



**SENATE AMENDMENT 3,  
TO SENATE BILL 589**

March 11, 2014 – Offered by Senator VINEHOUT.

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

2 **1.** Page 1, line 8: delete “year” and substitute “year, the awarding of academic  
3 excellence higher education scholarships to pupils of public and tribal high schools  
4 with enrollments of at least 20 but fewer than 80 pupils.”.

5 **2.** Page 2, line 1: delete that line and substitute:

6 “SECTION 1b. 39.41 (1m) (a) 1. of the statutes is amended to read:

7 39.41 (1m) (a) 1. For each public or tribal high school with an enrollment of at  
8 least 80 20 pupils but less than 500 pupils and for each private high school with an  
9 enrollment of at least 80 pupils but less than 500 pupils, designate the senior with  
10 the highest grade point average in all subjects as a scholar.

11 SECTION 1d. 39.41 (1m) (b) of the statutes is amended to read:

12 39.41 (1m) (b) Subject to par. (e), by February 25 of each school year, ~~the school~~  
13 ~~board of each school district operating one or more high schools and the governing~~

1 body of each private high school ~~and of each tribal high school may, for each high~~  
2 ~~school~~ with an enrollment of less than ~~80~~ 20 pupils, ~~may~~ nominate the senior with  
3 the highest grade point average in all subjects who may be designated as a scholar  
4 by the executive secretary under par. (c) 3.

5 **SECTION 1f.** 39.41 (1m) (c) 4. of the statutes is amended to read:

6 39.41 **(1m)** (c) 4. For each public, ~~private,~~ or tribal high school with an  
7 enrollment of at least ~~80~~ 20 pupils and for each private high school with an  
8 enrollment of at least 80 pupils, notify the school board of the school district  
9 operating the public high school or the governing body of the private or tribal high  
10 school of the number of scholars to be designated under par. (a).

11 **SECTION 1h.** 39.41 (1m) (c) 5. of the statutes is amended to read:

12 39.41 **(1m)** (c) 5. For each public, ~~private,~~ or tribal high school with an  
13 enrollment of less than ~~80~~ 20 pupils and for each private high school with an  
14 enrollment of less than 80 pupils, notify the school board of the school district  
15 operating the public high school or the governing body of the private or tribal high  
16 school that the school board or governing body may nominate a senior under par. (b)  
17 who may be designated as a scholar by the executive secretary.

18 **SECTION 1j.** 39.41 (1m) (d) of the statutes is amended to read:

19 39.41 **(1m)** (d) By February 25 of each school year, if 2 or more seniors from the  
20 same public or tribal high school of at least ~~80~~ 20 pupils or from the same private high  
21 school of at least 80 pupils have the same grade point average and, except for the  
22 limitation on the number of designated scholars, are otherwise eligible for  
23 designation under par. (a), the faculty of the high school shall select the applicable  
24 number of seniors for designation under par. (a) as scholars and shall certify, in order  
25 of priority, any remaining seniors with the same grade point average as alternates

1 for the scholars or, if there is no remaining senior with the same grade point average,  
2 any remaining seniors with the next highest grade point average, but not less than  
3 3.800 or the equivalent, as alternates for the scholars. If a senior from that high  
4 school designated as a scholar under par. (a) does not qualify for a higher education  
5 scholarship under sub. (2) (a) or (3) (a), an alternate for the scholar with the same  
6 grade point average as any senior from that high school designated as a scholar  
7 under par. (a) shall be eligible for a higher education scholarship as a scholar under  
8 sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board. If an  
9 alternate with the same grade point average as a scholar under par. (a) does not  
10 qualify for a higher education scholarship under sub. (2) (a) or (3) (a), an alternate  
11 with the next highest grade point average, but not less than 3.800 or the equivalent,  
12 shall be eligible for a higher education scholarship as a scholar under sub. (2) (a) or  
13 (3) (a) until the scholarship may be awarded by the board.

14 **SECTION 1k.** 39.41 (1m) (e) of the statutes is amended to read:

15 39.41 (1m) (e) If 2 or more seniors from the same public or tribal high school  
16 of less than ~~80~~ 20 pupils or from the same private high school of less than 80 pupils  
17 have the same grade point average and, except for the limitation of one nominated  
18 senior, are otherwise eligible for nomination under par. (b), the faculty of the high  
19 school shall select the senior who may be nominated by the school board of the school  
20 district operating the public high school or the governing body of the private or tribal  
21 high school for designation under par. (b) as a scholar by the executive secretary. If  
22 that senior is designated as a scholar by the executive secretary, but does not qualify  
23 for a higher education scholarship under sub. (2) (a) or (3) (a), the faculty of the high  
24 school shall select, in order of priority, one or more of the remaining seniors with the  
25 same grade point average for certification as a scholar or, if there is no remaining

1 senior with the same grade point average, one or more of the remaining seniors with  
2 the next highest grade point average, but not less than 3.800 or the equivalent, for  
3 certification as a scholar, and the school board of the school district operating the  
4 high school or the governing body of the private or tribal high school shall certify to  
5 the board one or more of these seniors as eligible for a higher education scholarship  
6 as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the  
7 board.

8 **SECTION 1m.** 39.41 (1m) (g) of the statutes is amended to read:

9 39.41 (1m) (g) Notwithstanding par. (a), if a public or tribal high school of at  
10 least ~~80~~ 20 pupils or a private high school of at least 80 pupils closes or merges in the  
11 1991–92 school year or in any school year thereafter, the school board of the school  
12 district operating the high school or the governing body of the private or tribal high  
13 school shall, subject to par. (d), for each of the 2 school years following the closure or  
14 merger, designate the same number of scholars from among the pupils enrolled in  
15 the high school at the time of closure or merger as the number of scholars designated  
16 for that high school in the school year the high school closed or merged. Any seniors  
17 designated under this paragraph shall be eligible for an original scholarship under  
18 this section.

19 **SECTION 1n.** 39.41 (1m) (h) of the statutes is repealed.

20 **SECTION 1p.** 39.41 (1m) (j) of the statutes is amended to read:

21 39.41 (1m) (j) ~~In the event that~~ If 2 or more seniors from the same public or  
22 tribal high school of at least 80 20 pupils, or from the same private high school of at  
23 least 80 pupils, have the same grade point average and are otherwise eligible for  
24 designation under par. (a), the school board of the school district operating the high

1 school or the governing body of the private or tribal high school shall make the  
2 designation of the faculty of the high school for purposes of par. (d) or (i).

3 **SECTION 1r.** 39.41 (1m) (m) of the statutes is amended to read:

4 39.41 (1m) (m) Notwithstanding pars. (a), (b) and (d), if a high school ranks its  
5 seniors on the basis of grades in academic subjects, the school board of the school  
6 district operating the high school or the governing body of the private or tribal high  
7 school or, for purposes of par. (d), the faculty of the high school may request a waiver  
8 from the executive secretary in order to fulfill its requirements under par. (a), (b) or  
9 (d) on the basis of grade point averages in academic subjects.

10 **SECTION 1t.** 115.001 (3m) of the statutes is created to read:”.

11 **3.** Page 9, line 14: after that line insert:

12 **“SECTION 25r. Nonstatutory provisions.**

13 (1) DEADLINE FOR DESIGNATION OF ACADEMIC EXCELLENCE HIGHER EDUCATION  
14 SCHOLARS IN 2014. Notwithstanding section 39.41 (1m) (a) (intro.) and (d) of the  
15 statutes, by May 1, 2014, the school board of a school district operating a public high  
16 school with an enrollment of at least 20 pupils but less than 80 pupils or the  
17 governing body of a tribal high school with an enrollment of at least 20 pupils but less  
18 than 80 pupils may designate the senior with the highest grade point average in all  
19 subjects as an academic excellence higher education scholar and that scholar shall  
20 be eligible for an academic excellence higher education scholarship in the 2014–15  
21 academic year. This subsection does not apply to a school board or a governing body  
22 of a tribal high school that nominated a senior as an academic excellence higher  
23 education scholar under section 39.41 (1m) (b) of the statutes by February 25, 2014,  
24 if that senior was subsequently designated as such a scholar by the executive

1 secretary of the higher education aids board under section 39.41 (1m) (c) 3. of the  
2 statutes.”.

3 **4.** Page 9, line 24: after that line insert:

4 **“SECTION 26m. Effective date.**

5 (1) ACADEMIC EXCELLENCE HIGHER EDUCATION SCHOLARSHIPS. The treatment of  
6 section 39.41 (1m) (a) 1., (b), (c) 4. and 5., (d), (e), (g), (h), (j), and (m) of the statutes  
7 takes effect retroactively to January 1, 2014.”.

8 **(END)**