

**DISCUSSION/ACTION**  
**February 18, 2005**

**HIGHER EDUCATIONAL AIDS BOARD**

**BOARD REPORT #05-13**

**ACADEMIC EXCELLENCE SCHOLARSHIP**  
**ALTERNATE SELECTION**

**HIGHER EDUCATIONAL AIDS BOARD  
BOARD REPORT #05-13  
Academic Excellence Scholarship  
Selection of Alternates for Schools that do not use a Weighted Grading System**

**Question for the Board to Consider:** Should HEAB recommend changes to the statutes that would allow alternates for scholarships who do not have the same grade point average as the designated scholar?

**Issues:** Current statutes require that if a designated scholar does not accept the scholarship, an alternate is selected *only if* the grade point is exactly the same as the designated scholar. This means that if a student with a GPA of 4.0 does not accept the scholarship, the student with the next highest GPA, even if it is 3.99, can not be named an alternate. This rule applies only to those schools that use a traditional grading scale. Schools that have a weighted grading scale can go to the next highest GPA until they find an alternate that will accept the scholarship. (Students who do not accept the scholarship most often are planning to attend an out-of-state school, therefore forfeiting their eligibility.)

**Statutes, Rules and Policies Regarding the  
Academic Excellence Scholarship  
Selection of Alternates in Schools with Traditional Grading Scales**

**STATUTES**

**39.41 Academic Excellence Higher Education Scholarships.**

**39.41(1)** In this section:

**39.41(1)(ae)** "Executive secretary" means the executive secretary of the board.

**39.41(1)(ag)** "Faculty of the high school" means the principal administrative unit of the faculty personnel of a high school designated under sub. (1m) (j).

**39.41(1)(av)** "School board" has the meaning given in s. 115.001 (7).

**39.41(1)(b)** "School district" has the meaning given in s. 115.01 (3).

**39.41(1)(bm)** "Senior" means a pupil enrolled in the 12th grade in a public or private high school, the Wisconsin School for the Deaf or the school operated by the Wisconsin Center for the Blind and Visually Impaired.

**39.41(1m)**

**39.41(1m)(a)** Subject to par. (d), by February 15 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 shall:

**39.41(1m)(a)1.** For each 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.

**39.41(1m)(a)2.** For each high school with an enrollment of at least 500 pupils but less than 1,000 pupils, designate the 2 seniors with the 2 highest grade point averages in all subjects as scholars.

**39.41(1m)(a)3.** For each high school with an enrollment of at least 1,000 pupils but less than 1,500 pupils, designate the 3 seniors with the 3 highest grade point averages in all subjects as scholars.

**39.41(1m)(a)4.** For each high school with an enrollment of at least 1,500 pupils but less than 2,000 pupils, designate the 4 seniors with the 4 highest grade point averages in all subjects as scholars.

**39.41(1m)(a)5.** For each high school with an enrollment of 2,000 or more pupils, designate the 5 seniors with the 5 highest grade point averages in all subjects as scholars.

**39.41(1m)(a)6.** For each high school with an enrollment of 2,500 or more pupils, designate the 6 seniors with the 6 highest grade point averages in all subjects as scholars.

**39.41(1m)(d)** Except as provided in par. (dm), by February 15 of each school year, if 2 or more seniors from the same 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 as alternates for a scholar with the same grade point average. 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.

**39.41(1m)(dm)** If the high school weights different courses differently to determine a pupil's grade point average, the faculty of the high school shall select for each scholar designated under par. (d) a senior with the same grade point average as an alternate for the scholar, or, if there is not another pupil with the same grade point average, a senior with the next highest grade point average as an alternate for the scholar.

**39.41(1m)(em)** If the high school weights different courses differently to determine a pupil's grade point average, and the senior designated as a scholar by the executive secretary under par. (e) does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one senior with the same grade point average for certification as a scholar, or, if there is no senior with the same grade point average, one senior with the next highest grade point average for certification as a scholar, and the school board of the school district operating the high school or the governing body of the private high school shall certify to the board the selected senior as eligible for a higher education scholarship under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

**39.41(1m)(i)** Notwithstanding par. (d), if the school board of a school district operating a high school or the governing body of a private high school has complied with s. 39.41 (1m) (d), 1991 stats., for the 1993-94 school year and a senior from that high school designated as a scholar under s. 39.41 (1m) (a), 1991 stats., and s. 39.41 (1m) (d), 1991 stats., does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one or more of the remaining seniors with the same grade point average for certification as a scholar. The school board of the school district operating the high school or the governing body of the private 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.

**39.41(1m)(j)** In the event that 2 or more seniors from the same 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 high school shall make the designation of the faculty of the high school for purposes of par. (d) or (i).

**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 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.

**RULES**  
**CHAPTER HEA 9**  
**WISCONSIN ACADEMIC EXCELLENCE SCHOLARSHIP**

**Note:** Chapter HEA 9 as it existed on February 28, 1998 was repealed and a new chapter HEA 9 was created effective March 1, 1998.

**HEA 9.01 Purpose.** The purpose of this chapter is to define the various aspects of the Wisconsin Academic Excellence Scholarship Program authorized by [s. 39.41, Stats.](#), as to the naming of the scholar and the responsibilities of the high school, and continuing student eligibility and the responsibilities of the educational institution.

**HEA 9.02 Definitions.** In this chapter:

1. "GPA" means the cumulative grade point average, as it is normally determined by each high school.
2. "High school" means a Wisconsin school with grades 9-12 which is recognized by the Wisconsin Department of Public Instruction.
3. "Institution" means a public or private non-profit institution of higher education in Wisconsin which is accredited by a national or state accrediting agency, and which has signed a participation agreement with the Higher Educational Aids Board in accordance with [s. 39.41 \(5\) \(a\), Stats.](#)
4. "Scholar" means a student determined to be eligible to receive a monetary award under the Academic Excellence Scholarship Program.
5. "Scholarship" means the Wisconsin Academic Excellence Scholarship authorized by [s. 39.41, Stats.](#)

**HEA 9.03 Scholar Qualifications.** A scholar who is otherwise eligible to receive a monetary award under the scholarship program shall receive an award only if all of the following apply:

1. The scholar is a resident of the United States who is either a citizen or an alien lawfully admitted for permanent residence by the Federal Immigration and Naturalization Service.
2. The scholar is a Wisconsin resident according to the residency standards of [s. 36.27, Stats.](#)

**HEA 9.04 Naming the Scholar.**

1. The number of scholarships available to each high school shall be based on the enrollment in that school as of the 3rd Friday in September in the academic year in which the scholar is selected. No adjustment shall be made to the number of scholarships available even if the enrollment increases or decreases during the academic year.
2. Students under ch. 220, Stats., and students participating in the full-time open enrollment program shall compete for the scholarship at the high school they actually attend.
3. The scholar shall be selected based on the scholar's GPA as it is normally determined by each high school and as shown on the official transcript as of the last day of the last semester that ended just prior to the February 15 deadline.

4. For purposes of selecting the scholars and alternate scholars, the scholar's and alternate's GPA shall include the same number of places past the decimal that the high school normally uses on the official high school transcript.
5. No scholarships shall be re-allocated after the February 15 deadline. The school's nominees and alternates are final.
6. High schools which operate on a tri-mester system shall have 30 days beyond the last day of the 2nd tri-mester to submit the name of the scholar.

### **HEA 9.05 High School Responsibilities.**

1. Each school board of the school district, or the governing body of a private high school, shall determine, and have in writing, a policy establishing how long a student must have attended that high school to compete for the scholarship, how the student acquires senior status, and when the student is eligible to compete for the scholarship.
2. Each school board of the school district, or the governing body of a private high school, shall determine, and have in writing, a policy defining the grading system used in that high school, including whether it is weighted or unweighted, which subjects are included in the GPA on the official high school transcript, how pass-fail grades are incorporated into the GPA, how grades from study abroad or from alternative or home schools are incorporated into the GPA, and how to incorporate grades earned in another country by students with permanent resident status.
3. The faculty of each high school shall determine, and have in writing, a policy that describes the tie breaking procedures and criteria used to determine the scholars and alternates and to put them in rank order.

## **CHAPTER 5**

### **State of Wisconsin Financial Aid Programs**

#### **Academic Excellence Scholarship (AES)**

##### **Overview**

##### **Eligibility**

In order to receive this scholarship, the student must:

1. be enrolled in a participating UW, Wisconsin Technical College or private, non-profit post-secondary institution in the State by September 30th of the academic year following the year in which the student graduated from high school;
2. be enrolled on a full-time basis (as determined by the school) in a degree or certificate program;
3. make satisfactory academic progress (per federal student financial aid criteria);
4. meet the Wisconsin residency requirements (see [Residency](#) section of this manual); and
5. maintain at least a 3.000 cumulative grade point average.
6. No student is eligible for more than four years (or eight semesters) at a UW or private, non-profit post-secondary institution. No student is eligible for more than three years (or six semesters) at a Wisconsin Technical College.

## **Application Process**

1. Schools With Total Enrollments Greater Than 80 Students:
  - a. The school board or governing board at each public or private high school makes a selection.
  - b. The school board or governing board is required to name the 12th grade student with the highest grade point average, as normally determined by the high school. This selection must be made by February 15th.
  - c. If two or more students in the same high school have the same grade point average, the faculty is required to select the student to receive the scholarship and designate the other student as the alternate. If the high school uses a weighted grading system, the student with the next highest GPA may be designated as an alternate.
  - d. The school forwards the name of the selected student to HEAB.
  - e. HEAB informs the student of his/her selection and supplies information regarding the scholarship and how to use it. ([Appendix #3](#))
  - f. HEAB administrative rules require each high school to have a written policy that describes their grading system, tie-breaking procedures and criteria used to determine and rank scholars.
  - g. If the student does not use the scholarship by September 30th following the high school graduation, the scholarship is awarded to the alternate.

**2005 BILL**

1 AN ACT *to repeal* 39.41 (1m) (dm) and 39.41 (1m) (em); and *to amend* 39.41 (1m)  
2 (b), 39.41 (1m) (c) 1., 39.41 (1m) (c) 2., 39.41 (1m) (d), 39.41 (1m) (e), 39.41 (1m)  
3 (f) and 39.41 (1m) (fm) of the statutes; **relating to:** eligibility for academic  
4 excellence higher education scholarships.

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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 designated scholars who enroll, on a full-time basis, in a public or private institution of higher education in this state that is participating in the program. Currently, those scholarships may be awarded to the senior with the highest grade point average from each high school in this state enrolling at least 80 but less than 500 pupils, to the two seniors with the two highest grade point averages from each high school in this state enrolling at least 500 but less than 1,000 pupils, to the three seniors with the three highest grade point averages from each high school in this state enrolling at least 1,000 but less than 1,500 pupils, to the four seniors with the four highest grade point averages from each high school in this state enrolling at least 1,500 but less than 2,000 pupils, to the five seniors with the five highest grade point averages from each high school in this state enrolling at least 2,000 but less than 2,500 pupils, and 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



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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 less than 80 pupils.

Currently, if two or more seniors from a high school have the same grade point average and are otherwise eligible for a scholarship, the applicable number of seniors are designated as scholars according to written tie-breaking criteria as required by HEAB by rule and the remaining seniors with the same grade point average are certified as alternates, who may be awarded a scholarship if a designated scholar does not enroll in a participating institution of higher education. In the case of a high school that weights different courses differently to determine a pupil's grade point average, a senior with the next highest grade point average may also be certified as a scholar if the senior who is designated as a scholar does not enroll in a participating institution of higher education and there is no other senior with the same grade point average as the designated scholar.

This bill permits a senior with the next highest grade point average, but not less than 3.800 or the equivalent, to be certified as an alternate and to receive a scholarship if a senior who is designated as a scholar or an alternate with the same grade point average does not enroll in a participating institution of higher education in all cases, regardless of how the high school weights its courses.

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) (b) of the statutes is amended to read:

2           39.41 (1m) (b) By Subject to par. (e), by February 15 of each school year, the  
3 school board of each school district operating one or more high schools and the  
4 governing body of each private high school may, for each high school with an  
5 enrollment of less than 80 pupils, nominate the senior with the highest grade point  
6 average in all subjects who may be designated as a scholar by the executive secretary  
7 under par. (c) 3.

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

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1           39.41 (1m) (c) 1. ~~For~~ Subject to par. (f), for the school operated by the Wisconsin  
2 Center for the Blind and Visually Impaired, designate the senior with the highest  
3 grade point average in all subjects as a scholar.

4           **SECTION 3.** 39.41 (1m) (c) 2. of the statutes is amended to read:

5           39.41 (1m) (c) 2. ~~For~~ Subject to par. (fm), for the school operated by the  
6 Wisconsin Educational Services Program for the Deaf and Hard of Hearing,  
7 designate the senior with the highest grade point average in all subjects as a scholar.

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

9           39.41 (1m) (d) ~~Except as provided in par. (dm),~~ by By February 15 of each school  
10 year, if 2 or more seniors from the same high school of at least 80 pupils have the same  
11 grade point average and, except for the limitation on the number of designated  
12 scholars, are otherwise eligible for designation under par. (a), the faculty of the high  
13 school shall select the applicable number of seniors for designation under par. (a) as  
14 scholars and shall certify, in order of priority, any remaining seniors ~~as alternates for~~  
15 ~~a scholar~~ senior with the same grade point average as an alternate for the scholar  
16 or, if there is no remaining senior with the same grade point average, a senior with  
17 the next highest grade point average, but not less than 3.800 or the equivalent, as  
18 an alternate for the scholar. If a senior from that high school designated as a scholar  
19 under par. (a) does not qualify for a higher education scholarship under sub. (2) (a)  
20 or (3) (a), an alternate for the scholar with the same grade point average as any senior  
21 from that high school designated as a scholar under par. (a) shall be eligible for a  
22 higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the  
23 scholarship may be awarded by the board. If an alternate with the same grade point  
24 average as a scholar under par. (a) does not qualify for a higher education scholarship  
25 under sub. (2) (a) or (3) (a), an alternate with the next highest grade point average,

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1 but not less than 3.800 or the equivalent, shall be eligible for a higher education  
2 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be  
3 awarded by the board.

4 **SECTION 5.** 39.41 (1m) (dm) of the statutes is repealed.

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

6 39.41 **(1m)** (e) ~~Except as provided under par. (em), if~~ If 2 or more seniors from  
7 the same high school of less than 80 pupils have the same grade point average and,  
8 except for the limitation of one nominated senior, are otherwise eligible for  
9 nomination under par. (b), the faculty of the high school shall select the senior who  
10 may be nominated by the school board of the school district operating the public high  
11 school or the governing body of the private high school for designation under par. (b)  
12 as a scholar by the executive secretary. If that senior is designated as a scholar by  
13 the executive secretary ~~and, but~~ does not qualify for a higher education scholarship  
14 under sub. (2) (a) or (3) (a), the faculty of the high school shall select, in order of  
15 priority, one or more of the remaining seniors with the same grade point average for  
16 certification as a scholar or, if there is no remaining senior with the same grade point  
17 average, a senior with the next highest grade point average, but not less than 3.800  
18 or the equivalent, for certification as a scholar, and the school board of the school  
19 district operating the high school or the governing body of the private high school  
20 shall certify to the board one or more of these seniors as eligible for a higher education  
21 scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be  
22 awarded by the board.

23 **SECTION 7.** 39.41 (1m) (em) of the statutes is repealed.

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

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1           39.41 (1m) (f) If 2 or more seniors from the school operated by the Wisconsin  
2 Center for the Blind and Visually Impaired have the same grade point average and,  
3 except for the limitation of one designated senior, are otherwise eligible for  
4 designation under par. (c) 1., the executive secretary shall make the designation  
5 under par. (c) 1. of the senior who may be eligible for a higher education scholarship  
6 as a scholar ~~and, if, If~~ that senior does not qualify for a higher education scholarship  
7 under sub. (2) (a) or (3) (a), the executive secretary shall designate, in order of  
8 priority, one or more of the remaining seniors with the same grade point average, or,  
9 if there is no remaining senior with the same grade point average, a senior with the  
10 next highest grade point average, but not less than 3.800 or the equivalent, as  
11 eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a)  
12 until the scholarship may be awarded by the board.

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

14           39.41 (1m) (fm) If 2 or more seniors from the school operated by the Wisconsin  
15 Educational Services Program for the Deaf and Hard of Hearing have the same grade  
16 point average and, except for the limitation of one designated senior, are otherwise  
17 eligible for designation under par. (c) 2., the executive secretary shall make the  
18 designation under par. (c) 2. of the senior who may be eligible for a higher education  
19 scholarship as a scholar ~~and, if, If~~ that senior does not qualify for a higher education  
20 scholarship under sub. (2) (a) or (3) (a), the executive secretary shall designate, in  
21 order of priority, one or more of the remaining seniors with the same grade point  
22 average, or, if there is no remaining senior with the same grade point average, a  
23 senior with the next highest grade point average, but not less than 3.800 or the  
24 equivalent, as eligible for a higher education scholarship as a scholar under sub. (2)  
25 (a) or (3) (a) until the scholarship may be awarded by the board.

