

The House Committee on Higher Education offers the following substitute to SB 68:

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 revise requirements relating to in-state tuition; to provide  
3 for definitions; to change certain provisions relating to residency requirements for a HOPE  
4 scholarship at a public postsecondary institution; to change certain provisions relating to  
5 residency requirements for a HOPE scholarship at a private postsecondary institution; to  
6 provide that enrollment in postsecondary courses at a branch of the Georgia Department of  
7 Technical and Adult Education will not count against the hourly caps for HOPE grants; to  
8 amend Article 2 of Chapter 4 of Title 20 of the Official Code of Georgia Annotated, relating  
9 to technical and adult education, so as to enact the "Career Academies Act of 2007"; to  
10 provide for legislative intent; to provide for definitions; to provide for the disbursement of  
11 funds by the State Board of Technical and Adult Education for career academies established  
12 as charter schools; to provide for eligibility criteria; to provide for an annual report; to  
13 provide for related matters; to provide for an effective date; to repeal conflicting laws; and  
14 for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

17 Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary  
18 education, is amended by revising Code Section 20-3-66, relating to determination of  
19 resident status of students for tuition or fees, as follows:

20 "20-3-66.

21 ~~For the purposes of determining resident status for tuition or fees, no person who has~~  
22 ~~attained the legal age of majority shall be deemed to have gained residence while attending~~  
23 ~~any educational institution in this state as a full-time student, as such status is defined by~~  
24 ~~the board of regents, in the absence of a clear demonstration that he has established~~  
25 ~~domicile in this state and has otherwise complied with the rules governing the residency~~  
26 ~~status of students as adopted by the board. The residence, for tuition or fee purposes, of any~~  
27 ~~person receiving regular financial assistance from his parent, or whose parent's income was~~

1 taken into account by any private or governmental agency furnishing financial educational  
 2 assistance to such person, including scholarships, loans, or otherwise, shall be the same as  
 3 that of his parent. In the event such person's parents have separate domiciles, his residence  
 4 for tuition or fee purposes shall be the domicile of the parent furnishing him the greater  
 5 financial assistance or the parent having the larger income if neither furnishes such  
 6 assistance.

7 (a) As used in this Code section, the term:

8 (1) 'Dependent student' means an individual under the age of 24 who receives financial  
 9 support from a parent or United States court appointed legal guardian, and such parent  
 10 or guardian claimed such individual as a dependent on his or her most recent federal or  
 11 state income tax return.

12 (2) 'Emancipated' means a minor who, under certain circumstances, may be treated by  
 13 the law as an adult. A student reaching the age of 18 shall not qualify for consideration  
 14 of reclassification by virtue of having become emancipated unless he or she can  
 15 demonstrate financial independence and domicile independent of his or her parents.

16 (3) 'Independent student' means an individual who is not claimed as a dependent on the  
 17 federal or state income tax returns of a parent or United States court appointed legal  
 18 guardian and whose parent or guardian has ceased to provide support and right to that  
 19 individual's care, custody, and earnings.

20 (b)(1) An independent student who has established and maintained a domicile in the  
 21 State of Georgia for a period of at least 12 consecutive months immediately preceding the  
 22 first day of classes for the term shall be classified as in-state for tuition purposes. No  
 23 student shall gain or acquire in-state classification while attending any postsecondary  
 24 educational institution in this state without clear evidence of having established domicile  
 25 in Georgia for purposes other than attending a postsecondary educational institution in  
 26 this state.

27 (2) If an independent student classified as in-state for tuition purposes relocates out of  
 28 state temporarily but returns to the State of Georgia within 12 months of the relocation,  
 29 such student shall be entitled to retain his or her in-state tuition classification.

30 (c)(1) A dependent student shall be classified as in-state for tuition purposes if such  
 31 dependent student's parent has established and maintained domicile in the State of  
 32 Georgia for at least 12 consecutive months immediately preceding the first day of classes  
 33 for the term.

34 (2) A dependent student shall be classified as in-state for tuition purposes if such  
 35 student's United States court appointed legal guardian has established and maintained  
 36 domicile in the State of Georgia for at least 12 consecutive months immediately

1 preceding the first day of classes for the term, provided that such appointment was not  
 2 made to avoid payment of out-of-state tuition, and such guardian can provide clear  
 3 evidence of having established and maintained domicile in the State of Georgia for a  
 4 period of at least 12 consecutive months immediately preceding the first day of classes  
 5 for the term.

6 (3) If the parent or United States court appointed legal guardian of a dependent student  
 7 currently classified as in-state for tuition purposes establishes domicile outside of the  
 8 State of Georgia after having established and maintained domicile in the State of Georgia,  
 9 such student may retain his or her in-state tuition classification so long as such student  
 10 remains continuously enrolled in a public postsecondary educational institution in this  
 11 state, regardless of the domicile of such student's parent or United States court appointed  
 12 legal guardian.

13 (d) Noncitizen students shall not be classified as in-state for tuition purposes unless the  
 14 student is legally in this state and there is evidence to warrant consideration of in-state  
 15 classification as determined by the board of regents. Lawful permanent residents, refugees,  
 16 asylees, or other eligible noncitizens as defined by federal Title IV regulations may be  
 17 extended the same consideration as citizens of the United States in determining whether  
 18 they qualify for in-state classification. International students who reside in the United  
 19 States under nonimmigrant status conditioned at least in part upon intent not to abandon  
 20 a foreign domicile shall not be eligible for in-state classification."

## 21 SECTION 2.

22 Said chapter is further amended by adding a new paragraph (5.1) and revising paragraph (7)  
 23 of Code Section 20-3-519, relating to definitions regarding HOPE scholarships and grants,  
 24 as follows:

25 "(5.1) 'Dual credit enrollment' means enrollment by a student in a postsecondary course  
 26 in which an agreement has been established between an eligible high school and an  
 27 eligible postsecondary institution wherein the student earns Carnegie units of credit that  
 28 count toward both high school graduation requirements and postsecondary coursework  
 29 requirements."

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

- 31 (A) A unit of the University System of Georgia;
- 32 (B) A branch of the Georgia Department of Technical and Adult Education ~~or an~~  
 33 ~~affiliated institution which is controlled by a local board of education;~~
- 34 (C) A private independent nonprofit postsecondary institution eligible for tuition  
 35 equalization grants in accordance with the provisions of subparagraph (A) of paragraph  
 36 (2) of Code Section 20-3-411; or

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

### 4 SECTION 3.

5 Said chapter is further amended by revising Code Section 20-3-519.2, relating to eligibility  
 6 requirements for a HOPE scholarship at a public postsecondary institution, as follows:

7 "20-3-519.2.

8 (a) To be eligible for a HOPE scholarship, an entering freshman student seeking an  
 9 associate or baccalaureate degree at an eligible public postsecondary institution shall:

10 (1) Meet residency requirements by: meeting

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

16 (B)(i) If the student was classified as a legal resident of Georgia at the time of  
 17 graduation from high school or from a home study program meeting the requirements  
 18 of Code Section 20-2-690, then the student must have met the requirements set forth  
 19 in subparagraph (A) of this paragraph for a period of at least 12 months immediately  
 20 prior to the first day of classes for which the HOPE scholarship is to be awarded; or  
 21 (ii) If the student was not classified as a legal resident at the time of graduation from  
 22 high school or from a home study program meeting the requirements of Code Section  
 23 20-2-690, then the student must have met the requirements set forth in  
 24 subparagraph (A) of this paragraph for a period of at least 12 months immediately  
 25 prior to the first day of classes for which the HOPE scholarship is to be awarded.

26 Notwithstanding the foregoing, a dependent child of military personnel stationed in  
 27 Georgia shall be deemed to be a legal resident of Georgia and, subject to meeting all  
 28 other eligibility requirements, shall be eligible to receive the HOPE scholarship as a  
 29 freshman if the student graduated from a high school located in Georgia or from a home  
 30 study program meeting the requirements of Code Section 20-2-690 that is located in  
 31 Georgia;

32 (2) Meet achievement standards by:

33 (A) Having graduated from an eligible high school while meeting the curriculum  
 34 requirements of his or her program of study in 1993 or thereafter and meeting the  
 35 requirements set out in the applicable subsection and paragraph of Code Section  
 36 20-2-157; or

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

2 (i) Did not graduate from high school or complete a home study program meeting the  
3 requirements of subsection (c) of Code Section 20-2-690, having received the general  
4 educational development (GED) diploma awarded by the Georgia Department of  
5 Technical and Adult Education after June 30, 1993, provided that such student shall  
6 only be eligible for a HOPE scholarship pursuant to subsection (e) of this Code  
7 section;

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

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

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

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

25 (1) Meet residency requirements by ~~meeting~~

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

31 (B)(i) If the student was classified as a legal resident of Georgia at the time of  
32 graduation from high school or from a home study program meeting the requirements  
33 of Code Section 20-2-690, then the student must have met the requirements set forth  
34 in subparagraph (A) of this paragraph for a period of at least 12 months immediately  
35 prior to the first day of classes for which the HOPE scholarship is to be awarded; or

36 (ii) If the student was not classified as a legal resident at the time of graduation from  
37 high school or from a home study program meeting the requirements of Code Section

1 20-2-690, then the student must have met the requirements set forth in  
 2 subparagraph (A) of this paragraph for a period of at least 12 months immediately  
 3 prior to the first day of classes for which the HOPE scholarship is to be awarded;

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

5 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary  
 6 institution:

7 (i) At the end of the quarter or semester in which the student has attempted 45 quarter  
 8 hours or 30 semester hours if such student is a full-time student; or

9 (ii) At the end of three consecutive quarters or semesters if such student is a part-time  
 10 student and has maintained part-time student status for three consecutive quarters or  
 11 semesters; and

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

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

17 (c) To be eligible for a HOPE scholarship, a junior student seeking a baccalaureate or first  
 18 professional degree at a public postsecondary institution shall:

19 (1) Meet residency requirements by: ~~meeting~~

20 (A) Meeting the requirements to be classified as a legal resident of Georgia as  
 21 established by the program regulations promulgated by the Georgia Student Finance  
 22 Commission which shall be based upon the in-state tuition policy of the board of  
 23 regents and the in-state tuition guidelines set by the Department of Technical and Adult  
 24 Education; and

25 (B)(i) If the student was classified as a legal resident of Georgia at the time of  
 26 graduation from high school or from a home study program meeting the requirements  
 27 of Code Section 20-2-690, then the student must have met the requirements set forth  
 28 in subparagraph (A) of this paragraph for a period of at least 12 months immediately  
 29 prior to the first day of classes for which the HOPE scholarship is to be awarded; or

30 (ii) If the student was not classified as a legal resident at the time of graduation from  
 31 high school or from a home study program meeting the requirements of Code Section  
 32 20-2-690, then the student must have met the requirements set forth in  
 33 subparagraph (A) of this paragraph for a period of at least 12 months immediately  
 34 prior to the first day of classes for which the HOPE scholarship is to be awarded;

35 (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 first professional degree student rather than an  
 10 undergraduate student, being accepted into the first professional degree program of study  
 11 prior to receiving a baccalaureate degree.

12 (d) To be eligible for a HOPE scholarship, a senior student seeking a baccalaureate or a  
 13 first professional degree at a public postsecondary institution shall:

14 (1) Meet residency requirements by: ~~meeting~~

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

20 (B)(i) If the student was classified as a legal resident of Georgia at the time of  
 21 graduation from high school or from a home study program meeting the requirements  
 22 of Code Section 20-2-690, then the student must have met the requirements set forth  
 23 in subparagraph (A) of this paragraph for a period of at least 12 months immediately  
 24 prior to the first day of classes for which the HOPE scholarship is to be awarded; or

25 (ii) If the student was not classified as a legal resident at the time of graduation from  
 26 high school or from a home study program meeting the requirements of Code Section  
 27 20-2-690, then the student must have met the requirements set forth in  
 28 subparagraph (A) of this paragraph for a period of at least 12 months immediately  
 29 prior to the first day of classes for which the HOPE scholarship is to be awarded;

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

31 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary  
 32 institution at the end of the quarter or semester in which the student has attempted 135  
 33 quarter hours or 90 semester hours; and

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

1 (3) Meet enrollment standards by being admitted, enrolled, and classified as an  
 2 undergraduate student in a matriculated status or, in the case of an otherwise eligible  
 3 student who is classified as a first professional degree student rather than an  
 4 undergraduate student, being accepted into the first professional degree program of study  
 5 prior to receiving a baccalaureate degree.

6 (e)(1)(A) A full-time student who fails to maintain a cumulative grade point average  
 7 of at least 3.0 at the end of the quarter or semester in which the student has attempted  
 8 45 quarter hours or 30 semester hours may attend the next 45 quarter or 30 semester  
 9 hours without a HOPE scholarship. An otherwise eligible full-time student who regains  
 10 a cumulative grade point average of at least 3.0 at the end of a quarter or semester in  
 11 which the full-time student has attempted 90 or 135 quarter hours or 60 or 90 semester  
 12 hours may requalify for a HOPE scholarship.

13 (B) An otherwise eligible part-time student who regains or attains a cumulative grade  
 14 point average of at least 3.0 at the end of a quarter or semester in which the part-time  
 15 student has attempted 45, 90, or 135 quarter hours or 30, 60, or 90 semester hours may  
 16 attain or requalify for a HOPE scholarship.

17 (2) In addition to other requirements, and regardless of quarter hours or semester hours  
 18 of coursework attempted, a student who fails to possess a cumulative grade point average  
 19 of at least 3.0 at the end of each spring quarter or semester or at the end of three  
 20 consecutive quarters or semesters for a part-time student pursuant to paragraph (2) of  
 21 subsection (b) of this Code section shall be ineligible for a HOPE scholarship until such  
 22 time as the student regains or attains a cumulative grade point average of at least 3.0 at  
 23 one of the 45, 90, or 135 quarter hour grade point average checkpoints or at one of the 30,  
 24 60, or 90 semester hour grade point average checkpoints, at which time the student will  
 25 regain or attain eligibility if other terms and conditions in this Code section are also  
 26 satisfied.

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

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

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

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

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

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

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

4 (h)(1) Subject to the amounts appropriated by the General Assembly and provisions  
5 relating to the Lottery for Education Account in Code Section 50-27-13, a HOPE  
6 scholarship awarded under this Code section shall include tuition, approved mandatory  
7 fees, and a book allowance not to exceed \$100.00 per quarter or \$150.00 per semester,  
8 except as otherwise provided for in paragraphs (2) and (3) of this subsection.

9 (2) Effective beginning with the fall quarter or semester commencing after July 1, 2004,  
10 the amount of mandatory fees paid shall be equal to such amount or amounts that were  
11 paid on January 1, 2004, except as otherwise provided for in Code Section 50-27-13.

12 (3) Paragraph (2) of this subsection shall not apply to an eligible public postsecondary  
13 institution established by law on or after January 1, 2004. For any eligible public  
14 postsecondary institution established on or after January 1, 2004, the amount of the  
15 mandatory fees paid shall be equal to such amount or amounts initially approved for that  
16 new eligible public postsecondary institution for its first year of operation by action of  
17 the board of regents or the Department of Technical and Adult Education, as applicable,  
18 except as otherwise provided for in Code Section 50-27-13."

#### 19 SECTION 4.

20 Said chapter is further amended by revising Code Section 20-3-519.3, relating to eligibility  
21 requirements for a HOPE scholarship at a private postsecondary institution, as follows:

22 "20-3-519.3.

23 (a) To be eligible for a HOPE scholarship, an entering freshman student seeking an  
24 associate or baccalaureate degree at an eligible private postsecondary institution shall:

25 (1) Meet residency requirements by: ~~meeting~~

26 (A) Meeting the requirements to be classified as a legal resident of Georgia as  
27 established by the program regulations promulgated by the Georgia Student Finance  
28 Commission; and

29 (B)(i) If the student was classified as a legal resident of Georgia at the time of  
30 graduation from high school or from a home study program meeting the requirements  
31 of Code Section 20-2-690, then the student must have met the requirements set forth  
32 in subparagraph (A) of this paragraph for a period of at least 12 months immediately  
33 prior to the first day of classes for which the HOPE scholarship is to be awarded; or

34 (ii) If the student was not classified as a legal resident at the time of graduation from  
35 high school or from a home study program meeting the requirements of Code Section  
36 20-2-690, then the student must have met the requirements set forth in

1 subparagraph (A) of this paragraph for a period of at least 12 months immediately  
 2 prior to the first day of classes for which the HOPE scholarship is to be awarded.

3 Notwithstanding the foregoing, a dependent child of military personnel stationed in  
 4 Georgia shall be deemed to be a legal resident of Georgia and, subject to meeting all  
 5 other eligibility requirements, shall be eligible to receive the HOPE scholarship as a  
 6 freshman if the student graduated from a high school located in Georgia or from a home  
 7 study program meeting the requirements of Code Section 20-2-690 that is located in  
 8 Georgia;

9 (2) Meet achievement standards by:

10 (A) Having graduated from an eligible high school while meeting the curriculum  
 11 requirements of his or her program of study in 1996 or thereafter and meeting the  
 12 requirements set out in the applicable paragraph of subsection (b) of Code Section  
 13 20-2-157; or

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

15 (i) Did not graduate from high school or complete a home study program meeting the  
 16 requirements of subsection (c) of Code Section 20-2-690, having received the general  
 17 educational development (GED) diploma awarded by the Georgia Department of  
 18 Technical and Adult Education after June 30, 1993, provided that such student shall  
 19 only be eligible for a HOPE scholarship pursuant to subsection (e) of this Code  
 20 section;

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

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

34 (3) Meet enrollment standards by:

35 (A) Being admitted, enrolled, and classified as an undergraduate student in a  
 36 matriculated status; and

1 (B) Being registered for and attending classes as at least a half-time student for 14 days  
2 or more after the last day of the institution's drop and add period.

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

5 (1) Meet residency requirements by: meeting

6 (A) Meeting the requirements to be classified as a legal resident of Georgia as  
7 established by the program regulations promulgated by the Georgia Student Finance  
8 Commission; and

9 (B)(i) If the student was classified as a legal resident of Georgia at the time of  
10 graduation from high school or from a home study program meeting the requirements  
11 of Code Section 20-2-690, then the student must have met the requirements set forth  
12 in subparagraph (A) of this paragraph for a period of at least 12 months immediately  
13 prior to the first day of classes for which the HOPE scholarship is to be awarded; or

14 (ii) If the student was not classified as a legal resident at the time of graduation from  
15 high school or from a home study program meeting the requirements of Code Section  
16 20-2-690, then the student must have met the requirements set forth in subparagraph  
17 (A) of this paragraph for a period of at least 12 months immediately prior to the first  
18 day of classes for which the HOPE scholarship is to be awarded;

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:

22 (i) At the end of the quarter or semester in which the student has attempted 45 quarter  
23 hours or 30 semester hours if such student is a full-time student; or

24 (ii) At the end of three consecutive quarters or semesters if such student is a half-time  
25 student and has maintained part-time student status for three consecutive quarters or  
26 semesters; and

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

30 (3) Meet enrollment standards by:

31 (A) Being admitted, enrolled, and classified as an undergraduate student in a  
32 matriculated status; and

33 (B) Being registered for and attending classes as at least a half-time student for 14 days  
34 or more after the last day of the institution's drop and add period.

35 (c) To be eligible for a HOPE scholarship, a junior student seeking a baccalaureate or first  
36 professional degree at an eligible private postsecondary institution shall:

37 (1) Meet residency requirements by: meeting

1 (A) Meeting the requirements to be classified as a legal resident of Georgia as  
 2 established by the program regulations promulgated by the Georgia Student Finance  
 3 Commission; and

4 (B)(i) If the student was classified as a legal resident of Georgia at the time of  
 5 graduation from high school or from a home study program meeting the requirements  
 6 of Code Section 20-2-690, then the student must have met the requirements set forth  
 7 in subparagraph (A) of this paragraph for a period of at least 12 months immediately  
 8 prior to the first day of classes for which the HOPE scholarship is to be awarded; or  
 9 (ii) If the student was not classified as a legal resident at the time of graduation from  
 10 high school or from a home study program meeting the requirements of Code Section  
 11 20-2-690, then the student must have met the requirements set forth in  
 12 subparagraph (A) of this paragraph for a period of at least 12 months immediately  
 13 prior to the first day of classes for which the HOPE scholarship is to be awarded;

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

15 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary  
 16 institution at the end of the quarter or semester in which the student has attempted 90  
 17 quarter hours or 60 semester hours; and

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

21 (3) Meet enrollment standards by:

22 (A) Being admitted, enrolled, and classified as an undergraduate student in a  
 23 matriculated status or provided that in the case of an otherwise eligible student who is  
 24 classified as a first professional degree student rather than an undergraduate student,  
 25 have been accepted into the first professional degree program of study prior to receiving  
 26 a baccalaureate degree; and

27 (B) Being registered for and attending classes as at least a half-time student for 14 days  
 28 or more after the last day of the institution's drop and add period.

29 (d) To be eligible for a HOPE scholarship, a senior student seeking a baccalaureate or first  
 30 professional degree at an eligible private postsecondary institution shall:

31 (1) Meet residency requirements by: meeting

32 (A) Meeting the requirements to be classified as a legal resident of Georgia as  
 33 established by the program regulations promulgated by the Georgia Student Finance  
 34 Commission; and

35 (B)(i) If the student was classified as a legal resident of Georgia at the time of  
 36 graduation from high school or from a home study program meeting the requirements  
 37 of Code Section 20-2-690, then the student must have met the requirements set forth

1 in subparagraph (A) of this paragraph for a period of at least 12 months immediately  
 2 prior to the first day of classes for which the HOPE scholarship is to be awarded; or  
 3 (ii) If the student was not classified as a legal resident at the time of graduation from  
 4 high school or from a home study program meeting the requirements of Code Section  
 5 20-2-690, then the student must have met the requirements set forth in  
 6 subparagraph (A) of this paragraph for a period of at least 12 months immediately  
 7 prior to the first day of classes for which the HOPE scholarship is to be awarded;

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

9 (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary  
 10 institution at the end of the quarter or semester in which the student has attempted 135  
 11 quarter hours or 90 semester hours; and

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

15 (3) Meet enrollment standards by:

16 (A) Being admitted, enrolled, and classified as an undergraduate student in a  
 17 matriculated status or, in the case of an otherwise eligible student who is classified as  
 18 a first professional degree student rather than an undergraduate student, being accepted  
 19 into the first professional degree program of study prior to receiving a baccalaureate  
 20 degree; and

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

23 (e)(1)(A) An otherwise eligible full-time student who fails to maintain a cumulative  
 24 grade point average of at least 3.0 at the end of the quarter or semester in which the  
 25 student has attempted 45 quarter hours or 30 semester hours may attend the next 45  
 26 quarter hours or 30 semester hours without a HOPE scholarship. A full-time student  
 27 who regains a cumulative grade point average of at least 3.0 at the end of the quarter  
 28 or semester in which the full-time student has attempted 90 quarter hours or 60  
 29 semester hours may requalify for a HOPE scholarship. A full-time student who regains  
 30 a cumulative grade point average of at least 3.0 at the end of the quarter or semester in  
 31 which the full-time student has attempted 135 quarter hours or 90 semester hours may  
 32 requalify for a HOPE scholarship.

33 (B) An otherwise eligible half-time student who regains or attains a cumulative grade  
 34 point average of at least 3.0 at the end of a quarter or semester in which the half-time  
 35 student has attempted 45, 90, or 135 quarter hours or 30, 60, or 90 semester hours may  
 36 attain or requalify for a HOPE scholarship.

(2) In addition to other requirements, and regardless of quarter or semester hours of coursework attempted, a student who fails to possess a cumulative grade point average of at least 3.0 at the end of each spring quarter or semester or at the end of three consecutive quarters or semesters for a half-time student pursuant to paragraph (2) of subsection (b) of this Code section shall be ineligible for a HOPE scholarship until such time as the student regains or attains a cumulative grade point average of at least 3.0 at one of the 45, 90, or 135 quarter hour grade point average checkpoints or at one of the 30, 60, or 90 semester hour grade point average checkpoints, at which time the student will regain or attain eligibility if other terms and conditions in this Code section are also satisfied.

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

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

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

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

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

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

(g)(1) Except as provided for in paragraph (2) of this subsection, subject to the amounts appropriated by the General Assembly and provisions relating to the scholarship shortfall reserve subaccount in Code Section 50-27-13, a HOPE scholarship awarded under this Code section shall be not less than \$3,000.00 for any academic year.

(2) Effective beginning with the fall quarter or semester commencing after July 1, 2004, subject to the amounts appropriated by the General Assembly and provisions relating to the scholarship shortfall reserve subaccount in Code Section 50-27-13, a HOPE scholarship awarded under this Code section shall be not less than \$1,500.00 for half-time enrollment and \$3,000.00 for full-time enrollment for any academic year."

### **SECTION 5.**

Said chapter is further amended by revising subsection (e) of Code Section 20-3-519.5, relating to eligibility for HOPE grants at a branch of the Georgia Department of Technical and Adult Education, as follows:

1 "(e) No student may receive HOPE grants for more than 95 quarter hours or 63 semester  
 2 hours of attempted coursework, except as provided for in subsection (f) of this Code  
 3 section. No student may receive more than a cumulative total of 190 quarter hours or 127  
 4 semester hours of combined HOPE scholarships and grants, unless in accordance with  
 5 Code Sections 20-3-519.2 and 20-3-519.3. For purposes of this subsection, attempted  
 6 hours shall not include hours for courses taken pursuant to Code Section 20-2-161.1 and  
 7 paid for by a HOPE grant while a student is participating in dual credit enrollment with  
 8 both an eligible high school and a branch of the Department of Technical and Adult  
 9 Education or a unit of the University System of Georgia. The Department of Technical and  
 10 Adult Education or the University System of Georgia, as applicable, shall verify that the  
 11 student is enrolled in an eligible high school and shall notify the Georgia Student Finance  
 12 Commission of the student's participation in dual credit enrollment."

### 13 SECTION 6.

14 Article 2 of Chapter 4 of Title 20 of the Official Code of Georgia Annotated, relating to  
 15 technical and adult education, is amended by adding a new Code section to read as follows:  
 16 "20-4-37.

17 (a) This Code section shall be known and may be cited as the 'Career Academies Act of  
 18 2007.'

19 (b) It is the intent of the General Assembly to increase graduation rates, potential job  
 20 opportunities, and educational opportunities for students by establishing and providing  
 21 start-up funds for career academies through intergovernmental cooperation between  
 22 postsecondary institutions and local boards of education.

23 (c) As used in this Code section, the term:

24 (1) 'Board' means the State Board of Technical and Adult Education.

25 (2) 'Career academy' means a specialized charter school established by a local board of  
 26 education or a group of local boards of education, or by another state approved method,  
 27 in cooperation with one or more postsecondary institutions, and approved by the State  
 28 Board of Education in accordance with Article 31 of Chapter 2 of this title.

29 (3) 'Charter petitioner' means a local board of education or a group of local boards of  
 30 education, in cooperation with one or more postsecondary institutions, which have  
 31 petitioned to establish a career academy as a charter school pursuant to Article 31 of  
 32 Chapter 2 of this title.

33 (4) 'Charter school' shall have the same meaning as in paragraph (3) of Code Section  
 34 20-2-2062.

35 (5) 'Postsecondary institution' means a local technical school, college, or other institution  
 36 under the auspices of the Department of Technical and Adult Education or a university,

1 college, or other institution under the auspices of the Board of Regents of the University  
2 System of Georgia.

3 (6) 'Start-up costs' means initial operating or capital costs, including, but not limited to,  
4 costs of improving real property.

5 (7) 'Supplemental funding' means funding authorized pursuant to subsection (f) of this  
6 Code section.

7 (d) Supplementary to and without limitation of other authority, the board shall be  
8 authorized to disburse funds, including state funds, federal funds, proceeds of general  
9 obligation debt, or any other available funds, for a particular purpose to career academies  
10 for start-up costs or for supplemental funding by way of grant consideration for cooperative  
11 services.

12 (e) A charter petitioner for a career academy that has submitted or that has drafted for  
13 submission a charter petition for a career academy to the State Board of Education for  
14 approval shall be authorized to submit to the board an application for start-up funds. The  
15 board shall approve applications for start-up funds for career academies that meet the  
16 criteria and requirements established pursuant to subsection (h) of this Code section. Funds  
17 shall not be released to an approved applicant unless the charter petition is approved by the  
18 State Board of Education pursuant to Article 31 of Chapter 2 of this title.

19 (f) The board shall also be authorized to disburse funds to existing charter career  
20 academies which demonstrate a need for supplemental funding.

21 (g) The board may establish a matching requirement for recipients of funds under this  
22 Code section.

23 (h) The board shall establish eligibility criteria, requirements, and procedures for the  
24 disbursement of funding to charter academies pursuant to this Code section. Such criteria,  
25 requirements, and procedures shall provide that the board shall consider the strength of the  
26 proposed cooperative arrangements between the local board of education, or the group of  
27 local boards of education, and one or more postsecondary institutions as well as the active  
28 support of the local business community for the career academy.

29 (i) A career academy receiving funds pursuant to this Code section shall submit an annual  
30 report to the board regarding the expenditure of the funds received pursuant to this Code  
31 section."

## 32 SECTION 7.

33 This Act shall become effective upon its approval by the Governor or upon its becoming law  
34 without such approval.

1 **SECTION 8.**

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