

Senate Bill 208

By: Senator McKoon of the 29th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to
2 postsecondary education, so as to provide that the award amount for HOPE scholarships shall
3 be based on the previous year's average cost of tuition for institutions within the university
4 system; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary
8 education, is amended by revising Code Section 20-3-519, relating to definitions, as follows:
9 "20-3-519.

10 As used in this part, the term:

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

14 (2) Reserved.

15 (3) Reserved.

16 (4) 'Certificate' or 'diploma' means a credential, other than a degree, indicating
17 satisfactory completion of training in a program of study offered by an eligible
18 postsecondary institution.

19 (5) 'Dual credit enrollment' means enrollment by a student in a postsecondary course in
20 which an agreement has been established between an eligible high school and an eligible
21 postsecondary institution wherein the student earns Carnegie units of credit that count
22 toward both high school graduation requirements and postsecondary coursework
23 requirements.

24 (6) 'Eligible high school' means a public or private secondary school which is:

25 (A) Located in Georgia and accredited as such by:

26 (i) The Southern Association of Colleges and Schools;

- 27 (ii) The Georgia Accrediting Commission;
- 28 (iii) The Georgia Association of Christian Schools;
- 29 (iv) The Association of Christian Schools International;
- 30 (v) The Georgia Private School Accreditation Council; or
- 31 (vi) The Southern Association of Independent Schools;
- 32 provided, however, that between July 1, 2013, and June 30, 2015, if a high school
- 33 located in Georgia was accredited by one of the accrediting agencies included in this
- 34 subparagraph within the previous two years, such high school shall be considered an
- 35 eligible high school for purposes of this subparagraph; or
- 36 (B) Located in another state and accredited by one of the following regional agencies:
- 37 (i) The Southern Association of Colleges and Schools;
- 38 (ii) The New England Association of Schools and Colleges;
- 39 (iii) The Middle States Association of Colleges and Schools;
- 40 (iv) The North Central Association of Colleges and Schools;
- 41 (v) The Northwestern Association of Schools and Colleges;
- 42 (vi) The Western Association of Schools and Colleges;
- 43 (vii) The Alabama Independent School Association; or
- 44 (viii) The Southern Association of Independent Schools.
- 45 (7) 'Eligible postsecondary institution' means a school which is:
- 46 (A) A unit of the University System of Georgia;
- 47 (B) A branch of the Technical College System of Georgia;
- 48 (C) A private independent nonprofit postsecondary institution eligible for tuition
- 49 equalization grants in accordance with the provisions of subparagraph (A) of paragraph
- 50 (2) of Code Section 20-3-411; or
- 51 (D) A private proprietary postsecondary institution eligible for tuition equalization
- 52 grants in accordance with the provisions of subparagraph (B) of paragraph (2) of Code
- 53 Section 20-3-411.
- 54 (8) 'Eligible private postsecondary institution' means an eligible postsecondary institution
- 55 which meets the criteria set out in subparagraph (C) or (D) of paragraph (7) of this Code
- 56 section.
- 57 (9) 'Eligible public postsecondary institution' means an eligible postsecondary institution
- 58 which meets the criteria set out in subparagraph (A) or (B) of paragraph (7) of this Code
- 59 section.
- 60 ~~(9.1) 'Factor rate' means the percentage amount established by the Georgia Student~~
- 61 ~~Finance Commission against which the previous year HOPE award amount is multiplied.~~
- 62 ~~(9.2) 'First professional degree program' means a nonundergraduate degree program that~~
- 63 ~~meets the requirements established by the program regulations promulgated by the~~

64 ~~Georgia Student Finance Commission which, at a minimum, shall include, but not be~~
 65 ~~limited to, the following:~~

66 ~~(A) Accepts students after the completion of the sophomore or junior year; and~~

67 ~~(B) Results in the award of a nonundergraduate degree.~~

68 (10) 'Freshman student' means a student at a postsecondary institution who has attempted
 69 less than 46 quarter hours or less than 31 semester hours.

70 (11) 'Full-time student' means a matriculated student attending a postsecondary
 71 educational institution and enrolled for at least 12 semester hours or the equivalent in any
 72 given semester or quarter.

73 (12) 'Grade point average' means the numbered grade average calculated using a 4.0
 74 scale.

75 (12.1) 'Half-time student' means a matriculated student attending a postsecondary
 76 educational institution and enrolled for six to 11 semester hours or the equivalent in any
 77 given semester or quarter.

78 (12.2) 'HOPE award amount' means the amount of HOPE award to be made to an
 79 eligible student as follows: at an eligible postsecondary institution and which shall be
 80 equal to the average tuition of university system institutions for the previous academic
 81 year; provided, however, that such amount shall be reduced by 50 percent for half-time
 82 students. Such amount shall be subject to the amounts appropriated by the General
 83 Assembly and provisions relating to the Lottery for Education Account in Code Section
 84 50-27-13. The quarter award shall be equal to two-thirds of the semester award. Credit
 85 hours for remedial and developmental courses shall not be included for the HOPE
 86 scholarship.

87 ~~(A) At an eligible public postsecondary institution, the HOPE award amount is equal~~
 88 ~~to the HOPE award rate multiplied by the number of credit hours, up to a maximum of~~
 89 ~~15, in which an eligible student is enrolled per quarter or semester; provided, however,~~
 90 ~~that the quarter award shall equal two-thirds of the semester award and that credit hours~~
 91 ~~for remedial and developmental courses shall not be included for the HOPE~~
 92 ~~scholarship; or~~

93 ~~(B) At an eligible private postsecondary institution, the HOPE award amount is equal~~
 94 ~~to HOPE tuition payment multiplied by the factor rate for full-time students and~~
 95 ~~one-half of the HOPE tuition payment multiplied by the factor rate for half-time~~
 96 ~~students. No awards shall be made to eligible students enrolled in five or fewer credit~~
 97 ~~hours and credit hours for remedial and developmental courses shall not be included for~~
 98 ~~the HOPE scholarship.~~

99 (13) ~~'HOPE award rate' means the rate equal to the previous academic year HOPE tuition~~
 100 ~~payment to the eligible public postsecondary institution multiplied by the factor rate~~

101 ~~divided by 15. Notwithstanding the foregoing, the Georgia Student Finance Commission~~
 102 ~~may adjust the previous academic year HOPE tuition payment used to calculate the~~
 103 ~~HOPE award rate to reflect changes in the mission or sector of an eligible public~~
 104 ~~postsecondary institution that affects the tuition charged by that institution.~~

105 ~~(13.1)~~(13) 'HOPE GED voucher' means a Helping Outstanding Pupils Educationally
 106 general educational development (GED) diploma voucher for postsecondary education
 107 awarded in accordance with Code Section 20-3-519.6.

108 (14) 'HOPE grant' means a Helping Outstanding Pupils Educationally grant for education
 109 awarded in accordance with Code Section 20-3-519.5.

110 (15) 'HOPE scholarship' means a Helping Outstanding Pupils Educationally scholarship
 111 for education awarded in accordance with Code Section 20-3-519.2.

112 ~~(16) Reserved.~~

113 ~~(16.1) 'HOPE tuition payment' means, in the case of an eligible public postsecondary~~
 114 ~~institution, the amount paid for tuition only based on the standard undergraduate full-time~~
 115 ~~tuition rate for 15 hours; and, in the case of an eligible private postsecondary institution,~~
 116 ~~the amount paid for tuition based on the amount established by the General Assembly in~~
 117 ~~an appropriations Act.~~

118 ~~(17) 'Junior student' means a student at a postsecondary institution who has attempted~~
 119 ~~at least 91 quarter hours but less than 136 quarter hours or at least 61 semester hours but~~
 120 ~~less than 91 semester hours.~~

121 ~~(18) Reserved.~~

122 ~~(19)~~(16) 'Matriculated status' means being recognized as a student in a defined program
 123 of study leading to a degree, diploma, or certificate at a postsecondary institution.

124 ~~(19.1)~~(17) 'Part-time student' means a matriculated student attending a postsecondary
 125 educational institution and enrolled for less than 12 semester hours or the equivalent in
 126 any given semester or quarter and who has never been enrolled for 12 or more semester
 127 hours or the equivalent in any given semester or quarter.

128 ~~(20) Reserved.~~

129 ~~(21)~~(18) 'Quarter hours' includes each quarter hour attempted for credit toward a degree,
 130 certificate, or diploma, but shall not include hours attempted for remedial and
 131 developmental courses for purposes of the HOPE scholarship.

132 ~~(21.1)~~(19) 'Remedial and developmental courses' means coursework required by the
 133 postsecondary institution or chosen by the student that does not count toward program
 134 requirements for college degrees in the case of the HOPE scholarship, or, diplomas or
 135 certificates in the case of the HOPE grant.

136 ~~(22)~~(20) 'Semester hours' includes each semester hour attempted for credit toward a
 137 degree, certificate, or diploma, but shall not include hours attempted for remedial and
 138 developmental courses for purposes of the HOPE scholarship.

139 ~~(23)~~ 'Senior student' means a student at a postsecondary institution who has attempted
 140 at least 136 quarter hours but less than 191 quarter hours or at least 91 semester hours but
 141 less than 128 semester hours.

142 ~~(24)~~ 'Sophomore student' means a student at a postsecondary institution who has
 143 attempted at least 46 quarter hours but less than 91 quarter hours or at least 31 semester
 144 hours but less than 61 semester hours.

145 ~~(25)~~(21) 'Title IV' means Title IV of the Higher Education Act of 1965, as amended, 20
 146 U.S.C.A. Section 1070, et seq.

147 ~~(26)~~(22) 'Tuition' means the charges to a student for postsecondary academic instruction
 148 without regard to other fees such as technology, activity, athletic, health, or other similar
 149 fees.

150 ~~(26.1)~~(23) 'Zell Miller Grant Scholar' means a student who has met the applicable
 151 eligibility requirements to receive a HOPE grant in accordance with Code Section
 152 20-3-519.5 and earned a cumulative grade point average of at least 3.5 at the end of any
 153 quarter or semester in which the student has attended courses toward a diploma or
 154 certificate.

155 ~~(27)~~(24) 'Zell Miller Scholarship Scholar' means a student who has met the applicable
 156 eligibility requirements to receive a HOPE scholarship in accordance with Code Section
 157 20-3-519.2 and:

158 (A) As an incoming freshman:

159 (i) Having graduated from an eligible high school with a grade point average of at
 160 least 3.7 calculated in accordance with Code Section 20-2-157 and having received
 161 a score of at least 1,200 on the combined critical reading and math portions on a
 162 single administration of the SAT administered prior to March 1, 2016, or on the total
 163 score on a single administration of the SAT administered on or after March 1, 2016,
 164 or an ACT composite scale score of at least 26;

165 (ii) Having graduated from an eligible high school as a valedictorian or salutatorian;

166 (iii) Having completed a home study program meeting the requirements of
 167 subsection (c) of Code Section 20-2-690 or having graduated from a high school
 168 which is not an eligible high school, having received a score in the ninety-third
 169 percentile or higher on the ACT, on the combined critical reading and math portions
 170 on a single administration of the SAT administered prior to March 1, 2016, or on the
 171 total score on a single administration of the SAT administered on or after
 172 March 1, 2016; or

173 (iv) Having completed a home study program meeting the requirements of
 174 subsection (c) of Code Section 20-2-690 or having graduated from a high school
 175 which is not an eligible high school, having received a score of at least 1,200 on the
 176 combined critical reading and math portions on a single administration of the SAT
 177 administered prior to March 1, 2016, or on the total score on a single administration
 178 of the SAT administered on or after March 1, 2016, or an ACT composite scale score
 179 of at least 26, and earning a cumulative grade point average of at least 3.3 at an
 180 eligible postsecondary institution at the end of the quarter or semester in which the
 181 student has attempted 45 quarter hours or 30 semester hours, provided that such
 182 student shall be eligible to receive a retroactive scholarship for such student's
 183 freshman year to be paid at the end of the freshman year; and

184 (B) As a sophomore, junior, senior, or first professional student who met the
 185 requirements of subparagraph (A) of this paragraph, having a cumulative grade point
 186 average of at least 3.3 at the checkpoints set forth in paragraph (1) of subsection (b) of
 187 Code Section 20-3-519.2. Notwithstanding the foregoing, a student who entered an
 188 eligible postsecondary institution as a freshman between July 1, 2007, and
 189 June 30, 2011, and met the requirements of subparagraph (A) of this paragraph may
 190 become a Zell Miller Scholarship Scholar as a sophomore, junior, senior, or first
 191 professional student.

192 A student who loses eligibility to be a Zell Miller Scholarship Scholar for any reason may
 193 regain eligibility one time if the student requalifies at one of the checkpoints set forth in
 194 paragraph (1) of subsection (b) of Code Section 20-3-519.2."

195 SECTION 2.

196 Said chapter is further amended by revising subsection (f) of Code Section 20-3-519.2,
 197 relating to eligibility requirements for a HOPE scholarship, as follows:

198 "(f) For each semester of eligibility, Zell Miller Scholarship Scholars shall be awarded an
 199 amount in addition to the HOPE award amount as follows:

200 ~~(1) If attending an eligible public institution, an amount equal to the difference between~~
 201 ~~the HOPE award amount and the then current academic year standard undergraduate~~
 202 ~~tuition amount at the institution to be paid; and~~

203 ~~(2) If attending an eligible private institution, an amount equal to the difference between~~
 204 ~~the HOPE award amount and the HOPE tuition payment."~~

205 **SECTION 3.**

206 Said chapter is further amended by revising subsection (e.1) of Code Section 20-3-400.2,
207 relating to eligibility, repayment, maximum amount, interest rate, and other requirements for
208 GOT Student Loans, as follows:

209 "(e.1) The annual interest rate for any GOT Student Loan shall be converted to 1 percent
210 retroactive to the origination date of the GOT Student Loan for any student that has met the
211 applicable eligibility requirements to receive a HOPE scholarship under Code Section
212 20-3-519.2 or a HOPE grant under Code Section 20-3-519.5 ~~as follows:~~

213 ~~(1) If attending an eligible public institution, for an amount equal to the difference~~
214 ~~between the HOPE award amount and the then current academic year standard~~
215 ~~undergraduate tuition amount at the institution to be paid; and~~

216 ~~(2) If attending an eligible private institution, an amount equal to the difference between~~
217 ~~the HOPE award amount and the HOPE tuition payment.~~

218 The provisions of this subsection shall be subject to funding."

219 **SECTION 4.**

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