

House Bill 1271

By: Representatives Mills of the 67th, Post 2, Douglas of the 73rd, Brown of the 89th, Hembree of the 46th, Burmeister of the 96th, and others

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 change eligibility standards for HOPE scholarships in
3 certain circumstances; to provide that entering freshmen shall not be eligible for HOPE
4 scholarships; to provide for eligibility criteria for retroactive HOPE scholarships to be paid
5 at the end of the freshman year; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary
9 education, is amended by striking Code Section 20-3-519.2, relating to eligibility for HOPE
10 scholarships for students attending public postsecondary institutions, and inserting in lieu
11 thereof the following:

12 "20-3-519.2.

13 (a) ~~To be eligible for a HOPE scholarship, an An entering freshman student seeking an~~
14 ~~associate or baccalaureate degree at an eligible public postsecondary institution shall: shall~~
15 ~~not be eligible for a HOPE scholarship.~~

16 ~~(1) Meet residency requirements by meeting the requirements to be classified as a legal~~
17 ~~resident of Georgia as established by the program regulations promulgated by the Georgia~~
18 ~~Student Finance Commission which shall be based upon the in-state tuition policy of the~~
19 ~~board of regents and the in-state tuition guidelines set by the Department of Technical~~
20 ~~and Adult Education;~~

21 ~~(2) Meet achievement standards by:~~

22 ~~(A) Having graduated from an eligible high school while meeting the curriculum~~
23 ~~requirements of his or her program of study in 1993 or thereafter and meeting the~~
24 ~~requirements set out in the applicable paragraph of subsection (b) of Code Section~~
25 ~~20-2-157; or~~

26 ~~(B) In the case of a student who is otherwise qualified but:~~

1 ~~(i) Did not graduate from high school or complete a home study program meeting the~~
 2 ~~requirements of subsection (c) of Code Section 20-2-690, having received the general~~
 3 ~~educational development (GED) diploma awarded by the Georgia Department of~~
 4 ~~Technical and Adult Education after June 30, 1993;~~

5 ~~(ii) Completed a home study program meeting the requirements of subsection (c) of~~
 6 ~~Code Section 20-2-690 in lieu of graduating from an eligible high school, earning a~~
 7 ~~cumulative grade point average of at least 3.0 at an eligible public postsecondary~~
 8 ~~institution at the end of the quarter or semester in which the student has attempted 45~~
 9 ~~quarter hours or 30 semester hours, provided that such student shall be eligible to~~
 10 ~~receive a retroactive HOPE scholarship for such student's freshman year to be paid~~
 11 ~~at the end of the freshman year; or~~

12 ~~(iii) Graduated from a high school which is not an eligible high school, earning a~~
 13 ~~cumulative grade point average of at least 3.0 at an eligible public postsecondary~~
 14 ~~institution at the end of the quarter or semester in which the student has attempted 45~~
 15 ~~quarter hours or 30 semester hours, provided that such student shall be eligible to~~
 16 ~~receive a retroactive HOPE scholarship for such student's freshman year to be paid~~
 17 ~~at the end of the freshman year; and~~

18 ~~(3) Meet enrollment standards by being admitted, enrolled, and classified as an~~
 19 ~~undergraduate student in a matriculated status.~~

20 (a.1) To be eligible for a retroactive HOPE scholarship for the freshman year to be paid
 21 after completion of the freshman year, a student seeking an associate or baccalaureate
 22 degree at an eligible postsecondary institution who has completed the freshman year shall:

23 (1) Meet residency requirements by meeting the requirements to be classified as a legal
 24 resident of Georgia as established by the program regulations promulgated by the Georgia
 25 Student Finance Commission which shall be based upon the in-state tuition policy of the
 26 board of regents and the in-state tuition guidelines set by the Department of Technical
 27 and Adult Education;

28 (2) Meet achievement standards by meeting the following criteria:

29 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
 30 institution at the end of the quarter or semester in which the student attempted 45
 31 quarter hours or 30 semester hours; and

32 (B)(i) Having graduated from an eligible high school while meeting the curriculum
 33 requirements of his or her program of study in 1993 or thereafter and meeting the
 34 requirements set out in the applicable paragraph of subsection (b) of Code Section
 35 20-2-157; or

36 (ii) In the case of a student who is otherwise qualified but:

1 (I) Did not graduate from high school or complete a home study program meeting
 2 the requirements of subsection (c) of Code Section 20-2-690, having received the
 3 general educational development (GED) diploma awarded by the Georgia
 4 Department of Technical and Adult Education after June 30, 1993;

5 (II) Completed a home study program meeting the requirements of subsection (c)
 6 of Code Section 20-2-690 in lieu of graduating from an eligible high school; or

7 (III) Graduated from a high school which is not an eligible high school; and

8 (3) Meet enrollment standards by being admitted, enrolled, and classified as an
 9 undergraduate student in a matriculated status.

10 (b) To be eligible for a HOPE scholarship, a sophomore student seeking an associate or
 11 baccalaureate degree at an eligible public postsecondary institution shall:

12 (1) Meet residency requirements by meeting the requirements to be classified as a legal
 13 resident of Georgia as established by the program regulations promulgated by the Georgia
 14 Student Finance Commission which shall be based upon the in-state tuition policy of the
 15 board of regents and the in-state tuition guidelines set by the Department of Technical
 16 and Adult Education;

17 (2) Meet achievement standards by meeting the following criteria:

18 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
 19 institution at the end of the quarter or semester in which the student has attempted 45
 20 quarter hours or 30 semester hours; and

21 (B) Maintaining satisfactory academic progress in a course of study in accordance with
 22 the standards and practices used for federal Title IV programs by the postsecondary
 23 institution in which the student is enrolled; and

24 (3) Meet enrollment standards by being admitted, enrolled, and classified as an
 25 undergraduate student in a matriculated status or, in the case of an otherwise eligible
 26 student who is classified as a professional level student rather than an undergraduate
 27 student, being accepted into the professional level program of study prior to receiving a
 28 baccalaureate degree.

29 (c) To be eligible for a HOPE scholarship, a junior student seeking a baccalaureate degree
 30 at a public postsecondary institution shall:

31 (1) Meet residency requirements by meeting the requirements to be classified as a legal
 32 resident of Georgia as established by the program regulations promulgated by the Georgia
 33 Student Finance Commission which shall be based upon the in-state tuition policy of the
 34 board of regents and the in-state tuition guidelines set by the Department of Technical
 35 and Adult Education;

36 (2) Meet achievement standards by meeting the following criteria:

- 1 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
2 institution at the end of the quarter or semester in which the student has attempted 90
3 quarter hours or 60 semester hours; and
- 4 (B) Maintaining satisfactory academic progress in a course of study in accordance with
5 the standards and practices used for federal Title IV programs by the postsecondary
6 institution in which the student is enrolled; and
- 7 (3) Meet enrollment standards by being admitted, enrolled, and classified as an
8 undergraduate student in a matriculated status or, in the case of an otherwise eligible
9 student who is classified as a professional level student rather than an undergraduate
10 student, being accepted into the professional level program of study prior to receiving a
11 baccalaureate degree.
- 12 (d) To be eligible for a HOPE scholarship, a senior student seeking a baccalaureate degree
13 at a public postsecondary institution shall:
- 14 (1) Meet residency requirements by meeting the requirements to be classified as a legal
15 resident of Georgia as established by the program regulations promulgated by the Georgia
16 Student Finance Commission which shall be based upon the in-state tuition policy of the
17 board of regents and the in-state tuition guidelines set by the Department of Technical
18 and Adult Education;
- 19 (2) Meet achievement standards by meeting the following criteria:
- 20 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
21 institution at the end of the quarter or semester in which the student has attempted 135
22 quarter hours or 90 semester hours; and
- 23 (B) Maintaining satisfactory academic progress in a course of study in accordance with
24 the standards and practices used for federal Title IV programs by the postsecondary
25 institution in which the student is enrolled; and
- 26 (3) Meet enrollment standards by being admitted, enrolled, and classified as an
27 undergraduate student in a matriculated status or, in the case of an otherwise eligible
28 student who is classified as a professional level student rather than an undergraduate
29 student, being accepted into the professional level program of study prior to receiving a
30 baccalaureate degree.
- 31 (e) A student who fails to maintain a cumulative grade point average of at least 3.0 at the
32 end of the quarter or semester in which the student has attempted 45 quarter hours or 30
33 semester hours may attend the next 45 quarter or 30 semester hours without a HOPE
34 scholarship. An otherwise eligible student who regains a cumulative grade point average
35 of at least 3.0 at the end of a quarter or semester in which the student has attempted 90
36 quarter hours or 135 quarter hours or 60 semester hours or 90 semester hours may requalify
37 for a HOPE scholarship.

1 (f) For students eligible for a HOPE scholarship under this Code section, no minimum
2 number of hours of enrollment is required.

3 (g)(1) Except as set out in paragraph (2) of this subsection, a student may receive the
4 HOPE scholarship until the first of these events:

5 (A) The student has earned a baccalaureate degree; or

6 (B) The student has attempted at any postsecondary institution a total of 190 quarter
7 hours or 127 semester hours.

8 (2) A student enrolled in an undergraduate degree program designed to be more than 190
9 quarter hours or 127 semester hours in length is eligible to receive the HOPE scholarship
10 for the lesser of:

11 (A) A total of 225 attempted quarter hours or 150 attempted semester hours; or

12 (B) The number of hours required for graduation if the student has a ~~3.0~~ cumulative
13 grade point average of at least 3.0 after the term in which the student attempted 190
14 quarter hours or 127 semester hours.

15 (h) Subject to the amounts appropriated by the General Assembly and provisions relating
16 to the scholarship shortfall reserve subaccount in Code Section 50-27-13, a HOPE
17 scholarship awarded under this Code section shall include tuition, approved mandatory
18 fees, and a book allowance not to exceed \$100.00 per quarter or \$150.00 per semester."

19 SECTION 2.

20 Said chapter is further amended by striking Code Section 20-3-519.3, relating to eligibility
21 requirements for HOPE scholarships for students attending private postsecondary
22 institutions, and inserting in lieu thereof the following:

23 "20-3-519.3.

24 (a) ~~To be eligible for a HOPE scholarship, an~~ An entering freshman student seeking an
25 associate or baccalaureate degree at an eligible private postsecondary institution ~~shall~~: shall
26 not be eligible for a HOPE scholarship.

27 ~~(1) Meet residency requirements by meeting the requirements to be classified as a legal~~
28 ~~resident of Georgia as established by the program regulations promulgated by the Georgia~~
29 ~~Student Finance Commission;~~

30 ~~(2) Meet achievement standards by:~~

31 ~~(A) Having graduated from an eligible high school while meeting the curriculum~~
32 ~~requirements of his or her program of study in 1996 or thereafter and meeting the~~
33 ~~requirements set out in the applicable paragraph of subsection (b) of Code Section~~
34 ~~20-2-157; or~~

35 ~~(B) In the case of a student who is otherwise qualified but:~~

1 ~~(i) Did not graduate from high school or complete a home study program meeting the~~
 2 ~~requirements of subsection (c) of Code Section 20-2-690, having received the general~~
 3 ~~educational development (GED) diploma awarded by the Georgia Department of~~
 4 ~~Technical and Adult Education after June 30, 1993;~~

5 ~~(ii) Completed a home study program meeting the requirements of subsection (c) of~~
 6 ~~Code Section 20-2-690 in lieu of graduating from an eligible high school, earning a~~
 7 ~~cumulative grade point average of at least 3.0 at an eligible public postsecondary~~
 8 ~~institution at the end of the quarter or semester in which the student has attempted 45~~
 9 ~~quarter hours or 30 semester hours, provided that such student shall be eligible to~~
 10 ~~receive a retroactive HOPE scholarship for such student's freshman year to be paid~~
 11 ~~at the end of the freshman year; or~~

12 ~~(iii) Graduated from a high school which is not an eligible high school, earning a~~
 13 ~~cumulative grade point average of at least 3.0 at an eligible public postsecondary~~
 14 ~~institution at the end of the quarter or semester in which the student has attempted 45~~
 15 ~~quarter hours or 30 semester hours, provided that such student shall be eligible to~~
 16 ~~receive a retroactive HOPE scholarship for such student's freshman year to be paid~~
 17 ~~at the end of the freshman year; and~~

18 ~~(3) Meet enrollment standards by:~~

19 ~~(A) Being admitted, enrolled, and classified as an undergraduate student in a~~
 20 ~~matriculated status; and~~

21 ~~(B) Being registered for and attending classes as a full-time student for 14 days or~~
 22 ~~more after the last day of the institution's drop and add period.~~

23 (a.1) To be eligible for a retroactive HOPE scholarship for the freshman year to be paid
 24 after completion of the freshman year, a student seeking an associate or baccalaureate
 25 degree at an eligible private postsecondary institution who has completed the freshman
 26 year shall:

27 (1) Meet residency requirements by meeting the requirements to be classified as a legal
 28 resident of Georgia as established by the program regulations promulgated by the Georgia
 29 Student Finance Commission which shall be based upon the in-state tuition policy of the
 30 board of regents and the in-state tuition guidelines set by the Department of Technical
 31 and Adult Education;

32 (2) Meet achievement standards by meeting the following criteria:

33 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
 34 institution at the end of the quarter or semester in which the student attempted 45
 35 quarter hours or 30 semester hours; and

36 (B)(i) Having graduated from an eligible high school while meeting the curriculum
 37 requirements of his or her program of study in 1993 or thereafter and meeting the

1 requirements set out in the applicable paragraph of subsection (b) of Code Section
 2 20-2-157; or

3 (ii) In the case of a student who is otherwise qualified but:

4 (I) Did not graduate from high school or complete a home study program meeting
 5 the requirements of subsection (c) of Code Section 20-2-690, having received the
 6 general educational development (GED) diploma awarded by the Georgia
 7 Department of Technical and Adult Education after June 30, 1993;

8 (II) Completed a home study program meeting the requirements of subsection (c)
 9 of Code Section 20-2-690 in lieu of graduating from an eligible high school; or

10 (III) Graduated from a high school which is not an eligible high school; and

11 (3) Meet enrollment standards by being admitted, enrolled, and classified as an
 12 undergraduate student in a matriculated status.

13 (b) To be eligible for a HOPE scholarship, a sophomore student seeking an associate or
 14 baccalaureate degree at an eligible private postsecondary institution shall:

15 (1) Meet residency requirements by meeting the requirements to be classified as a legal
 16 resident of Georgia as established by the program regulations promulgated by the Georgia
 17 Student Finance Commission;

18 (2) Meet achievement standards by meeting the following criteria:

19 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
 20 institution at the end of the quarter or semester in which the student has attempted 45
 21 quarter hours or 30 semester hours; and

22 (B) Maintaining satisfactory academic progress in a course of study in accordance with
 23 the standards and practices used for federal Title IV programs by the postsecondary
 24 institution in which the student is enrolled; and

25 (3) Meet enrollment standards by:

26 (A) Being admitted, enrolled, and classified as an undergraduate student in a
 27 matriculated status or, in the case of an otherwise eligible student who is classified as
 28 a professional level student rather than an undergraduate student, being accepted into
 29 the professional level program of study prior to receiving a baccalaureate degree; and

30 (B) Being registered for and attending classes as a full-time student for 14 days or
 31 more after the last day of the institution's drop and add period.

32 (c) To be eligible for a HOPE scholarship, a junior student seeking a baccalaureate degree
 33 at an eligible private postsecondary institution shall:

34 (1) Meet residency requirements by meeting the requirements to be classified as a legal
 35 resident of Georgia as established by the program regulations promulgated by the Georgia
 36 Student Finance Commission;

37 (2) Meet achievement standards by meeting the following criteria:

- 1 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
 2 institution at the end of the quarter or semester in which the student has attempted 90
 3 quarter hours or 60 semester hours; and
- 4 (B) Maintaining satisfactory academic progress in a course of study in accordance with
 5 the standards and practices used for federal Title IV programs by the postsecondary
 6 institution in which the student is enrolled; and
- 7 (3) Meet enrollment standards by:
- 8 (A) Being admitted, enrolled, and classified as an undergraduate student in a
 9 matriculated status or provided that in the case of an otherwise eligible student who is
 10 classified as a professional level student rather than an undergraduate student, have
 11 been accepted into the professional level program of study prior to receiving a
 12 baccalaureate degree; and
- 13 (B) Being registered for and attending classes as a full-time student for 14 days or
 14 more after the last day of the institution's drop and add period.
- 15 (d) To be eligible for a HOPE scholarship, a senior student seeking a baccalaureate degree
 16 at an eligible private postsecondary institution shall:
- 17 (1) Meet residency requirements by meeting the requirements to be classified as a legal
 18 resident of Georgia as established by the program regulations promulgated by the Georgia
 19 Student Finance Commission which shall be based upon the in-state tuition policy of the
 20 board of regents and the in-state tuition guidelines set by the Department of Technical
 21 and Adult Education;
- 22 (2) Meet achievement standards by meeting the following criteria:
- 23 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary
 24 institution at the end of the quarter or semester in which the student has attempted 135
 25 quarter hours or 90 semester hours; and
- 26 (B) Maintaining satisfactory academic progress in a course of study in accordance with
 27 the standards and practices used for federal Title IV programs by the postsecondary
 28 institution in which the student is enrolled; and
- 29 (3) Meet enrollment standards by:
- 30 (A) Being admitted, enrolled, and classified as an undergraduate student in a
 31 matriculated status or, in the case of an otherwise eligible student who is classified as
 32 a professional level student rather than an undergraduate student, being accepted into
 33 the professional level program of study prior to receiving a baccalaureate degree; and
- 34 (B) Being registered for and attending classes as a full-time student for 14 days or
 35 more after the last day of the institution's drop and add period.
- 36 (e) An otherwise eligible student who fails to maintain a cumulative grade point average
 37 of at least 3.0 at the end of the quarter or semester in which the student has attempted 45

1 quarter hours or 30 semester hours may attend the next 45 quarter hours or 30 semester
2 hours without a HOPE scholarship. A student who regains a cumulative grade point
3 average of at least 3.0 at end of the quarter or semester in which the student has attempted
4 90 quarter hours or 60 semester hours may requalify for a HOPE scholarship. A student
5 who regains a cumulative grade point average of at least 3.0 at the end of the quarter or
6 semester in which the student has attempted 135 quarter hours or 90 semester hours may
7 requalify for a HOPE scholarship.

8 (f)(1) Except as set out in paragraph (2) of this subsection, a student may receive a
9 HOPE scholarship until the first of these events:

10 (A) The student has earned a baccalaureate degree; or

11 (B) The student has attempted at any postsecondary institution a total of 190 quarter
12 hours or 127 semester hours.

13 (2) A student enrolled in an undergraduate degree program designed to be more than 190
14 quarter hours or 127 semester hours in length is eligible to receive a HOPE scholarship
15 for the lesser of:

16 (A) A total of 225 attempted quarter hours or 150 attempted semester hours; or

17 (B) The number of hours required for graduation if the student has a cumulative grade
18 point average of at least 3.0 after the term in which the student attempted 190 quarter
19 hours or 127 semester hours.

20 (g) Subject to the amounts appropriated by the General Assembly and provisions relating
21 to the scholarship shortfall reserve subaccount in Code Section 50-27-13, a HOPE
22 scholarship awarded under this Code section shall be not less than \$3,000.00 for any
23 academic year."

24 SECTION 3.

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