 highest level of proficiency in technical education subjects as a scholar.

20 3. Designate not more than 10 seniors nominated under par. (b) as scholars.

21 4. For each public, private, or tribal high school with an enrollment of at least
22 80 pupils, notify the school board of the school district operating the public high
23 school or the governing body of the private or tribal high school of the number of
24 scholars to be designated under par. (a).

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1 5. For each public, private, or tribal high school with an enrollment of fewer
2 than 80 pupils, notify the school board of the school district operating the public high
3 school or the governing body of the private or tribal high school that the school board
4 or governing body may nominate a senior under par. (b) who may be designated as
5 a scholar by the executive secretary.

6 (d) By February 25 of each school year, if 2 or more seniors from the same high
7 school of at least 80 pupils have the same level of proficiency in technical education
8 subjects and, except for the limitation on the number of designated scholars, are
9 otherwise eligible for designation under par. (a), the faculty of the high school shall
10 select the applicable number of seniors for designation under par. (a) as scholars and
11 shall select, in order of priority, any remaining seniors with the same level of
12 proficiency as alternates for the scholars or, if there is no remaining senior with the
13 same level of proficiency, any remaining seniors with the next highest level of
14 proficiency as alternates for the scholars. If a senior from that high school who is
15 designated as a scholar under par. (a) does not qualify for a higher education
16 scholarship under sub. (4) (a), an alternate for the scholar with the same level of
17 proficiency as any senior from that high school designated as a scholar under par. (a)
18 shall be eligible for a higher education scholarship under sub. (4) (a) until the
19 scholarship may be awarded by the board. If an alternate with the same level of
20 proficiency as a scholar under par. (a) does not qualify for a higher education
21 scholarship under sub. (4) (a), an alternate with the next highest level of proficiency
22 shall be eligible for a higher education scholarship under sub. (4) (a) until the
23 scholarship may be awarded by the board.

24 (e) If 2 or more seniors from the same high school of fewer than 80 pupils have
25 the same level of proficiency in technical education subjects and, except for the

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1 limitation of one nominated senior, are otherwise eligible for nomination under par.
2 (b), the faculty of the high school shall select the senior who may be nominated by
3 the school board of the school district operating the public high school or the
4 governing body of the private or tribal high school for designation under par. (b) as
5 a scholar by the executive secretary. If that senior is designated as a scholar by the
6 executive secretary, but does not qualify for a higher education scholarship under
7 sub. (4) (a), the faculty of the high school shall select, in order of priority, one or more
8 of the remaining seniors with the same level of proficiency for nomination as a
9 scholar or, if there is no remaining senior with the same level of proficiency, one or
10 more of the remaining seniors with the next highest level of proficiency for
11 nomination as a scholar, and the school board of the school district operating the high
12 school or the governing body of the private or tribal high school shall nominate under
13 par. (b) one or more of these seniors as eligible for a higher education scholarship
14 under sub. (4) (a) until the scholarship may be awarded by the board.

15 (f) If 2 or more seniors from the school operated by the Wisconsin Center for the
16 Blind and Visually Impaired have the same level of proficiency in technical education
17 subjects and, except for the limitation of one designated senior, are otherwise eligible
18 for designation under par. (c) 1., the executive secretary shall make the designation
19 under par. (c) 1. of the senior who may be eligible for a higher education scholarship
20 under sub. (4) (a). If that senior does not qualify for a higher education scholarship
21 under sub. (4) (a), the executive secretary shall designate, in order of priority, one or
22 more of the remaining seniors with the same level of proficiency, or, if there is no
23 remaining senior with the same level of proficiency, one or more of the remaining
24 seniors with the next highest level of proficiency as eligible for a higher education
25 scholarship under sub. (4) (a) until the scholarship may be awarded by the board.

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1 (g) If 2 or more seniors from the school operated by the Wisconsin Educational
2 Services Program for the Deaf and Hard of Hearing have the same level of proficiency
3 in technical education subjects and, except for the limitation of one designated
4 senior, are otherwise eligible for designation under par. (c) 2., the executive secretary
5 shall make the designation under par. (c) 2. of the senior who may be eligible for a
6 higher education scholarship under sub. (4) (a). If that senior does not qualify for a
7 higher education scholarship under sub. (4) (a), the executive secretary shall
8 designate, in order of priority, one or more of the remaining seniors with the same
9 level of proficiency, or, if there is no remaining senior with the same level of
10 proficiency, one or more of the remaining seniors with the next highest level of
11 proficiency as eligible for a higher education scholarship under sub. (4) (a) until the
12 scholarship may be awarded by the board.

13 (h) Notwithstanding par. (a), if a high school of at least 80 pupils closes or
14 merges, the school board of the school district operating the high school or the
15 governing body of the private or tribal high school shall, subject to par. (d), for each
16 of the 2 school years following the closure or merger, designate the same number of
17 scholars from among the pupils enrolled in the high school at the time of closure or
18 merger as the number of scholars designated for that high school in the school year
19 the high school closed or merged. Any seniors designated under this paragraph shall
20 be eligible for an original scholarship under this section.

21 (4) TECHNICAL COLLEGE SCHOLARSHIPS. (a) If a designated scholar under sub.
22 (3) is admitted to and enrolls, on a full-time basis, by September 30 of the academic
23 year immediately following the school year in which the senior was designated a
24 scholar, in a technical college district school that is participating in the program

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1 under this section, the scholar shall receive a higher education scholarship in an
2 amount not to exceed \$2,250 per academic year.

3 (b) For each academic year that a scholar who receives a scholarship under par.
4 (a) is enrolled full time, maintains at least a 3.000 grade point average or the
5 equivalent as determined by the district school, and makes satisfactory progress
6 toward an associate degree, a bachelor's degree, or a vocational diploma, the student
7 is eligible to receive a higher education scholarship as determined under par. (a) in
8 the subsequent year or, if the scholar does not enroll in a participating district school
9 in the subsequent year, in the 2nd year following the year in which the scholar
10 received the scholarship. No scholar is eligible for a higher education scholarship for
11 more than 3 years at a district school.

12 (c) Subject to sub. (5), for each year the student receives a higher education
13 scholarship under par. (a) or (b), the board shall pay the district school, on behalf of
14 the student, an amount not to exceed \$1,125 per academic year.

15 (5) PAYMENTS; MATCH REQUIRED. (a) The board shall make the payments under
16 sub. (4) (c) only if the district school matches the amount of the payment from
17 institutional funds, gifts, or grants.

18 (b) The board shall make the payments under sub. (4) (c) from the
19 appropriation under s. 20.235 (1) (fw).

20 (6) NOTIFICATIONS; APPROVAL; WITHDRAWAL. (a) 1. Each technical college district
21 school that wishes to participate in the scholarship program under this section shall
22 notify the board of its wish to participate in the program by October 1 prior to the
23 academic year in which the school wishes to begin participation. The board shall
24 approve for participation in the program a district school that provides notice under
25 this subdivision of its wish to participate in the program. An approval under this

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SECTION 2

1 subdivision remains valid until suspended or revoked by the board or until
2 withdrawn by the school as provided under subd. 2.

3 2. If a district school that is approved under subd. 1. for participation in the
4 scholarship program under this section subsequently wishes to no longer participate
5 in the program, the school shall notify the board of this fact in writing by October 1
6 prior to the academic year in which the institution will no longer participate.

7 (b) Each designated scholar who is eligible for an original higher education
8 scholarship under sub. (4) (a) shall notify the board as soon as practicable of the
9 district school he or she will be attending in the next academic year. Each designated
10 scholar who is eligible for a subsequent higher education scholarship under sub. (4)
11 (a) shall notify the board as soon as practicable whether he or she will be enrolling
12 in a participating district school in the academic year immediately following the
13 academic year in which he or she received an original or subsequent scholarship
14 under sub. (4) (a), or in the 2nd academic year following that academic year, and of
15 the district school in which he or she will be enrolling.

16 (c) Annually, the board shall notify each scholar who will be attending a
17 participating technical college district school in the next academic year of the
18 amount of his or her higher education scholarship.

19 (7) SCHOLARSHIPS NOT TO SUPPLANT OTHER GRANTS. A scholarship under this
20 section shall not be used to supplant any other grant for which a student is eligible.

21 (8) ANNUAL REPORT. By August 1, 2016, and annually thereafter, the board shall
22 submit a report to the joint committee on finance evaluating the success of the
23 program under this section. The report shall specify the number and amount of the
24 scholarships awarded in the current fiscal year and the technical college district
25 schools chosen by the scholarship recipients.

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1 (9) RULES. The board shall promulgate rules to implement this section.

2 **SECTION 3. Initial applicability.**

3 (1) TECHNICAL EXCELLENCE HIGHER EDUCATION SCHOLARSHIPS. This act first
4 applies to students who enroll in a technical college district school in the 2015-16
5 academic year.

6 (END)



**SENATE AMENDMENT 1,
TO SENATE BILL 334**

October 16, 2013 – Offered by JOINT COMMITTEE ON FINANCE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 3: after that line insert:

3 “SECTION 1r. 39.41 (6) of the statutes is renumbered 39.41 (6) (a) and amended
4 to read:

5 39.41 (6) (a) ~~A~~ Except as provided in par. (b), a scholarship under this section
6 shall not be used to replace any other grant for which a student is eligible.

7 SECTION 1t. 39.41 (6) (b) of the statutes is created to read:

8 39.41 (6) (b) A student who receives a scholarship under this section is not
9 eligible to receive a scholarship under s. 39.415.”

10 **2.** Page 10, line 19: delete “GRANTS. A” and substitute “GRANT; EXCEPTION. (a)
11 Except as provided in par. (b), a”.

12 **3.** Page 10, line 20: after that line insert:

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1 “(b) A student who receives a scholarship under this section is not eligible to
2 receive a scholarship under s. 39.41.”

3 (END)