

House Bill 444 (COMMITTEE SUBSTITUTE)

By: Representatives Reeves of the 34th, Lott of the 122nd, Rogers of the 10th, LaRiccia of the 169th, and Knight of the 130th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to
2 revise the "Move on When Ready Act" and dual credit course; to revise a short title; to
3 provide for legislative purposes; to provide for definitions; to provide for certain covered
4 dual credit courses; to revise provisions relating to eligible high school students; to provide
5 for maximum covered hours; to provide for high school students to take noncovered dual
6 credit courses at their own expense or with lottery funds; to provide for a responsibility of
7 the commission; to provide for counseling by the postsecondary institution; to provide for
8 application to HOPE scholarship and grant caps; to provide for related matters; to provide
9 for an effective date and applicability; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

12 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by
13 revising Code Section 20-2-161.3, relating to the "Move on When Ready Act" and dual
14 credit courses, as follows:

15 "20-2-161.3.

16 (a) This Code section shall be known and may be cited as the ~~'Move on When Ready Act.'~~
17 'Dual Enrollment Act.'

18 (a.1) The purpose of the dual enrollment program shall be to provide qualified high school
19 students with access to rigorous career and academic courses at higher education
20 institutions in order to increase high school graduation rates, prepare a skilled workforce,
21 and to decrease postsecondary students' time to degree completion.

22 (b) For purposes of this Code section, the term:

23 (1) 'Commission' means the Georgia Student Finance Commission created by Code
24 Section 20-3-233.

25 (2) 'Covered dual credit course' means up to 30 hours of dual credit courses, not
26 including summer term.

27 ~~(2)~~(3) 'Department' means the Department of Education.

28 ~~(3)~~(4) 'Dual credit course' means a postsecondary course, including a virtual course,
29 taken by an eligible high school student pursuant to an arrangement at or through an
30 eligible postsecondary institution for which the student receives secondary credit from
31 his or her eligible high school.

32 ~~(4)~~(5) 'Eligible high school' means any private or public secondary educational
33 institution located within the State of Georgia and any home study program operated
34 pursuant to Code Section 20-2-690.

35 ~~(5)~~(6) 'Eligible high school student' means a student entering ~~ninth~~, tenth, eleventh, or
36 twelfth grade at an eligible high school taking dual credit courses within the Technical
37 College System of Georgia or a student entering eleventh or twelfth grade at an eligible
38 high school taking dual credit courses at an eligible postsecondary institution.

39 ~~(6)~~(7) 'Eligible postsecondary institution' or 'postsecondary institution' means any
40 eligible postsecondary institution as defined in paragraph (7) of Code Section 20-3-519.

41 ~~(7)~~(8) 'Program' means the arrangement authorized by this Code section whereby an
42 eligible high school student takes one or more dual credit courses with the goal of
43 completing postsecondary credit and high school diploma requirements.

44 ~~(8)~~(9) 'Secondary credit' means high school credit for dual credit courses taken at or
45 through an eligible postsecondary institution under the program.

46 (c) Any eligible high school student may apply to an eligible postsecondary institution to
47 take one or more dual credit courses at or through that postsecondary institution which are
48 approved for secondary credit pursuant to subsection (f) of this Code section. If accepted
49 at an eligible postsecondary institution, such eligible high school student may take any such
50 approved dual credit course at or through that postsecondary institution, whether or not the
51 course is taught during the regular eligible high school day, and receive secondary credit
52 therefor under the conditions provided in this Code section.

53 ~~(d)(1) The commission~~ In consultation with and subject to approval by the commission,
54 ~~the department~~ shall develop appropriate forms and counseling guidelines for the
55 program and shall make such forms and guidelines available to eligible high schools and
56 eligible postsecondary institutions. No later than the first day of February each year, each
57 eligible high school shall provide general information about the program, including such
58 forms, to all its eligible high school students. An eligible high school shall also provide
59 counseling services to such students and their parents or guardians before the students
60 enroll in the program. Prior to participating in the program, the student and the student's
61 parent or guardian shall sign the form provided by the eligible high school or by an
62 eligible postsecondary institution stating that they have received the counseling specified
63 in this subsection and that they understand the responsibilities that shall be assumed in

64 participating in the program. Program information and materials shall be provided to
 65 each eighth grade public school student at the time the student is developing his or her
 66 individual graduation plan as required by Code Section 20-2-327.

67 (2) In addition to the requirements in paragraph (1) of this subsection, prior to
 68 participating in a dual credit course, an eligible high school student shall meet with and
 69 receive initial consultation from an academic advisor or college counselor at the eligible
 70 postsecondary institution. After attempting 15 hours and 30 hours of covered dual credit
 71 coursework, an eligible high school student taking noncovered dual credit courses funded
 72 with lottery funds shall meet with and receive follow-up consultation from an academic
 73 advisor or college counselor at the eligible postsecondary institution. Such meetings and
 74 consultations may be conducted in person or through teleconferencing for students taking
 75 all of their coursework online.

76 (e) Each eligible high school shall be required to execute a participation agreement as
 77 prescribed by the commission.

78 (f)(1) A participating eligible high school shall grant secondary credit to an eligible high
 79 school student enrolled in a dual credit course in an eligible postsecondary institution if
 80 such student successfully completes ~~that~~ such course. The secondary credit granted shall
 81 be for a comparable required course; career, technical, and agricultural education course;
 82 or elective course. Upon completion of an eligible postsecondary institution's dual credit
 83 course, the eligible high school student shall be responsible for requesting that the eligible
 84 postsecondary institution notify ~~the~~ such student's eligible high school regarding his or
 85 her grade in ~~that~~ such course.

86 (2) Secondary credits granted for eligible postsecondary institution dual credit courses
 87 under paragraph (1) of this subsection shall be counted by the eligible high school toward
 88 graduation requirements and subject area requirements of the eligible high school.
 89 Evidence of successful completion of each dual credit course and secondary credits
 90 granted shall be included in the eligible high school student's secondary school records.

91 (3) A participating eligible high school shall be required to award a high school diploma
 92 to any eligible high school student who is enrolled at or through an eligible postsecondary
 93 institution under the program as long as the credit earned at or through such
 94 postsecondary institution satisfies course requirements needed for the eligible high school
 95 student to complete high school graduation. The State Board of Education, in
 96 consultation with the State Board of the Technical College System of Georgia and the
 97 Board of Regents of the University System of Georgia, shall determine appropriate
 98 courses to meet these requirements. No later than July 1, 2015, the ~~Department of~~
 99 ~~Education~~ department shall communicate to high schools the subject area requirements

100 or elective courses that may be satisfied with dual credit courses provided by eligible
101 postsecondary institutions, which shall include completion of:

102 (A) At least the following state required ninth and tenth grade level high school courses
103 or their equivalent: two English courses, two mathematics courses, two science courses,
104 two social studies courses, and one health and physical education course; and any state
105 required tests associated with any such courses; and

106 (B) One of the following:

107 (i) An associate degree program;

108 (ii) A technical college diploma program and all postsecondary academic education
109 and technical education and training prerequisites for any state, national, or industry
110 occupational certifications or licenses required to work in the field; or

111 (iii) At least two technical college certificate of credit programs in one specific career
112 pathway and all postsecondary academic education and technical education and
113 training prerequisites for any state, national, or industry occupational certifications or
114 licenses required to work in the field as determined by the Technical College System
115 of Georgia.

116 (4) No local school system that receives funding under this article shall exclude eligible
117 high school students taking one or more dual credit courses pursuant to this Code section
118 from eligibility determinations for valedictorian and salutatorian of a participating
119 eligible high school; provided, however, that this shall not apply to a high school student
120 who moves into the local school system after his or her sophomore year and has not taken
121 any courses on site at the participating eligible high school.

122 (g)(1)(A) Hours for covered dual credit courses taken at or through an eligible
123 postsecondary institution pursuant to this Code section by an eligible high school
124 student shall not count against any maximum hourly caps which may be applicable for
125 purposes of HOPE scholarships or grants.

126 (B) Covered dual credit courses shall be delivered onsite at the eligible postsecondary
127 institution, online, or on a high school campus; provided, however, that for courses
128 delivered on a high school campus, the instructor of the dual credit course must be an
129 employee of the eligible postsecondary institution or a high school teacher contracted
130 as adjunct faculty of the postsecondary institution.

131 (2) Any eligible high school student may take any one or more noncovered dual credit
132 courses:

133 (A) At his or her own expense; or

134 (B) Utilizing lottery funds; provided, however, that any such dual credit courses funded
135 by lottery funds shall count against the maximum hourly cap of 190 quarter hours or
136 127 semester hours of combined HOPE scholarships and grants as provided for in

137 subsection (e) of Code Section 20-3-519.5 for such student, but shall not count as
 138 attempted hours for purposes of grade point average checkpoints to determine eligibility
 139 for a HOPE scholarship or grant pursuant to Part 7 of Article 7 of Chapter 3 of this title.
 140 Grades received by an eligible high school student in a dual credit course funded with
 141 lottery funds shall not be included in the grade point average calculations for such
 142 student for purposes of HOPE eligibility pursuant to Code Sections 20-3-519.2 or
 143 20-3-519.5.

144 (3) An eligible high school student shall be eligible to take a maximum of 16 hours per
 145 semester or the quarter equivalent of combined covered dual credit courses and
 146 noncovered dual credit courses funded with lottery funds.

147 (h)(1) The commission shall be responsible for the administration of this Code section,
 148 including but not limited to collecting dual enrollment data to measure and report on the
 149 success of the dual enrollment program, and through rules and regulations requiring
 150 private postsecondary institutions to share data for such purpose.

151 (2) The commission is authorized to promulgate rules and regulations not inconsistent
 152 with the provisions of this Code section relating to the program described in this Code
 153 section.

154 (i) Every eligible postsecondary institution and eligible high school shall be subject to
 155 examination by the commission for the sole purpose of determining whether such
 156 postsecondary institution or eligible high school has properly complied with rules and
 157 regulations established pursuant to this Code section. Such examination shall be conducted
 158 by the commission no less frequently than once every three years. The commission is
 159 authorized to conduct the examination using sampling and extrapolation techniques.
 160 However, nothing in this subsection shall be construed to interfere with the authority of ~~the~~
 161 a postsecondary institution to determine its own curriculum, philosophy, purpose, or
 162 administration. In the event it is determined that a postsecondary institution knowingly or
 163 through error certified an ineligible student to be eligible for the program established under
 164 this Code section, the amount paid to the postsecondary institution pursuant to such
 165 certification shall be refunded by the postsecondary institution to the commission. The
 166 commission may suspend a postsecondary institution from receiving payments under this
 167 Code section if it fails to refund any moneys deemed due pursuant to this subsection.

168 (j) In order to participate in the program, each eligible postsecondary institution shall be
 169 required to enter into a participation agreement with the commission agreeing to:

170 (1) Waive all mandatory and noncourse related fees for eligible high school students
 171 participating in the program;

172 (2) Provide course books to eligible high school students participating in the program
 173 and eligible high school students taking noncovered dual credit courses funded with
 174 lottery funds at no charge to the student;

175 (3) Accept the amount paid by the commission as full payment for ~~an eligible high~~
 176 ~~school student's~~ tuition, mandatory and noncourse related fees, and course books for
 177 eligible high school students taking noncovered dual credit courses funded with lottery
 178 funds; and

179 (4) Provide enrollment and student record data to the Office of Student Achievement and
 180 to the state-wide longitudinal data system maintained by such office. Such data shall be
 181 submitted in accordance with timelines and formats established by the Office of Student
 182 Achievement.

183 (k) The commission shall provide funding in accordance with this Code section for
 184 covered dual credit courses taken by eligible high school students and for noncovered dual
 185 credit courses taken by eligible high school students and funded with lottery funds;
 186 provided, however, that the ~~The~~ funding provided to the commission for the program shall
 187 be subject to annual appropriations enacted by the General Assembly ~~beginning in Fiscal~~
 188 ~~Year 2016~~. The commission shall set criteria for funding for tuition, mandatory and
 189 noncourse related fees, and course books, ~~and transportation~~. The amount of such funds
 190 to be paid shall be determined by the commission. ~~The commission shall create a grant~~
 191 ~~program, subject to the availability of funds, pursuant to which participating public eligible~~
 192 ~~high schools may apply for transportation grants. Such grants shall be awarded based on~~
 193 ~~criteria, terms, and conditions determined by the commission in consultation with the~~
 194 ~~department.~~

195 (l) In the event the funds made available to the commission are not sufficient to enable the
 196 commission to meet all funding requirements of the program, the amount paid to eligible
 197 postsecondary institutions shall be reduced by the commission. Under no circumstances
 198 shall the eligible postsecondary institutions require an eligible high school student
 199 participating in the program, or an eligible high school student taking a noncovered dual
 200 credit course funded with lottery funds, to pay for tuition, mandatory and noncourse related
 201 fees, or course books.

202 (m) Students enrolled in a work based learning program under Code Section 20-2-161.2
 203 may be eligible to earn dual credit upon completing a planned training experience under
 204 guidelines developed by the ~~Department of Education~~ department and the Technical
 205 College System of Georgia provided students meet postsecondary readiness established in
 206 reading and writing and mathematics for the particular advanced training program or
 207 associate's degree.

208 (n) ~~The commission~~ ~~The Office of Student Achievement~~ shall collect and monitor
 209 enrollment and student record data for dual credit courses taken pursuant to this Code
 210 section. ~~The Office of Student Achievement~~ commission shall annually measure and
 211 evaluate the program. ~~The commission~~ Office of Student Achievement, the department,
 212 eligible postsecondary institutions, and local boards of education shall cooperate with and
 213 provide data as necessary to the ~~Office of Student Achievement~~ commission to facilitate
 214 the provisions of this subsection. ~~The Office of Student Achievement is authorized to~~
 215 ~~promulgate rules and regulations as necessary to implement the provisions of this~~
 216 ~~subsection.~~

217 (o) The commission, in consultation with the Office of Planning and Budget, shall
 218 annually publish on its website the rates to be paid to eligible postsecondary institutions for
 219 covered dual credit courses and noncovered dual credit courses funded with lottery funds
 220 pursuant to this Code section. Such rates may be based upon the classification of eligible
 221 postsecondary institutions and the method of delivery of coursework, including onsite at
 222 an eligible postsecondary institution, onsite at an eligible high school, or by virtual means;
 223 provided, however, that the rates paid to private postsecondary institutions shall not be less
 224 than the per credit hour rate for semester systems or quarter systems contained in
 225 commission regulation for the dual enrollment program in effect as of February 1, 2019."

226

SECTION 2.

227 Said title is further amended in Code Section 20-3-519.5, relating to eligibility requirements
 228 for a HOPE grant, by revising subsection (e) as follows:

229 "(e) No student ~~that~~ who has a baccalaureate degree, its equivalent or higher, from any
 230 postsecondary institution shall be eligible to receive a HOPE grant. No student may
 231 receive HOPE grants for more than 95 quarter hours or 63 semester hours of attempted
 232 coursework. No student may receive more than a cumulative total of 190 quarter hours or
 233 127 semester hours of combined HOPE scholarships and grants and dual credit coursework
 234 paid for by lottery funds pursuant to Code Section 20-2-161.3. For purposes of this
 235 subsection, attempted hours shall not include hours for courses taken and paid for by a
 236 HOPE grant or lottery funds while a student is participating in dual credit enrollment with
 237 both an eligible high school and a branch of the Technical College System of Georgia or
 238 a unit of the University System of Georgia. The Technical College System of Georgia or
 239 the University System of Georgia, as applicable, shall verify that the student is enrolled in
 240 an eligible high school and shall notify the Georgia Student Finance Commission of the
 241 student's participation in dual credit enrollment."

242

SECTION 3.

243 (a) This Act shall become effective upon its approval by the Governor or upon its becoming
244 law without such approval.

245 (b)(1) For students who have taken dual credit courses pursuant to Code
246 Section 20-2-161.3 as it existed prior to and on the effective date of this Act, dual credit
247 courses taken by any such students beginning in the summer 2019 academic term and
248 thereafter shall count toward their 30 hours maximum for covered dual credit courses;
249 provided, however, that dual credit courses taken by any such students prior to the
250 summer 2019 academic term shall not count toward their 30 hours maximum for covered
251 dual credit courses.

252 (2) For students who have not taken any dual credit courses prior to the effective date of
253 this Act, dual credit courses taken by any such students beginning in the fall 2019
254 academic term and thereafter shall count toward their 30 hours maximum for covered
255 dual credit courses.

256

SECTION 4.

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