



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-4721/1  
ARG:wlj

## 2015 ASSEMBLY BILL 958

February 26, 2016 – Introduced by Representatives DANOU, BERCEAU, CONSIDINE, JORGENSEN, KESSLER, POPE and SPREITZER, cosponsored by Senators VINEHOUT, CARPENTER and RINGHAND. Referred to Committee on Education.

1     **AN ACT** *to repeal* 39.41 (1m) (h); and *to amend* 39.41 (1m) (a) 1., 39.41 (1m) (b),  
2             39.41 (1m) (c) 4., 39.41 (1m) (c) 5., 39.41 (1m) (d), 39.41 (1m) (e), 39.41 (1m) (g),  
3             39.41 (1m) (j) and 39.41 (1m) (m) of the statutes; **relating to:** the awarding of  
4             academic excellence higher education scholarships to pupils of public and tribal  
5             high schools with enrollments of at least 20 but fewer than 80 pupils.

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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, 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 a 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 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

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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, 2016, and provides that a scholar so designated is eligible for an academic excellence higher education scholarship in the 2016-17 academic year.

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

2           39.41 **(1m)** (a) 1. For each public or tribal high school with an enrollment of at  
3           least 80 20 pupils but less than 500 pupils and for each private high school with an  
4           enrollment of at least 80 pupils but less than 500 pupils, designate the senior with  
5           the highest grade point average in all subjects as a scholar.

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

7           39.41 **(1m)** (b) Subject to par. (e), by February 25 of each school year, ~~the school~~  
8           ~~board of each school district operating one or more high schools and the governing~~  
9           ~~body of each private high school and of each tribal high school may, for each high~~  
10          ~~school~~ with an enrollment of less than 80 20 pupils, may nominate the senior with

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1 the highest grade point average in all subjects who may be designated as a scholar  
2 by the executive secretary under par. (c) 3.

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

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

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

10 39.41 **(1m)** (c) 5. For each public, ~~private~~, or tribal high school with an  
11 enrollment of less than ~~80~~ 20 pupils and for each private high school with an  
12 enrollment of less than 80 pupils, notify the school board of the school district  
13 operating the public high school or the governing body of the private or tribal high  
14 school that the school board or governing body may nominate a senior under par. (b)  
15 who may be designated as a scholar by the executive secretary.

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

17 39.41 **(1m)** (d) By February 25 of each school year, if 2 or more seniors from the  
18 same public or tribal high school of at least ~~80~~ 20 pupils or from the same private high  
19 school of at least 80 pupils have the same grade point average and, except for the  
20 limitation on the number of designated scholars, are otherwise eligible for  
21 designation under par. (a), the faculty of the high school shall select the applicable  
22 number of seniors for designation under par. (a) as scholars and shall certify, in order  
23 of priority, any remaining seniors with the same grade point average as alternates  
24 for the scholars or, if there is no remaining senior with the same grade point average,  
25 any remaining seniors with the next highest grade point average, but not less than

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1 3.800 or the equivalent, as alternates for the scholars. If a senior from that high  
2 school designated as a scholar under par. (a) does not qualify for a higher education  
3 scholarship under sub. (2) (a) or (3) (a), an alternate for the scholar with the same  
4 grade point average as any senior from that high school designated as a scholar  
5 under par. (a) shall be eligible for a higher education scholarship as a scholar under  
6 sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board. If an  
7 alternate with the same grade point average as a scholar under par. (a) does not  
8 qualify for a higher education scholarship under sub. (2) (a) or (3) (a), an alternate  
9 with the next highest grade point average, but not less than 3.800 or the equivalent,  
10 shall be eligible for a higher education scholarship as a scholar under sub. (2) (a) or  
11 (3) (a) until the scholarship may be awarded by the board.

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

13 39.41 **(1m)** (e) If 2 or more seniors from the same public or tribal high school  
14 of less than ~~80~~ 20 pupils or from the same private high school of less than 80 pupils  
15 have the same grade point average and, except for the limitation of one nominated  
16 senior, are otherwise eligible for nomination under par. (b), the faculty of the high  
17 school shall select the senior who may be nominated by the school board of the school  
18 district operating the public high school or the governing body of the private or tribal  
19 high school for designation under par. (b) as a scholar by the executive secretary. If  
20 that senior is designated as a scholar by the executive secretary, but does not qualify  
21 for a higher education scholarship under sub. (2) (a) or (3) (a), the faculty of the high  
22 school shall select, in order of priority, one or more of the remaining seniors with the  
23 same grade point average for certification as a scholar or, if there is no remaining  
24 senior with the same grade point average, one or more of the remaining seniors with  
25 the next highest grade point average, but not less than 3.800 or the equivalent, for

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1 certification as a scholar, and the school board of the school district operating the  
2 high school or the governing body of the private or tribal high school shall certify to  
3 the board one or more of these seniors as eligible for a higher education scholarship  
4 as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the  
5 board.

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

7 39.41 **(1m)** (g) Notwithstanding par. (a), if a public or tribal high school of at  
8 least ~~80~~ 20 pupils or a private high school of at least 80 pupils closes or merges in the  
9 1991-92 school year or in any school year thereafter, the school board of the school  
10 district operating the high school or the governing body of the private or tribal high  
11 school shall, subject to par. (d), for each of the 2 school years following the closure or  
12 merger, designate the same number of scholars from among the pupils enrolled in  
13 the high school at the time of closure or merger as the number of scholars designated  
14 for that high school in the school year the high school closed or merged. Any seniors  
15 designated under this paragraph shall be eligible for an original scholarship under  
16 this section.

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

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

19 39.41 **(1m)** (j) ~~In the event that~~ If 2 or more seniors from the same public or  
20 tribal high school of at least ~~80~~ 20 pupils, or from the same private high school of at  
21 least 80 pupils, have the same grade point average and are otherwise eligible for  
22 designation under par. (a), the school board of the school district operating the high  
23 school or the governing body of the private or tribal high school shall make the  
24 designation of the faculty of the high school for purposes of par. (d) or (i).

25 **SECTION 10.** 39.41 (1m) (m) of the statutes is amended to read:

