

**ADOPTED**

Senator Weber of the 40th offered the following amendment:

1 *Amend the House substitute to SB 231 (SB 231/HCSFA) by striking lines 1 through 14 and*  
 2 *inserting in lieu thereof the following:*

3 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to  
 4 provide for enrollment counts under the "Quality Basic Education Act," for students in  
 5 certain dual enrollment programs; to provide for requirements for weighting of students in  
 6 certain dual enrollment courses under the Quality Basic Education Formula; to provide  
 7 certain requirements relating to dual enrollment courses; to authorize the Georgia Charter  
 8 Schools Commission to reduce state funding to commission charter schools based on factors  
 9 that affect the cost of providing such instruction; to change the name of the State Board of  
 10 Technical and Adult Education to the State Board of the Technical College System of  
 11 Georgia; to amend various provisions of the Official Code of Georgia Annotated to change  
 12 references to reflect such name change; to provide for related matters; to repeal conflicting  
 13 laws; and for other purposes.

14 *By striking lines 16 through 139 and inserting in lieu thereof the following:*

**SECTION 1.**

16 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by  
 17 revising subsection (a) of Code Section 20-2-160, relating to determination of enrollment by  
 18 instructional program, as follows:

19 "(a) The State Board of Education shall designate the specific dates upon which two counts  
 20 of students enrolled in each instructional program authorized under this article shall be  
 21 made each school year and by which the counts shall be reported to the Department of  
 22 Education. The initial enrollment count shall be made after October 1 but prior to  
 23 November 17 and the final enrollment count after March 1 but prior to May 1. The report  
 24 shall indicate the student's specific assigned program for each one-sixth segment of the  
 25 school day on the designated reporting date. No program shall be indicated for a student  
 26 for any one-sixth segment of the school day that the student is assigned to a study hall; a  
 27 noncredit course; a course recognized under this article or by state board policy as an  
 28 enrichment course, except a driver education course; a course which requires participation  
 29 in an extracurricular activity for which enrollment is on a competitive basis; a course in  
 30 which the student serves as a student assistant to a teacher, in a school office, or in the  
 31 media center, except when such placement is an approved work site of a recognized career  
 32 or vocational program; an individual study course for which no outline of course objectives

33 is prepared in writing prior to the beginning of the course; a course taken through the  
 34 Georgia Virtual School pursuant to Code Section 20-2-319.1; or any other course or  
 35 activity so designated by the state board. For the purpose of this Code section, the term  
 36 'enrichment course' means a course which does not dedicate a major portion of the class  
 37 time toward the development and enhancement of one or more student competencies as  
 38 adopted by the state board under Code Section 20-2-140. A program shall not be indicated  
 39 for a student for any one-sixth segment of the school day for which the student is not  
 40 enrolled in an instructional program or has not attended a class or classes within the  
 41 preceding ten days; nor shall a program be indicated for a student for any one-sixth  
 42 segment of the school day for which the student is charged tuition or fees or is required to  
 43 provide materials or equipment beyond those authorized pursuant to Code Section  
 44 20-2-133. A student who is enrolled in an eligible institution under the program  
 45 established in Code Section 20-2-161.1 may be counted for the high school program for  
 46 only that portion of the day that the student is attending the high school for those segments  
 47 that are eligible to be counted under this subsection. A student who is enrolled in a dual  
 48 enrollment program other than as established in Code Section 20-2-161.1 shall be counted  
 49 for the high school program or other appropriate program for each segment in which the  
 50 student is attending a postsecondary course conducted at a facility operated by the local  
 51 board of education, at a charter school as defined in paragraph (13) of Code Section  
 52 20-2-2062, or at a commission charter school as defined in paragraph (2) of Code Section  
 53 20-2-2081. The state board shall adopt such regulations and criteria as necessary to ensure  
 54 objective and true counts of students in state approved instructional programs. The state  
 55 board shall also establish criteria by which students shall be counted as resident or  
 56 nonresident students, including specific circumstances which may include, but not be  
 57 limited to, students attending another local school system under court order or under the  
 58 terms of a contract between two local school systems. If a local school system has a  
 59 justifiable reason, it may seek authority from the state board to shift full-time equivalent  
 60 program counts from the designated date to a requested alternate date."

61 **SECTION 2.**

62 Said title is further amended in Code Section 20-2-161, relating to the Quality Basic  
 63 Education Formula, by adding a new subsection to read as follows:

64 "(c.1) For purposes of calculating the annual allotment of funds to each local school  
 65 system, a student who is enrolled in a dual enrollment program other than as established  
 66 in Code Section 20-2-161.1 shall be counted for the high school program or other  
 67 appropriate program for each segment in which the student is attending a postsecondary  
 68 course conducted at a facility operated by the local board of education, at a charter school

69 as defined in paragraph (13) of Code Section 20-2-2062, or at a commission charter school  
 70 as defined in paragraph (2) of Code Section 20-2-2081."

71 **SECTION 3.**

72 Said title is further amended by adding a new Code section to read as follows:

73 "20-2-161.4.

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

75 (1) 'Department' means the Department of Education.

76 (2) 'Dual enrollment course' means an arrangement whereby an eligible student takes one  
 77 or more courses at or through an eligible institution while still enrolled as a public high  
 78 school student and receives credit both at the high school and at the eligible institution.

79 (3) 'Eligible institution' or 'institution' means any eligible postsecondary institution as  
 80 defined in paragraph (7) of Code Section 20-3-519.

81 (4) 'Eligible student' means a student entering ninth through twelfth grade.

82 (5) 'Secondary credit' means high school credit for dual enrollment courses taken at an  
 83 eligible institution.

84 (b) Any eligible student may apply to an eligible institution to take one or more dual  
 85 enrollment courses at or through that institution which are approved for secondary credit  
 86 pursuant to subsection (d) of this Code section. If accepted at an eligible institution, such  
 87 eligible student may take any such course at that institution, whether or not the course is  
 88 taught during the regular public school day, and receive secondary credit therefor under the  
 89 conditions provided in this Code section. An eligible institution which accepts an eligible  
 90 student authorized to apply for enrollment under this Code section shall not receive any  
 91 state funds for that student unless such institution complies with the requirements of this  
 92 Code section regarding eligible institutions.

93 (c) The department shall develop appropriate forms and counseling guidelines for the dual  
 94 enrollment courses and shall make such forms and guidelines available to local school  
 95 systems and eligible institutions. No later than the first day of April each year, each local  
 96 school system shall provide general information about dual enrollment courses, including  
 97 such forms, to all its eighth through eleventh grade students. A local school system shall  
 98 also provide counseling services in accordance with the counseling guidelines provided by  
 99 the department to such students and their parents or guardians before the students enroll in  
 100 a dual enrollment course. Prior to participating in a dual enrollment course, the student and  
 101 the student's parent or guardian shall sign the form provided by the school system or by an  
 102 eligible institution stating that they have received the counseling specified in this  
 103 subsection and that they understand the responsibilities that shall be assumed in  
 104 participating in dual enrollment.

105 (d)(1) A local school system shall grant academic credit to an eligible student enrolled  
 106 in a dual enrollment course in an eligible institution if that course has been approved by  
 107 the State Board of Education and if such student successfully completes that course. The  
 108 State Board of Education shall approve any such course which is substantially  
 109 comparable to a state approved course. The secondary credit granted shall be for the  
 110 comparable course and course hours approved by the State Board of Education. Upon  
 111 completion of an eligible institution's approved course, the eligible student shall be  
 112 responsible for requesting that the institution notify the student's local school system  
 113 regarding his or her grade in that course.

114 (2) Secondary school credits granted for dual enrollment courses under paragraph (1) of  
 115 this subsection shall be counted toward State Board of Education graduation requirements  
 116 and subject area requirements of the local school system. Evidence of successful  
 117 completion of each course and secondary credits granted shall be included in the eligible  
 118 student's secondary school records.

119 The department shall consult the Board of Regents of the University System of Georgia  
 120 and the State Board of the Technical College System of Georgia in developing rules and  
 121 regulations to be recommended to the State Board of Education for approval regarding the  
 122 eligibility criteria for dual enrollment courses.

123 (e) The State Board of Education shall establish rules and regulations relating to applicable  
 124 state and federal testing requirements for eligible students participating in dual enrollment  
 125 courses."

126 **SECTION 4.**

127 Said title is further amended in Code Section 20-2-2090, relating to funding for commission  
 128 charter schools, by revising subsection (a) as follows:

129 "(a) The Department of Education shall pay to each commission charter school through  
 130 appropriation of state and federal funds an amount equal to the sum of:

131 (1) QBE formula earnings, QBE grants, and federal grants earned by the commission  
 132 charter school based on the school's enrollment, school profile, and student  
 133 characteristics. QBE formula earnings shall include the salary portion of direct  
 134 instructional costs, the adjustment for training and experience, the nonsalary portion of  
 135 direct instructional costs, and earnings for psychologists and school social workers,  
 136 school administration, facility maintenance and operation, media centers, additional days  
 137 of instruction in accordance with Code Section 20-2-184.1, and staff development. For  
 138 purposes of this paragraph, QBE formula earnings shall not include the additional amount  
 139 provided for in Code Section 20-2-165.1 earned by a charter system for full-time  
 140 equivalent students in its schools;

- 141 (2) A proportional share of state categorical grants, non-QBE state grants, state  
 142 equalization grants, and all other state and federal grants; and
- 143 (3)~~(A)~~ An amount determined by the commission for each student enrolled in such  
 144 school equal to a proportional share of local revenue from the local school system in  
 145 which the student attending the commission charter school resides; provided, however,  
 146 that the commission may reduce the amount calculated pursuant to this paragraph based  
 147 on factors that affect the cost of providing instruction.
- 148 ~~(B)~~ In making the funding determination required pursuant to this subsection, paragraph,  
 149 the commission shall take into account the following factors:
- 150 ~~(i)~~ In in the case of a commission charter school that draws students from multiple school  
 151 systems, the commission shall take into account the actual costs of operating such a  
 152 commission charter school and any efficiencies gained by using an expanded attendance  
 153 zone; and,
- 154 ~~(ii)~~ In the case of a commission charter school that plans to offer virtual instruction, the  
 155 commission may reduce the amount calculated pursuant to this ~~paragraph~~ subsection based  
 156 on the factors specified in subparagraph (A) of this paragraph. factors that affect the cost  
 157 of providing instruction. Such reduction, if any, shall be applied to the appropriations  
 158 made under paragraphs (1) and (3) of this subsection, and shall not exceed 35 percent of  
 159 the total amount calculated pursuant to this subsection."

160 *By striking "6A." from line 140 and inserting in its place "5." and by striking "6B." from*  
 161 *line 161 and inserting in its place "6."*

162 *By striking lines 234 through 242.*