



## 2013 ASSEMBLY BILL 398

October 1, 2013 - Introduced by Representatives KRUG, BALLWEG, STONE, PETRYK, MARKLEIN, WRIGHT, KESTELL, NYGREN, KLEEFISCH, T. LARSON, BIES, JAGLER, WEATHERSTON, TRANEL, PRIDEMORE, BERNIER, ENDSLEY and LEMAHIEU, cosponsored by Senators GUDEX, DARLING, L. TAYLOR and LEHMAN. Referred to Committee on Children and Families.

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.

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### *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* fiscal estimate, which will be printed as an appendix to this bill.

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*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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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.

