February 21, 2018 - Introduced by Senator VINEHOUT, cosponsored by Representatives VRUWINK, SPREITZER, BALLWEG, BERCEAU and ANDERSON. Referred to Committee on Education.

AN ACT to repeal 39.41 (1m) (h); and to amend 39.41 (1m) (a) 1., 39.41 (1m) (b), 39.41 (1m) (c) 4., 39.41 (1m) (c) 5., 39.41 (1m) (d), 39.41 (1m) (e), 39.41 (1m) (g), 39.41 (1m) (j) and 39.41 (1m) (m) of the statutes; relating to: the awarding of academic excellence higher education scholarships to pupils of public and tribal high schools with enrollments of at least 20 but fewer than 80 pupils.

Analysis by the Legislative Reference Bureau

This bill makes changes in the way the Higher Educational Aids Board awards academic excellence higher education scholarships to students in public or tribal high schools having between 20 and 79 students.

Under current law, 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, an academic excellence higher education scholarship recipient is exempt from up to $2,250 in tuition and fees for each academic year that the recipient is enrolled full time, maintains at least a 3.000 grade point average, and makes satisfactory progress toward an associate or bachelor’s degree or a vocational diploma.

Currently, those scholarships may be awarded to 1) 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) the two seniors with the two highest grade point averages from
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each high school in this state enrolling at least 500 but fewer than 1,000 pupils; 3) 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) the four 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) 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) 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, 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 permits 1) a scholarship to be awarded to the senior with the highest grade point average from each public or tribal high school in this state enrolling at least 20 but fewer than 500 pupils; and 2) not more than ten scholarships to be awarded statewide to seniors from public or tribal high schools enrolling fewer than 20 pupils and to seniors from private high schools enrolling fewer than 80 pupils.

Notwithstanding the February 25 deadline under current law for designating a senior as a scholar, the bill permits a school board of a school district operating a public high school, or a governing body of a tribal high school, with an enrollment of at least 20 pupils but fewer than 80 pupils to designate a senior as a scholar by June 1, 2018, and provides that a scholar so designated is eligible for an academic excellence higher education scholarship in the 2018-19 academic year.

For further information see the state 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:

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

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

SECTION 2. 39.41 (1m) (b) of the statutes is amended to read:

39.41 (1m) (b) Subject to par. (e), by February 25 of each school year, the school board of each school district operating one or more high schools and the governing body of each private high school and of each tribal high school may, for each high school with an enrollment of less than 80 pupils, may nominate the senior with
the highest grade point average in all subjects who may be designated as a scholar
by the executive secretary under par. (c) 3.

SECTION 3. 39.41 (1m) (c) 4. of the statutes is amended to read:

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

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

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

SECTION 5. 39.41 (1m) (d) of the statutes is amended to read:

39.41 (1m) (d) By February 25 of each school year, if 2 or more seniors from the
same public or tribal high school of at least 80 pupils or from the same private high
school of at least 80 pupils have the same grade point average and, except for the
limitation on the number of designated scholars, are otherwise eligible for
designation under par. (a), the faculty of the high school shall select the applicable
number of seniors for designation under par. (a) as scholars and shall certify, in order
of priority, any remaining seniors with the same grade point average as alternates
for the scholars or, if there is no remaining senior with the same grade point average,
any remaining seniors with the next highest grade point average, but not less than
3.800 or the equivalent, as alternates for the scholars. If a senior from that high school designated as a scholar under par. (a) does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), an alternate for the scholar with the same grade point average as any senior from that high school designated as a scholar under par. (a) shall be eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board. If an alternate with the same grade point average as a scholar under par. (a) does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), an alternate with the next highest grade point average, but not less than 3.800 or the equivalent, shall be eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

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

39.41 (1m) (e) If 2 or more seniors from the same public or tribal high school of less than 80 pupils or from the same private high school of less than 80 pupils have the same grade point average and, except for the limitation of one nominated senior, are otherwise eligible for nomination under par. (b), the faculty of the high school shall select the senior who may be nominated by the school board of the school district operating the public high school or the governing body of the private or tribal high school for designation under par. (b) as a scholar by the executive secretary. If that senior is designated as a scholar by the executive secretary, but does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select, in order of priority, one or more of the remaining seniors with the same grade point average for certification as a scholar or, if there is no remaining senior with the same grade point average, one or more of the remaining seniors with the next highest grade point average, but not less than 3.800 or the equivalent, for
certification as a scholar, and the school board of the school district operating the 
high school or the governing body of the private or tribal high school shall certify to 
the board one or more of these seniors as eligible for a higher education scholarship 
as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the 
board.

**Section 7.** 39.41 (1m) (g) of the statutes is amended to read:

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

**Section 8.** 39.41 (1m) (h) of the statutes is repealed.

**Section 9.** 39.41 (1m) (j) of the statutes is amended to read:

39.41 (1m) (j) If 2 or more seniors from the same public or 
tribal high school of at least 80 pupils, or from the same private high school of at 
least 80 pupils, have the same grade point average and are otherwise eligible for 
designation under par. (a), the school board of the school district operating the high 
school or the governing body of the private or tribal high school shall make the 
designation of the faculty of the high school for purposes of par. (d) or (i).

**Section 10.** 39.41 (1m) (m) of the statutes is amended to read:
39.41 (1m) (m) Notwithstanding pars. (a), (b) and (d), if a high school ranks its seniors on the basis of grades in academic subjects, the school board of the school district operating the high school or the governing body of the private or tribal high school or, for purposes of par. (d), the faculty of the high school may request a waiver from the executive secretary in order to fulfill its requirements under par. (a), (b) or (d) on the basis of grade point averages in academic subjects.


(1) Deadline for designation of academic excellence higher education scholars in 2016. Notwithstanding section 39.41 (1m) (a) (intro.) and (d) of the statutes, by June 1, 2018, the school board of a school district operating a public high school with an enrollment of at least 20 pupils but less than 80 pupils or the governing body of a tribal high school with an enrollment of at least 20 pupils but less than 80 pupils may designate the senior with the highest grade point average in all subjects as an academic excellence higher education scholar and that scholar shall be eligible for an academic excellence higher education scholarship in the 2018-19 academic year. This subsection does not apply to a school board or a governing body of a tribal high school that nominated a senior as an academic excellence higher education scholar under section 39.41 (1m) (b) of the statutes by February 25, 2018, if that senior was subsequently designated as such a scholar by the executive secretary of the higher education aids board under section 39.41 (1m) (c) 3. of the statutes.