

House Bill 985

By: Representatives Rogers of the 15th, Graves of the 10th, Lunsford of the 85th, Post 2, Lewis of the 12th, White of the 3rd, Post 2, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to allow joint enrollment for students in certain
3 private schools and in certain home study programs; to provide for responsibilities of
4 principals of private schools; to provide for payment of certain costs and fees for such
5 students in certain circumstances; to provide for related matters; to repeal conflicting laws;
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
10 secondary education, is amended by striking Code Section 20-2-161.1, relating to enrollment
11 in postsecondary courses, academic credit, and secondary options grant account, and
12 inserting in lieu thereof the following:

13 "20-2-161.1.

14 (a) For purposes of this Code section, the term:

15 (1) 'Course' means any plan or program of instruction.

16 (2) 'Department' means the State Department of Education.

17 (3) 'Eligible institution' or 'institution' means any of the following located within
18 Georgia: any two-year or four-year degree-granting public college or university; any state
19 operated postsecondary technical institution; or, for those pupils eligible under subsection
20 (b) of this Code section who live more than 25 miles from a degree-granting public
21 college or university, any two-year or four-year regionally accredited degree-granting
22 nonproprietary college or university.

23 (4) 'Program' means the arrangement authorized by this Code section whereby a pupil
24 in a ~~public high school~~ any accredited course of study recognized by the State Board of
25 Regents as appropriate preparation for entry into the University System, including public
26 school, private school as defined in Code Section 20-2-690, or a home study program that

1 meets the requirements of Code Section 20-2-690 may enroll in and take courses at an
2 eligible institution and receive secondary credit.

3 (5) 'Secondary credit' means high school credit for courses taken at an eligible institution
4 under the program.

5 (b) Any eleventh or twelfth grade pupil or pupil aged 16 or over ~~in any public school~~ in
6 this state may apply to an eligible institution to enroll in selected courses which are offered
7 at that institution and which are approved for secondary credit under subsection (e) of this
8 Code section. It shall be the responsibility of the public or private high school principal and
9 advisement faculty to inform the postsecondary institution of the academic, emotional,
10 social, and other characteristics of the pupil that should be considered in the decision to
11 enroll or not enroll the student. If accepted at an eligible postsecondary institution, such
12 pupil may take any such approved course at that institution, whether or not the course is
13 taught during the regular ~~public~~ school day, and receive secondary credit therefor only
14 under the conditions provided in this Code section. An eligible institution which accepts
15 a pupil authorized to apply for enrollment therein under the program shall not receive any
16 state funds for that pupil unless the institution complies with the requirements of this Code
17 section regarding eligible institutions.

18 (c) No later than the first day of April each year, each local school system and each private
19 school in this state shall provide general information about the program to all its eligible
20 pupils. ~~A~~ Each local school system and each private school in this state shall also provide
21 counseling services to such pupils and their parents or guardians before the pupils enroll
22 in eligible institutions under this Code section to ensure that the pupils and their parents or
23 guardians are aware of the possible consequences of enrolling in an eligible institution.
24 Such counseling services will include information relative to what institutions and courses
25 are eligible for participation; the process for granting academic credits; financial
26 arrangements for tuition, books, and materials; available support services; the need to
27 arrange an appropriate schedule; consequences of failing or not completing a course; the
28 effect of the program on a pupil's ability to complete a course, to participate in
29 extracurricular activities, and to complete required high school graduation requirements;
30 and the academic and social responsibilities of pupils and their parents or guardians,
31 including the continuing responsibility to obey the rules and regulations of the eligible
32 institutions and the public or private high school as appropriate. Prior to enrolling in a
33 course at an eligible institution, the pupil and the pupil's parents or guardians must sign a
34 form that must be provided by the school system or private school or may be provided by
35 an eligible institution stating that they have received the counseling specified in this
36 subsection and that they understand the responsibilities that must be assumed in

1 participating in the program. The department shall develop appropriate forms and
2 counseling guidelines for the program.

3 (d) A pupil who first enrolls in an eligible institution at the beginning of grade 11 may not
4 enroll in an eligible institution under the program for secondary credit for more than the
5 equivalent of two academic years. A pupil who first enrolls in an eligible institution at the
6 beginning of grade 12 may not enroll in an eligible institution under the program for
7 secondary credit for more than the equivalent of one academic year. If a pupil in grade 11
8 or 12 first enrolls in an eligible institution for secondary credit after the beginning of the
9 school year, the time of participation in the program authorized by this subsection shall be
10 reduced proportionately. A pupil who has graduated from a public or private high school
11 cannot participate in the program. A pupil who has completed course requirements for
12 graduation but who has not received a diploma may participate in the program.

13 (e)(1) Each eligible institution desiring to participate in the program shall annually
14 submit to the department a description of each course for which the institution seeks
15 approval under the program. The department shall review such submissions and approve
16 any such course which is substantially comparable to any course which is offered for
17 credit in a high school program in this state and which is includable for funding for
18 purposes of the full-time equivalent program count under Code Section 20-2-160 for any
19 local school system in the state. If there is such a comparable high school course, the
20 department shall specify that course and determine the credit for the eligible institution's
21 course. The department shall annually publish a list containing the department's
22 determinations regarding approved comparable courses and credits therefor, which
23 determination shall be a contested case under Chapter 13 of Title 50, the 'Georgia
24 Administrative Procedure Act,' for any eligible institution aggrieved thereby.

25 (2) A local school system or private school shall grant academic credit to a pupil enrolled
26 in a course in an eligible institution if that course has been listed as approved by the
27 department under paragraph (1) of this subsection and if the pupil successfully completes
28 that course. The secondary credit granted shall be for the comparable course and course
29 hours approved by the department. Upon completion of an eligible institution's approved
30 course, the pupil shall be responsible for requesting that the institution notify the pupil's
31 local school system or private school regarding the pupil's grade in that course.

32 (3) Secondary school credits granted for eligible institution courses under paragraph (2)
33 of this subsection shall be used to satisfy the state board's requirements in regard to
34 eligibility for extracurricular activities and shall also be counted toward the graduation
35 requirements and subject area requirements of the local school system or the private
36 school. Evidence of successful completion of each course and secondary credits granted
37 shall be included in the pupil's secondary school records.

1 (4) If a pupil enrolls in an eligible institution after leaving secondary school, that
 2 institution shall award credit at such institution for any course successfully completed for
 3 secondary credit at that institution. Other eligible institutions shall award, after a pupil
 4 leaves secondary school, postsecondary credit for any course successfully completed
 5 under the program on the same basis on which such credits are customarily awarded. An
 6 institution may not charge a pupil for the award of credit.

7 (5) The department shall develop the necessary rules to require local school systems and
 8 private schools to award a high school diploma for any pupil who is enrolled at an
 9 eligible institution under the program as long as the credit earned at such institution
 10 satisfies course requirements needed for the pupil to complete high school graduation.
 11 The department shall consult the Board of Regents of the University System of Georgia
 12 and the State Board of Technical and Adult Education in developing rules and regulations
 13 regarding the eligibility criteria for program participation.

14 (f) The department shall establish a secondary options grant account with funds
 15 appropriated by the General Assembly. The amount of funds requested by the state board
 16 for this account shall be the amount that the participating pupils would earn in the local
 17 systems during the portion of the instructional day the students were actually enrolled at
 18 the eligible institutions. The department shall pay to eligible institutions from this grant
 19 account the lesser of the following amounts for pupils from public schools, private schools,
 20 and home study programs enrolled therein:

21 (1) The actual costs of tuition, materials, and fees directly related to the approved courses
 22 taken by the pupils at such institutions; or

23 (2) The amount that the pupils would have earned under this article if those pupils had
 24 been in equivalent instructional programs in a local school system for that portion of the
 25 instructional day in which the pupils were actually enrolled in eligible institutions
 26 pursuant to this Code section.

27 (g) The department shall pay the fees charged for advanced placement tests taken by any
 28 ~~eligible~~ high school student or student in a home study program that meets the
 29 requirements of Code Section 20-2-690 who successfully completes an approved advanced
 30 placement course. The local high school principal, the principal of the private school, or
 31 the parent of a student in a home study program, as the case may be, shall certify to the
 32 department the number of students taking the advanced placement tests, the total fees
 33 charged, and such additional information as the department requires regarding advanced
 34 placement tests, and the department shall make payments directly to the testing service
 35 from funds dedicated to this purpose within the secondary option grant account.

1 (h) A pupil enrolled in an eligible institution for secondary credit is not eligible for any
2 other state student financial aid at an eligible institution for courses taken under the
3 program.

4 (i) Any person who knowingly makes or furnishes any false statement or
5 misrepresentation, or who accepts such statement or misrepresentation knowing it to be
6 false, for the purpose of enabling an eligible institution to obtain wrongfully any payment
7 under this Code section shall be guilty of a misdemeanor.

8 (j) By agreement between the State Board of Education and the State Board of Technical
9 and Adult Education or the board of regents or a local board operating a postsecondary
10 vocational school, high schools may offer courses in vocational and technical education
11 which qualify for both high school credit and credit at an eligible institution governed by
12 such boards. Such courses shall meet the standards and criteria of and be approved by the
13 State Board of Technical and Adult Education or the board of regents for such credit. Any
14 costs for tuition, fees, or tests required to receive the postsecondary credit shall be paid for
15 as described in subsection (f) of this Code section."

16 **SECTION 2.**

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