

Senate Bill 287

By: Senators Hill of the 4th and Jones of the 25th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to postsecondary education scholarships, loans, and grants, so as to clarify the  
3 eligibility status of the Georgia Military College for certain grants and scholarships; to  
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to  
8 postsecondary education scholarships, loans, and grants, is amended by revising  
9 paragraph (2) of Code Section 20-3-411, relating to definitions relative to tuition equalization  
10 grants at private colleges and universities, as follows:

11 "(2) 'Approved school' means:

12 (A) A nonproprietary institution of higher education located in this state which is not  
13 a branch of the university system or the Georgia Military College; which is not a  
14 four-year or graduate level institution of higher education that is, or is a part of, a  
15 college or university system that is owned and operated by a state other than Georgia;  
16 which is accredited by the Southern Association of Colleges and Schools; which is not  
17 a graduate level school or college of theology or divinity; and which is not presently  
18 receiving state funds under Article 4 of this chapter; provided, however, that an  
19 institution which otherwise meets the requirements of this definition and of this subpart  
20 except for the lack of accreditation by the Southern Association of Colleges and  
21 Schools shall be deemed to be an 'approved school' during the period that the institution  
22 holds candidate for accreditation status with the Southern Association of Colleges and  
23 Schools; provided, further, that an institution which was previously accredited by the  
24 Southern Association of Colleges and Schools within the last seven years and which  
25 otherwise meets the requirements of this definition and of this subpart except for the

26 lack of accreditation by the Southern Association of Colleges and Schools shall be  
 27 deemed to be an 'approved school'; and

28 (B)(i) A qualified proprietary institution of higher education located in this state  
 29 which is a baccalaureate degree-granting institution of higher education; which is  
 30 accredited by the Southern Association of Colleges and Schools; which is not a Bible  
 31 school or college (or, at the graduate level, a school or college of theology or  
 32 divinity); which admits as regular students only persons who have a high school  
 33 diploma, a general educational development (GED) diploma, or a degree from an  
 34 accredited postsecondary institution; whose students are eligible to participate in the  
 35 federal Pell Grant program; which has been reviewed and approved for operation and  
 36 for receipt of tuition equalization grant funds by the Georgia Nonpublic  
 37 Postsecondary Education Commission; which is domiciled and incorporated in the  
 38 State of Georgia; which has been in existence in the State of Georgia for at least ten  
 39 years; and which met all of the requirements of this subparagraph by January 1, 2011;  
 40 provided, however, that the criteria for approval for receipt of tuition equalization  
 41 grant funds shall include but not be limited to areas of course study, quality of  
 42 instruction, student placement rate, research and library sources, faculty, support staff,  
 43 financial resources, physical plant facilities resources, and support and equipment  
 44 resources.

45 (ii) Any proprietary institution that is otherwise qualified pursuant to division (i) of  
 46 this subparagraph on July 1, 1995, shall be deemed to be eligible for receipt of tuition  
 47 equalization grant funds subject, however, to any subsequent review of such approval  
 48 pursuant to any proper regulations which may thereafter be adopted in accordance  
 49 with paragraph (10) of subsection (b) of Code Section 20-3-250.5 applicable to all  
 50 qualified proprietary institutions.

51 (iii) Any proprietary institution of higher education that is otherwise qualified  
 52 pursuant to division (i) of this subparagraph on January 1, 2011, shall continue to be  
 53 an approved school pursuant to this paragraph as long as it continues to meet the  
 54 requirements of division (i) of this subparagraph as such existed on March 14, 2011."

55 **SECTION 2.**

56 Said article is further amended by revising paragraph (1) of Code Section 20-3-485, relating  
 57 to definitions relative to the Georgia HERO scholarship, as follows:

58 "(1) 'Approved school' means a school which is a unit of the University System of  
 59 Georgia ~~or~~, a branch of the Technical College System of Georgia, the Georgia Military  
 60 College, or a private independent nonprofit postsecondary institution eligible for HOPE

61 Scholarships or grants in accordance with the provisions of Code Sections 20-3-519  
62 through 20-3-519.12."

63 **SECTION 3.**

64 Said article is further amended by revising paragraphs (7), (8), and (9) of Code  
65 Section 20-3-519, relating to definitions relatives to HOPE scholarships and grants, as  
66 follows:

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

68 (A) A unit of the University System of Georgia;

69 (B) A branch of the Technical College System of Georgia;

70 (C) The Georgia Military College;

71 (D) A private independent nonprofit postsecondary institution eligible for tuition  
72 equalization grants in accordance with the provisions of subparagraph (A) of  
73 paragraph (2) of Code Section 20-3-411; or

74 ~~(D)~~(E) A private proprietary postsecondary institution eligible for tuition equalization  
75 grants in accordance with the provisions of subparagraph (B) of paragraph (2) of Code  
76 Section 20-3-411.

77 (8) 'Eligible private postsecondary institution' means an eligible postsecondary institution  
78 which meets the criteria set out in subparagraph ~~(C)~~ or (D) or (E) of paragraph (7) of this  
79 Code section.

80 (9) 'Eligible public postsecondary institution' means an eligible postsecondary institution  
81 which meets the criteria set out in subparagraph (A), (B), or ~~(B)~~ (C) of paragraph (7) of  
82 this Code section."

83 **SECTION 4.**

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