

The House Committee on Higher Education offers the following substitute to HB 1224:

A BILL TO BE ENTITLED
AN ACT

1 To amend Subpart 5 of Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of
2 Georgia Annotated, relating to tuition equalization grants at private colleges and universities,
3 so as to revise the definition of "approved school"; to provide for new definitions; to provide
4 increased grant amounts for eligible students enrolled in certain programs that are directly
5 related to high-demand careers as designated by the Georgia Student Finance Authority; to
6 establish the Tuition Equalization Grant Program for High-demand Career Fields (TEG-HD);
7 to provide for related matters; to provide for an effective date; to repeal conflicting laws; and
8 for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Subpart 5 of Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia
12 Annotated, relating to tuition equalization grants at private colleges and universities, is
13 amended by revising Code Section 20-3-411, relating to definitions, as follows:

14 "20-3-411.

15 As used in this subpart, the term:

16 (1) 'Academic year' means a period of time, typically nine months, in which a full-time
17 student is expected to complete the equivalent of at least two semesters' or three quarters'
18 academic work.

19 (2) 'Approved school' means: an approved nonproprietary school or an approved
20 proprietary school.

21 ~~(A) A nonproprietary institution of higher education located in this state which is not~~
22 ~~a branch of the university system; which is not a four-year or graduate level institution~~
23 ~~of higher education that is, or is a part of, a college or university system that is owned~~
24 ~~and operated by a state other than Georgia; which is accredited by the Southern~~
25 ~~Association of Colleges and Schools; which is not a graduate level school or college of~~
26 ~~theology or divinity; and which is not presently receiving state funds under Article 4~~
27 ~~of this chapter; provided, however, that an institution which otherwise meets the~~
28 ~~requirements of this definition and of this subpart except for the lack of accreditation~~
29 ~~by the Southern Association of Colleges and Schools shall be deemed to be an~~
30 ~~'approved school' during the period that the institution holds candidate for accreditation~~
31 ~~status with the Southern Association of Colleges and Schools; provided, further, that~~
32 ~~an institution which otherwise meets the requirements of this definition and of this~~
33 ~~subpart except for the lack of accreditation by the Southern Association of Colleges and~~
34 ~~Schools shall be deemed to be an 'approved school' if such institution was previously~~
35 ~~an 'approved school' under division (iii) of subparagraph (B) of this paragraph within~~
36 ~~the last five years; provided, further, that an institution which was previously accredited~~
37 ~~by the Southern Association of Colleges and Schools within the last seven years and~~
38 ~~which otherwise meets the requirements of this definition and of this subpart except for~~
39 ~~the lack of accreditation by the Southern Association of Colleges and Schools shall be~~
40 ~~deemed to be an 'approved school'; and~~

41 ~~(B)(i) A qualified proprietary institution of higher education located in this state~~
42 ~~which is a baccalaureate degree-granting institution of higher education; which is~~

43 ~~accredited by the Southern Association of Colleges and Schools; which is not a Bible~~
44 ~~school or college (or, at the graduate level, a school or college of theology or~~
45 ~~divinity); which admits as regular students only persons who have a high school~~
46 ~~diploma, a state approved high school equivalency (HSE) diploma, or a degree from~~
47 ~~an accredited postsecondary institution; whose students are eligible to participate in~~
48 ~~the federal Pell Grant program; which has been reviewed and approved for operation~~
49 ~~and for receipt of tuition equalization grant funds by the Georgia Nonpublic~~
50 ~~Postsecondary Education Commission; which is domiciled and incorporated in the~~
51 ~~State of Georgia; which has been in existence in the State of Georgia for at least ten~~
52 ~~years; and which met all of the requirements of this subparagraph by January 1, 2011;~~
53 ~~provided, however, that the criteria for approval for receipt of tuition equalization~~
54 ~~grant funds shall include but not be limited to areas of course study, quality of~~
55 ~~instruction, student placement rate, research and library sources, faculty, support staff,~~
56 ~~financial resources, physical plant facilities resources, and support and equipment~~
57 ~~resources.~~

58 ~~(ii) Any proprietary institution that is otherwise qualified pursuant to division (i) of~~
59 ~~this subparagraph on July 1, 1995, shall be deemed to be eligible for receipt of tuition~~
60 ~~equalization grant funds subject, however, to any subsequent review of such approval~~
61 ~~pursuant to any proper regulations which may thereafter be adopted in accordance~~
62 ~~with paragraph (10) of subsection (b) of Code Section 20-3-250.5 applicable to all~~
63 ~~qualified proprietary institutions.~~

64 ~~(iii) Any proprietary institution of higher education that is otherwise qualified~~
65 ~~pursuant to division (i) of this subparagraph on January 1, 2011, shall continue to be~~
66 ~~an approved school pursuant to this paragraph as long as it continues to meet the~~
67 ~~requirements of division (i) of this subparagraph as such existed on March 14, 2011.~~

68 (3) 'Approved nonproprietary school' means a nonproprietary postsecondary educational
69 institution that is:

- 70 (A) Located in this state;
71 (B) Not a unit of the University System of Georgia or a unit of the Technical College
72 System of Georgia;
73 (C) Not owned and operated by a state other than Georgia;
74 (D) Not a college or graduate level school of ministry, theology, or divinity or a Bible
75 school, Bible college, theological institute, theological seminary, or other postsecondary
76 educational institution which prepares students for ministry;
77 (E) Not presently receiving state funds under Article 4 of this chapter; and
78 (F) Accredited by the Southern Association of Colleges and Schools Commission on
79 Colleges (SACSCOC).
- 80 (4) 'Approved proprietary school' means a proprietary postsecondary educational
81 institution that:
- 82 (A) Is located in this state;
83 (B) Has been in existence in this state for at least ten years;
84 (C) Is a baccalaureate degree-granting postsecondary educational institution;
85 (D) Is a qualified proprietary institution in accordance with regulations established by
86 the Nonpublic Postsecondary Education Commission pursuant to paragraph (10) of
87 subsection (b) of Code Section 20-3-250.5;
88 (E) Is not a college or graduate level school of ministry, theology, or divinity or a Bible
89 school, Bible college, theological institute, theological seminary, or other postsecondary
90 educational institution which prepares students for ministry;
91 (F) Admits as regular students only persons who have a high school diploma, a state
92 approved high school equivalency (HSE) diploma, or a degree from an accredited
93 postsecondary educational institution;
94 (G) Enrolls students who are eligible to participate in the federal Pell Grant program;
95 (H) Is accredited by the Southern Association of Colleges and Schools Commission
96 on Colleges (SACSCOC); and

97 (I) Satisfies all other criteria consistent with this paragraph that are established by the
 98 authority for approval for receipt of tuition equalization grant funds, which shall
 99 include, but shall not be limited to, areas of course study, quality of instruction, student
 100 placement rate, research and library sources, faculty, support staff, financial resources,
 101 physical plant facilities resources, and support and equipment resources;
 102 provided, however, that a proprietary postsecondary educational institution that met the
 103 qualifications provided for in division (2)(B)(i) of this Code section as such existed on
 104 January 1, 2011, shall be an approved proprietary school so long as it continues to meet
 105 such requirements.

106 ~~(3)~~(5) 'Eligible student' means a person who:

107 (A) Is enrolled in or accepted for enrollment as a full-time undergraduate level student
 108 in an approved school or as a graduate level student if funds are specifically
 109 appropriated in appropriations Acts of the General Assembly for payment of grants to
 110 graduate level students;

111 (B) Is or will be a citizen of Georgia for a period of at least 12 months immediately
 112 prior to each date of registration in the approved school;

113 (C) Is not knowingly promoting or engaging in any activity which is determined by the
 114 approved school's governing body to be detrimental to the school; and

115 (D) Meets the eligibility requirements for the HOPE program as set forth in
 116 paragraph (1) of subsection (a) and in subsection (b) of Code Section 20-3-519.1.

117 ~~(4)~~(6) 'Full-time student' means an undergraduate student who enrolls for a minimum
 118 of 12 academic hours, or ten academic hours in the case of a graduate student."

119 SECTION 2.

120 Said subpart is further amended by revising Code Section 20-3-412, relating to entitlement
 121 to grants as specified in the appropriations Acts and restrictions, as follows:

122 "20-3-412.

123 (a)(1) Except as provided in paragraph (2) of this subsection, each Each eligible student
124 is entitled to a tuition equalization grant each academic year, as specified in
125 appropriations Acts of the General Assembly.

126 (2) Each eligible student shall be eligible for 150 percent of the regular tuition
127 equalization grant amount each academic year, as specified in appropriations Acts of the
128 General Assembly, if he or she is enrolled in a program of study that is:

129 (A) Eligible for receipt of tuition equalization grant funds; and

130 (B) Is designated by the authority as being directly related to a job or career field that
131 is currently included by the Office of Workforce Development on its annually
132 published list of high-demand careers.

133 (b) No grants shall be made to graduate students unless specifically authorized in
134 appropriations Acts of the General Assembly.

135 (c) It is the intent of the General Assembly and the purpose of this program to provide
136 tuition equalization grants to all Georgia students attending approved schools at all levels
137 and throughout the entire calendar year whenever sufficient funds are available to the state.
138 In no event shall an eligible student receive a tuition equalization grant for more than 127
139 semester hours or 190 quarter hours of his or her undergraduate program."

140 **SECTION 3.**

141 Said subpart is further amended by adding a new Code section to read as follows:

142 "20-3-412.1.

143 (a) As used in this Code section, the term:

144 (1) 'Designated program of study' means a program or course of study designated by the
145 authority as being directly related to a job or career field that is currently included by the
146 Office of Workforce Development on its annually published list of high-demand careers.

147 (2) 'TEG-HD eligible student' means a person who:

- 148 (A) Is enrolled in or accepted for enrollment as a full-time undergraduate level student
149 in a TEG-HD school;
- 150 (B) Is or will be a citizen of Georgia for a period of at least 12 months immediately
151 prior to each date of registration in the approved school; and
- 152 (C) Meets the eligibility requirements for the HOPE program as set forth in
153 paragraph (1) of subsection (a) and in subsection (b) of Code Section 20-3-519.1.
- 154 (3) 'TEG-HD school' means a nonpublic postsecondary educational institution that:
- 155 (A) Otherwise meets the definition of an approved nonproprietary school or an
156 approved proprietary school except for the lack of accreditation by the Southern
157 Association of Colleges and Schools Commission on Colleges (SACSCOC); provided,
158 however, that such institution shall be accredited by a national or regional accrediting
159 agency recognized by the United States Department of Education;
- 160 (B) Is approved by the authority to participate in the TEG-HD grant program; and
- 161 (C) Is not approved to participate in any Georgia higher education financial aid
162 program other than the TEG-HD program.
- 163 (b) There is established the Tuition Equalization Grant Program for High-demand Career
164 Fields (TEG-HD) to provide grants to TEG-HD eligible students who are enrolled in
165 designated programs of study offered by a TEG-HD school, subject to appropriations.
- 166 (c) Each TEG-HD eligible student may receive to a TEG-HD grant in an amount equal to
167 150 percent of the regular tuition equalization grant amount each academic year, as
168 specified in appropriations Acts of the General Assembly. It is the intent of the General
169 Assembly and the purpose of this program to provide tuition equalization grants to all
170 Georgia students attending approved schools at all levels and throughout the entire calendar
171 year whenever sufficient funds are available to the state. In no event shall a TEG-HD
172 eligible student receive a tuition equalization grant for more than 127 semester hours or
173 190 quarter hours of his or her undergraduate program.

174 (c) Each TEG-HD eligible student wishing to receive payment of the grant provided for
175 in this Code section shall submit to the TEG-HD school an application for the grant
176 payment at the time and in accordance with procedures prescribed by the authority. The
177 authority is authorized to define such terms and prescribe such rules, regulations, and
178 procedures as may be reasonable and necessary to carry out the purposes of this Code
179 section. The authority shall not approve payment of any grant until it has received from
180 an appropriate officer of the TEG-HD school a certification that the student applying for
181 the grant is a TEG-HD eligible student. Upon timely receipt of such certification, in proper
182 form, the authority is authorized to pay the grant to the TEG-HD school on behalf of and
183 to the credit of the TEG-HD eligible student. In the event a student on whose behalf a
184 grant is paid shall not enroll as a full-time student for the school term for which the grant
185 is paid, the TEG-HD school shall make a refund to the authority in accordance with
186 regulations of the authority.

187 (d) Every TEG-HD school shall be subject to examination by the state auditor for the sole
188 purpose of determining whether such school has properly certified eligibility and
189 enrollment of students and credited grants paid on behalf of such students. However,
190 nothing in this Code section shall be construed to interfere with the authority of such school
191 to determine admissibility of students or to control its own curriculum, philosophy,
192 purpose, or administration. In the event it is determined that a school knowingly or through
193 error certified an ineligible student to be eligible for a grant under this subpart, the amount
194 of the grant paid to the school pursuant to such certification shall be refunded by the school
195 to the authority.

196 (e) Any person who knowingly makes or furnishes any false statement or
197 misrepresentation, or who accepts such statement or misrepresentation knowing it to be
198 false, for the purpose of enabling an ineligible student to obtain wrongfully a grant under
199 this subpart shall be guilty of a misdemeanor."

200 **SECTION 4.**

201 This Act shall become effective on July 1, 2024.

202 **SECTION 5.**

203 All laws and parts of laws in conflict with this Act are repealed.