

Senate Bill 394

By: Senators Carter of the 42nd and Sims of the 12th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia  
2 Annotated, relating to HOPE scholarships and grants, so as to restore the former HOPE  
3 teacher's scholarship, PROMISE teacher's scholarship, and PROMISE II teacher's  
4 scholarship; to provide for applicable definitions; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,  
9 relating to HOPE scholarships and grants, is amended by revising Code Section 20-3-519,  
10 relating to definitions, as follows:

11 "20-3-519.

12 As used in this part, the term:

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

16 (2) 'Advanced degree' means a master's degree, specialist's degree, or doctorate in  
17 education conferred by an approved postsecondary institution upon completion of a  
18 unified program of study at the graduate level. ~~Reserved.~~

19 (3) 'Approved teacher education program' means a program offered by a public or private  
20 postsecondary institution which program has been approved by the Georgia Professional  
21 Standards Commission. ~~Reserved.~~

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

25 (4.1) 'Critical shortage field' means an area of study or an area of specialized expertise  
 26 for which a shortage of qualified teachers or educators exists in Georgia, designated as  
 27 such by the Georgia Student Finance Commission.

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

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

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

- 35 (i) The Southern Association of Colleges and Schools;
- 36 (ii) The Georgia Accrediting Commission;
- 37 (iii) The Georgia Association of Christian Schools;
- 38 (iv) The Association of Christian Schools International;
- 39 (v) The Georgia Private School Accreditation Council; or
- 40 (vi) The Southern Association of Independent Schools;

41 provided, however, that between July 1, 2013, and June 30, 2015, if a high school  
 42 located in Georgia was accredited by one of the accrediting agencies included in this  
 43 subparagraph within the previous two years, such high school shall be considered an  
 44 eligible high school for purposes of this subparagraph; or

45 (B) Located in another state and accredited by one of the following regional agencies:

- 46 (i) The Southern Association of Colleges and Schools;
- 47 (ii) The New England Association of Schools and Colleges;
- 48 (iii) The Middle States Association of Colleges and Schools;
- 49 (iv) The North Central Association of Colleges and Schools;
- 50 (v) The Northwestern Association of Schools and Colleges;
- 51 (vi) The Western Association of Schools and Colleges;
- 52 (vii) The Alabama Independent School Association; or
- 53 (viii) The Southern Association of Independent Schools.

54 (7) 'Eligible postsecondary institution' means a school which is:

- 55 (A) A unit of the University System of Georgia;
- 56 (B) A branch of the Technical College System of Georgia;
- 57 (C) A private independent nonprofit postsecondary institution eligible for tuition  
 58 equalization grants in accordance with the provisions of subparagraph (A) of paragraph  
 59 (2) of Code Section 20-3-411; or

60 (D) A private proprietary postsecondary institution eligible for tuition equalization  
61 grants in accordance with the provisions of subparagraph (B) of paragraph (2) of Code  
62 Section 20-3-411.

63 (8) 'Eligible private postsecondary institution' means an eligible postsecondary institution  
64 which meets the criteria set out in subparagraph (C) or (D) of paragraph (7) of this Code  
65 section.

66 (9) 'Eligible public postsecondary institution' means an eligible postsecondary institution  
67 which meets the criteria set out in subparagraph (A) or (B) of paragraph (7) of this Code  
68 section.

69 (9.1) 'Factor rate' means the percentage amount established by the Georgia Student  
70 Finance Commission against which the previous year HOPE award amount is multiplied.

71 (9.2) 'First professional degree program' means a nonundergraduate degree program that  
72 meets the requirements established by the program regulations promulgated by the  
73 Georgia Student Finance Commission which, at a minimum, shall include, but not be  
74 limited to, the following:

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

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

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

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

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

84 (12.1) 'Half-time student' means a matriculated student attending a postsecondary  
85 educational institution and enrolled for six to 11 semester hours or the equivalent in any  
86 given semester or quarter.

87 (12.2) 'HOPE award amount' means the amount of HOPE award to be made to an  
88 eligible student as follows:

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

95 (B) At an eligible private postsecondary institution, the HOPE award amount is equal  
96 to HOPE tuition payment multiplied by the factor rate for full-time students and

97 one-half of the HOPE tuition payment multiplied by the factor rate for half-time  
 98 students. No awards shall be made to eligible students enrolled in five or fewer credit  
 99 hours and credit hours for remedial and developmental courses shall not be included  
 100 for the HOPE scholarship.

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

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

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

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

114 (16) 'HOPE teacher's scholarship' means a Helping Outstanding Pupils Educationally  
 115 scholarship for education awarded in accordance with Code Section 20-3-519.8.

116 ~~Reserved:~~

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

122 (17) 'Junior student' means a student at a postsecondary institution who has attempted  
 123 at least 91 quarter hours but less than 136 quarter hours or at least 61 semester hours but  
 124 less than 91 semester hours.

125 (18) 'Mandatory fees' means fees approved by the Georgia Student Finance Commission  
 126 that are charged by a postsecondary institution to every student enrolled in that  
 127 institution, regardless of the student's program of study. ~~Reserved:~~

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

130 (19.1) 'Part-time student' means a matriculated student attending a postsecondary  
 131 educational institution and enrolled for less than 12 semester hours or the equivalent in  
 132 any given semester or quarter and who has never been enrolled for 12 or more semester  
 133 hours or the equivalent in any given semester or quarter.

134 (20) 'PROMISE teacher's scholarship' means a scholarship awarded in accordance with  
 135 Code Section 20-3-519.7. Reserved.

136 (20.1) 'PROMISE II teacher's scholarship' means a scholarship awarded in accordance  
 137 with Code Section 20-3-519.12.

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

141 (21.1) 'Remedial and developmental courses' means coursework required by the  
 142 postsecondary institution or chosen by the student that does not count toward program  
 143 requirements for college degrees in the case of the HOPE scholarship, or, diplomas or  
 144 certificates in the case of the HOPE grant.

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

148 (23) 'Senior student' means a student at a postsecondary institution who has attempted  
 149 at least 136 quarter hours but less than 191 quarter hours or at least 91 semester hours but  
 150 less than 128 semester hours.

151 (24) 'Sophomore student' means a student at a postsecondary institution who has  
 152 attempted at least 46 quarter hours but less than 91 quarter hours or at least 31 semester  
 153 hours but less than 61 semester hours.

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

156 (26) 'Tuition' means the charges to a student for postsecondary academic instruction  
 157 without regard to other fees such as technology, activity, athletic, health, or other similar  
 158 fees.

159 (27) 'Zell Miller Scholar' means a student ~~that~~ who has met the applicable eligibility  
 160 requirements to receive a HOPE scholarship in accordance with Code Section 20-3-519.2  
 161 and:

162 (A) As an incoming freshman:

163 (i) Having graduated from an eligible high school with a grade point average of at  
 164 least 3.7 calculated in accordance with Code Section 20-2-157 and having received  
 165 a score of at least 1,200 combined critical reading score and math score on a single  
 166 administration of the SAT or an ACT composite scale score of at least 26;

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

169 (iii) Having completed a home study program meeting the requirements of subsection  
 170 (c) of Code Section 20-2-690, having received a score of at least 1,200 combined

171 critical reading score and math score on a single administration of the SAT or an ACT  
 172 composite scale score of at least 26, and earning a cumulative grade point average of  
 173 at least 3.3 at an eligible postsecondary institution at the end of the quarter or semester  
 174 in which the student has attempted 45 quarter hours or 30 semester hours, provided  
 175 that such student shall be eligible to receive a retroactive scholarship for such  
 176 student's freshman year to be paid at the end of the freshman year; and

177 (B) As a sophomore, junior, senior, or first professional student who met the  
 178 requirements of subparagraph (A) of this paragraph, having a cumulative grade point  
 179 average of at least 3.3 at the checkpoints set forth in paragraph (1) of subsection (b) of  
 180 Code Section 20-3-519.2. Notwithstanding the foregoing, a student ~~that~~ who entered  
 181 an eligible postsecondary institution as a freshman between July 1, 2007, and June 30,  
 182 2011, and met the requirements of subparagraph (A) of this paragraph may become a  
 183 Zell Miller Scholar as a sophomore, junior, senior, or first professional student.

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

## 187 SECTION 2.

188 Said part is further amended by revising Code Section 20-3-519.7, which is reserved, as  
 189 follows:

190 "20-3-519.7.

191 (a) To be eligible for a PROMISE teacher's scholarship, a student seeking a bachelor's  
 192 degree in teacher education shall:

193 (1) Be admitted, enrolled, and classified as a full-time or part-time undergraduate student  
 194 in a matriculated status at an eligible postsecondary institution maintaining satisfactory  
 195 academic progress in accordance with the standards and practices used for federal Title  
 196 IV programs by the institution at which the student is enrolled;

197 (2) For a student in the junior year or a student in the senior year, have earned a  
 198 minimum overall cumulative 3.0 postsecondary grade point average at the beginning of  
 199 the first term for which scholarship aid is requested and be maintaining satisfactory  
 200 academic progress in his or her course of study in accordance with the standards and  
 201 practices used for federal Title IV programs by the postsecondary institution in which the  
 202 student is enrolled;

203 (3) Be accepted for enrollment into an approved teacher education program in Georgia  
 204 leading to initial certification; and

205 (4) Agree to teach in a public school in Georgia at the preschool, elementary, middle, or  
 206 secondary level for one academic year for each \$1,500.00 in PROMISE teacher

207 scholarship funds awarded and sign a promissory note that stipulates the cash repayment  
 208 obligation incurred if the teaching service is not fulfilled.

209 (b) A student who terminates enrollment at an eligible institution or who is otherwise  
 210 dropped from enrollment by an eligible institution will not be eligible to continue receiving  
 211 a PROMISE teacher's scholarship.

212 (c) Subject to the amounts appropriated by the General Assembly and provisions relating  
 213 to the shortfall reserve in Code Section 50-27-13, a PROMISE teacher's scholarship shall  
 214 not exceed a total of \$6,000.00 for the junior and senior years.

215 (d) As used in this Code section and notwithstanding any provision of Code Section  
 216 20-3-519 to the contrary, the term:

217 (1) 'Student in the junior year' means a student at a postsecondary institution who is  
 218 classified as a junior by the postsecondary institution in which he or she is enrolled.

219 (2) 'Student in the senior year' means a student at a postsecondary institution who is  
 220 classified as a senior by the postsecondary institution in which he or she is enrolled.

221 Reserved."

### 222 **SECTION 3.**

223 Said part is further amended by revising Code Section 20-3-519.8, which is reserved, as  
 224 follows:

225 "20-3-519.8.

226 (a) To be eligible for a HOPE teacher's scholarship, a student shall:

227 (1) Meet the residency requirements set forth in subsection (a) of Code Section  
 228 20-3-519.1;

229 (2) Be admitted into graduate school and into an advanced degree or approved teacher  
 230 education program in a critical shortage field of study leading to certification;

231 (3) Be one of the following:

232 (A) A teacher working in a public or private accredited school in Georgia who has a  
 233 baccalaureate degree and is seeking an advanced degree in his or her current field  
 234 which is a critical shortage field or in a new critical shortage field;

235 (B) An individual with a baccalaureate degree who is seeking an advanced degree in  
 236 a critical shortage field;

237 (C) An individual with a master's degree in a critical shortage field who is seeking  
 238 certification as a specialist or a doctorate in his or her current critical shortage field;

239 (D) An individual with a master's degree in a field which is not a critical shortage field  
 240 who is seeking an advanced degree in a critical shortage field;

241 (E) An individual who has certification as a specialist in a critical shortage field who  
 242 is seeking a doctorate in his or her current critical shortage field; or

243 (F) A teacher working in a public or private accredited school in Georgia who is  
 244 seeking to complete an approved program in a critical shortage field for which degree  
 245 programs are not generally offered; and  
 246 (4) Agree to teach in his or her critical shortage field in a public school in Georgia at the  
 247 preschool, elementary, middle, or secondary level for one academic year for each  
 248 \$2,500.00 in HOPE teacher scholarship funds awarded and sign a promissory note that  
 249 stipulates the cash repayment obligation incurred if the teaching service is not fulfilled.  
 250 (b)(1) Except as otherwise provided in paragraphs (2) and (3) of this subsection, for  
 251 students eligible for a HOPE teacher's scholarship, no minimum number of hours of  
 252 enrollment is required for eligibility for a HOPE teacher's scholarship.  
 253 (2) The program of study a student is attempting shall be completed within five years,  
 254 beginning with the first term for which scholarship funds are awarded.  
 255 (3) A student's eligibility for a HOPE teacher's scholarship expires if the student has a  
 256 break in enrollment at an eligible institution of more than 12 months.  
 257 (c) Subject to the amounts appropriated by the General Assembly and provisions relating  
 258 to the shortfall reserve in Code Section 50-27-13, a HOPE teacher's scholarship award  
 259 amount for a student shall not exceed \$10,000.00 for the student's program of study.  
 260 Reserved."

261 **SECTION 4.**

262 Said part is further amended by revising Code Section 20-3-519.9, which is reserved, as  
 263 follows:

264 "20-3-519.9.

265 An individual who meets any of the following criteria is ineligible for the HOPE teacher's  
 266 scholarship:

267 (1) Holding an advanced degree in a critical shortage field and seeking an advanced  
 268 degree in a new critical shortage field;

269 (2) Holding a doctorate recognized by the Georgia Professional Standards Commission  
 270 as Level 7; or

271 (3) Being ineligible for teacher certification by action of the Georgia Professional  
 272 Standards Commission.

273 Reserved."

274 **SECTION 5.**

275 Said part is further amended by revising Code Section 20-3-519.12, which is reserved, as  
 276 follows:

277 "20-3-519.12.

278 (a) As used in this Code section, the term 'paraprofessional' shall have the same meaning  
 279 as provided in Code Section 20-2-204.

280 (b) To be eligible for a PROMISE II teacher's scholarship, a student seeking a bachelor's  
 281 degree in teacher education shall:

282 (1) Meet residency requirements as set forth in subsection (a) of Code Section  
 283 20-3-519.1;

284 (2) Be employed for at least one year in a public school in Georgia as a paraprofessional  
 285 or instructional aide;

286 (3) Be accepted for enrollment into an approved teacher education program in Georgia  
 287 leading to initial certification;

288 (4) Not yet have obtained a baccalaureate degree; and

289 (5) Agree to teach in a public school in Georgia at the preschool, elementary, middle, or  
 290 secondary level for one academic year for each 30 semester or 45 quarter hours  
 291 completed using PROMISE II scholarship funds and sign a promissory note that  
 292 stipulates the cash repayment obligation incurred if the teaching service is not fulfilled.

293 (c) Subject to the amounts appropriated by the General Assembly and provisions relating  
 294 to the shortfall reserve in Code Section 50-27-13, a PROMISE II teacher's scholarship shall  
 295 not exceed the cost of tuition, approved mandatory fees, and a book allowance not to  
 296 exceed \$100.00 per quarter or \$150.00 per semester for a student enrolled in a unit of the  
 297 University System of Georgia and shall not exceed \$3,000.00 for a student attending an  
 298 eligible private postsecondary institution.

299 (d) A PROMISE II teacher's scholarship may be applied toward no more than 30 semester  
 300 or 45 quarter hours of study subject to appropriation by the General Assembly.

301 (e) For students eligible for a PROMISE II teacher's scholarship under this Code section,  
 302 no minimum number of hours of enrollment is required. Reserved."

303

## SECTION 6.

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