

House Bill 444

By: Representatives Reeves of the 34th, Lott of the 122nd, Rogers of the 10th, LaRiccia of the 169th, and Knight of the 130th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to
2 revise the "Move on When Ready Act" and dual credit course; to revise a short title; to
3 provide for legislative purposes; to provide for definitions; to provide for certain covered
4 dual credit courses; to provide for certain covered eligible high school students; to provide
5 for maximum covered hours; to provide for high school students to take noncovered dual
6 credit courses at their own expense or with lottery funds; to provide for responsibilities of
7 the commission; to provide for counseling by the postsecondary institution; to provide for
8 application to HOPE scholarship and grant caps; to provide for related matters; to provide
9 for an effective date and applicability; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

12 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by
13 revising Code Section 20-2-161.3, relating to the "Move on When Ready Act" and dual
14 credit courses, as follows:

15 "20-2-161.3.

16 (a) This Code section shall be known and may be cited as the ~~'Move on When Ready Act.'~~
17 'Dual Enrollment Act.'

18 (b) The purposes of the dual credit coursework under this Code section shall be to:

19 (1) Increase secondary and postsecondary success rates and degree attainment by
20 students. As the University System of Georgia, Technical College System of Georgia,
21 and private postsecondary institutions continue working toward increasing graduation
22 rates, dual enrollment should be utilized to support these efforts;

23 (2) Expose students who are at risk of dropping out of high school or who are not
24 planning to pursue postsecondary education to dual credit courses that can be applied
25 toward degree programs at eligible postsecondary institutions so that such dual credit
26 courses can set them on a path toward obtaining a postsecondary credential;

27 (3) Decrease the amount of time it takes for students to complete their degrees at
 28 postsecondary institutions. As the affordability of higher education continues to be an
 29 issue, shortening the amount of time it takes to earn a degree will provide cost-savings
 30 to students and families; and

31 (4) Increase the percentage of students enrolling in postsecondary institutions after high
 32 school graduation. Businesses and companies in Georgia are seeking an educated
 33 workforce, including both individuals with bachelor's degrees and occupational skills.

34 ~~(b)~~(c) For purposes of this Code section, the term:

35 (1) 'Commission' means the Georgia Student Finance Commission created by Code
 36 Section 20-3-233.

37 (2) 'Core subject' means a course included in the core curriculum of the University
 38 System of Georgia or its equivalent at an eligible private postsecondary institution or an
 39 institution under the Technical College System of Georgia, as determined and approved
 40 by the commission.

41 (3) 'Covered dual credit course' means a dual credit course:

42 (A) In a core subject, if the covered eligible high school student is entering eleventh
 43 or twelfth grade;

44 (B) In a core subject that is not offered at an eligible public or private high school, if
 45 the covered eligible high school student is entering ninth or tenth grade and has
 46 exhausted all core coursework offered by his or her eligible public or private high
 47 school in such core subject;

48 (C) That is included in a course of study for a technical college diploma or technical
 49 college certificates, if the covered eligible high school student is entering tenth,
 50 eleventh, or twelfth grade and pursuing a technical college diploma or technical college
 51 certificates at a branch of the Technical College System of Georgia; and

52 (D) That is included in an associate degree program, if the covered eligible high school
 53 student is entering tenth, eleventh, or twelfth grade and pursuing an associate degree
 54 at a branch of the Technical College System of Georgia pursuant to subparagraph
 55 (a)(4)(i) of Code Section 20-2-149.2.

56 (4) 'Covered eligible high school student' means an eligible high school student who is:

57 (A) Entering eleventh or twelfth grade;

58 (B) Entering ninth or tenth grade at an eligible public or private high school who has
 59 exhausted all core coursework offered by such high school in a core subject;

60 (C) Entering tenth, eleventh, or twelfth grade and pursuing a technical college diploma
 61 or technical college certificates at a branch of the Technical College System of Georgia;

62 or

63 (D) Entering tenth, eleventh, or twelfth grade and pursuing an associate degree at a
 64 branch of the Technical College System of Georgia pursuant to subparagraph (a)(4)(i)
 65 of Code Section 20-2-149.2 in accordance with an individual graduation plan developed
 66 pursuant to Code Section 20-2-327.

67 ~~(2)~~(5) 'Department' means the Department of Education.

68 ~~(3)~~(6) 'Dual credit course' means a postsecondary course, including a virtual course,
 69 taken by an eligible high school student pursuant to an arrangement at or through an
 70 eligible postsecondary institution for which the student receives secondary credit from
 71 his or her eligible high school.

72 ~~(4)~~(7) 'Eligible high school' means any private or public secondary educational
 73 institution located within the State of Georgia and any home study program operated
 74 pursuant to Code Section 20-2-690.

75 ~~(5)~~(8) 'Eligible high school student' means a student entering ninth, tenth, eleventh, or
 76 twelfth grade at an eligible high school.

77 ~~(6)~~(9) 'Eligible postsecondary institution' or 'postsecondary institution' means any
 78 eligible postsecondary institution as defined in paragraph (7) of Code Section 20-3-519.

79 ~~(7)~~(10) 'Program' means the arrangement authorized by this Code section whereby an
 80 eligible high school student takes one or more dual credit courses with the goal of
 81 completing postsecondary credit and high school diploma requirements.

82 ~~(8)~~(11) 'Secondary credit' means high school credit for dual credit courses taken at or
 83 through an eligible postsecondary institution under the program.

84 ~~(e)~~(d) Any eligible high school student may apply to an eligible postsecondary institution
 85 to take one or more dual credit courses at or through that postsecondary institution which
 86 are approved for secondary credit pursuant to subsection ~~(f)~~ (g) of this Code section. If
 87 accepted at an eligible postsecondary institution, such eligible high school student may take
 88 any such approved dual credit course at or through that postsecondary institution, whether
 89 or not the course is taught during the regular eligible high school day, and receive
 90 secondary credit therefor under the conditions provided in this Code section.

91 ~~(d)~~(e)(1) ~~The commission~~ In consultation with and subject to approval by the
 92 ~~commission, the department~~ shall develop appropriate forms and counseling guidelines
 93 for the program and shall make such forms and guidelines available to eligible high
 94 schools and eligible postsecondary institutions. No later than the first day of February
 95 each year, each eligible high school shall provide general information about the program,
 96 including such forms, to all its eligible high school students. An eligible high school
 97 shall also provide counseling services to such students and their parents or guardians
 98 before the students enroll in the program. Prior to participating in the program, the
 99 student and the student's parent or guardian shall sign the form provided by the eligible

100 high school or by an eligible postsecondary institution stating that they have received the
 101 counseling specified in this subsection and that they understand the responsibilities that
 102 shall be assumed in participating in the program. Program information and materials
 103 shall be provided to each eighth grade public school student at the time the student is
 104 developing his or her individual graduation plan as required by Code Section 20-2-327.

105 (2) In addition to the requirements in paragraph (1) of this subsection, prior to
 106 participating in a covered dual credit course, a covered eligible high school student or an
 107 eligible high school student taking noncovered dual credit courses funded with lottery
 108 funds shall meet with and receive initial consultation from an academic advisor or college
 109 counselor at the eligible postsecondary institution. After attempting 12 hours of covered
 110 dual credit coursework, a covered eligible high school student or an eligible high school
 111 student taking noncovered dual credit courses funded with lottery funds shall meet with
 112 and receive follow-up consultation from an academic advisor or college counselor at the
 113 eligible postsecondary institution. Such meetings and consultations may be conducted
 114 in person or through teleconferencing for students taking all of their coursework online.

115 ~~(e)~~(f) Each eligible high school shall be required to execute a participation agreement as
 116 prescribed by the commission.

117 ~~(f)~~(g)(1) A participating eligible high school shall grant secondary credit to an eligible
 118 high school student enrolled in a dual credit course in an eligible postsecondary
 119 institution if such student successfully completes ~~that~~ such course. The secondary credit
 120 granted shall be for a comparable required course; career, technical, and agricultural
 121 education course; or elective course. Upon completion of an eligible postsecondary
 122 institution's dual credit course, the eligible high school student shall be responsible for
 123 requesting that the eligible postsecondary institution notify ~~the~~ such student's eligible
 124 high school regarding his or her grade in ~~that~~ such course.

125 (2) Secondary credits granted for eligible postsecondary institution dual credit courses
 126 under paragraph (1) of this subsection shall be counted by the eligible high school toward
 127 graduation requirements and subject area requirements of the eligible high school.
 128 Evidence of successful completion of each dual credit course and secondary credits
 129 granted shall be included in the eligible high school student's secondary school records.

130 (3) A participating eligible high school shall be required to award a high school diploma
 131 to any eligible high school student who is enrolled at or through an eligible postsecondary
 132 institution under the program as long as the credit earned at or through such
 133 postsecondary institution satisfies course requirements needed for the eligible high school
 134 student to complete high school graduation. The State Board of Education, in
 135 consultation with the State Board of the Technical College System of Georgia and the
 136 Board of Regents of the University System of Georgia, shall determine appropriate

137 courses to meet these requirements. No later than July 1, 2015, the ~~Department of~~
 138 ~~Education~~ department shall communicate to high schools the subject area requirements
 139 or elective courses that may be satisfied with dual credit courses provided by eligible
 140 postsecondary institutions, which shall include completion of:

141 (A) At least the following state required ninth and tenth grade level high school courses
 142 or their equivalent: two English courses, two mathematics courses, two science courses,
 143 two social studies courses, and one health and physical education course; and any state
 144 required tests associated with any such courses; and

145 (B) One of the following:

146 (i) An associate degree program;

147 (ii) A technical college diploma program and all postsecondary academic education
 148 and technical education and training prerequisites for any state, national, or industry
 149 occupational certifications or licenses required to work in the field; or

150 (iii) At least two technical college certificate of credit programs in one specific career
 151 pathway and all postsecondary academic education and technical education and
 152 training prerequisites for any state, national, or industry occupational certifications or
 153 licenses required to work in the field as determined by the Technical College System
 154 of Georgia.

155 (4) No local school system that receives funding under this article shall exclude eligible
 156 high school students taking one or more dual credit courses pursuant to this Code section
 157 from eligibility determinations for valedictorian and salutatorian of a participating
 158 eligible high school; provided, however, that this shall not apply to a high school student
 159 who moves into the local school system after his or her sophomore year and has not taken
 160 any courses on site at the participating eligible high school.

161 ~~(g)(h)(1)(A)~~ A covered eligible high school student shall be eligible to take a
 162 maximum of 30 hours of covered dual credit courses.

163 (B) Hours for covered dual credit courses taken at or through an eligible postsecondary
 164 institution pursuant to this Code section by an a covered eligible high school student
 165 shall not count against any maximum hourly caps which may be applicable for purposes
 166 of HOPE scholarships or grants.

167 (C) Covered dual credit courses shall be delivered onsite at the eligible postsecondary
 168 institution or online; provided, however, that covered dual credit courses as described
 169 in subparagraphs (c)(3)(C) and (c)(3)(D) of this Code section may be delivered at a
 170 high school campus.

171 (2) Any eligible high school student may take any one or more noncovered dual credit
 172 courses:

173 (A) At his or her own expense; or

174 (B) Utilizing lottery funds; provided, however, that any such dual credit courses funded
 175 by lottery funds shall count against the maximum hourly cap of 190 quarter hours or
 176 127 semester hours of combined HOPE scholarships and grants as provided for in
 177 subsection (e) of Code Section 20-3-519.5 for such student, but shall not count as
 178 attempted hours for purposes of grade point average checkpoints to determine eligibility
 179 for a HOPE scholarship or grant pursuant to Part 7 of Article 7 of Chapter 3 of this title.
 180 Grades received by an eligible high school student in a dual credit course funded with
 181 lottery funds shall not be included in the grade point average calculations for such
 182 student for purposes of HOPE eligibility pursuant to Code Sections 20-3-519.2 or
 183 20-3-519.5.

184 (3) An eligible high school student shall be eligible to take a maximum of 15 hours per
 185 semester of combined covered dual credit courses and noncovered dual credit courses
 186 funded with lottery funds.

187 ~~(h)~~(i)(1) The commission shall be responsible for the administration of this Code section,
 188 including but not limited to oversight of teacher and faculty credentials and standards, the
 189 approval process for dual credit courses, and transferability of credits. The commission
 190 shall also provide customer service to students and their families regarding enrollment
 191 in participation in dual credit courses pursuant to this Code section.

192 (2) The commission is authorized to promulgate rules and regulations not inconsistent
 193 with the provisions of this Code section relating to the program described in this Code
 194 section.

195 ~~(i)~~(j) Every eligible postsecondary institution and eligible high school shall be subject to
 196 examination by the commission for the sole purpose of determining whether such
 197 postsecondary institution or eligible high school has properly complied with rules and
 198 regulations established pursuant to this Code section. Such examination shall be conducted
 199 by the commission no less frequently than once every three years. The commission is
 200 authorized to conduct the examination using sampling and extrapolation techniques.
 201 However, nothing in this subsection shall be construed to interfere with the authority of the
 202 a postsecondary institution to determine its own curriculum, philosophy, purpose, or
 203 administration. In the event it is determined that a postsecondary institution knowingly or
 204 through error certified an ineligible student to be eligible for the program established under
 205 this Code section, the amount paid to the postsecondary institution pursuant to such
 206 certification shall be refunded by the postsecondary institution to the commission. The
 207 commission may suspend a postsecondary institution from receiving payments under this
 208 Code section if it fails to refund any moneys deemed due pursuant to this subsection.

209 ~~(j)~~(k) In order to participate in the program, each eligible postsecondary institution shall
 210 be required to enter into a participation agreement with the commission agreeing to:

- 211 (1) Waive all mandatory and noncourse related fees for eligible high school students
 212 participating in the program;
- 213 (2) Provide course books to covered eligible high school students participating in the
 214 program and eligible high school students taking noncovered dual credit courses funded
 215 with lottery funds at no charge to the student;
- 216 (3) Accept the amount paid by the commission as full payment for ~~an eligible high~~
 217 ~~school student's~~ tuition, mandatory and noncourse related fees, and course books for
 218 covered eligible high school students and eligible high school students taking noncovered
 219 dual credit courses funded with lottery funds; and
- 220 (4) Provide enrollment and student record data to the Office of Student Achievement and
 221 to the state-wide longitudinal data system maintained by such office. Such data shall be
 222 submitted in accordance with timelines and formats established by the Office of Student
 223 Achievement.
- 224 ~~(k)~~(l) The commission shall provide funding in accordance with this Code section for
 225 covered dual credit courses taken by covered eligible high school students and for
 226 noncovered dual credit courses taken by eligible high school students and funded with
 227 lottery funds; provided, however, that the ~~The~~ funding provided to the commission for the
 228 program shall be subject to annual appropriations enacted by the General Assembly
 229 ~~beginning in Fiscal Year 2016~~. The commission shall set criteria for funding for tuition,
 230 mandatory and noncourse related fees, and course books, ~~and transportation~~. The amount
 231 of such funds to be paid shall be determined by the commission. ~~The commission shall~~
 232 ~~create a grant program, subject to the availability of funds, pursuant to which participating~~
 233 ~~public eligible high schools may apply for transportation grants. Such grants shall be~~
 234 ~~awarded based on criteria, terms, and conditions determined by the commission in~~
 235 ~~consultation with the department.~~
- 236 ~~(j)~~(m) In the event the funds made available to the commission are not sufficient to enable
 237 the commission to meet all funding requirements of the program, the amount paid to
 238 eligible postsecondary institutions shall be reduced by the commission. Under no
 239 circumstances shall the eligible postsecondary institutions require ~~an~~ a covered eligible
 240 high school student participating in the program, or an eligible high school student taking
 241 a noncovered dual credit course funded with lottery funds, to pay for tuition, mandatory
 242 and noncourse related fees, or course books.
- 243 ~~(m)~~(n) Students enrolled in a work based learning program under Code Section 20-2-161.2
 244 may be eligible to earn dual credit upon completing a planned training experience under
 245 guidelines developed by the ~~Department of Education~~ department and the Technical
 246 College System of Georgia provided students meet postsecondary readiness established in

247 reading and writing and mathematics for the particular advanced training program or
 248 associate's degree.

249 ~~(m)(o) The commission~~ ~~The Office of Student Achievement~~ shall collect and monitor
 250 enrollment and student record data for dual credit courses taken pursuant to this Code
 251 section. ~~The Office of Student Achievement~~ commission shall annually measure and
 252 evaluate the program. ~~The commission~~ Office of Student Achievement, the department,
 253 eligible postsecondary institutions, and local boards of education shall cooperate with and
 254 provide data as necessary to the ~~Office of Student Achievement~~ commission to facilitate
 255 the provisions of this subsection. ~~The Office of Student Achievement is authorized to~~
 256 ~~promulgate rules and regulations as necessary to implement the provisions of this~~
 257 ~~subsection.~~

258 (p) The commission, in consultation with the Office of Planning and Budget, shall
 259 annually publish on its website the rates to be paid to eligible postsecondary institutions for
 260 covered dual credit courses and noncovered dual credit courses funded with lottery funds
 261 pursuant to this Code section. Such rates may be based upon the classification of eligible
 262 postsecondary institutions and the method of delivery of coursework, including onsite at
 263 an eligible postsecondary institution, onsite at an eligible high school, or by virtual means."

264 **SECTION 2.**

265 Said title is further amended in Code Section 20-3-519.5, relating to eligibility requirements
 266 for a HOPE grant, by revising subsection (e) as follows:

267 "(e) No student ~~that~~ who has a baccalaureate degree, its equivalent or higher, from any
 268 postsecondary institution shall be eligible to receive a HOPE grant. No student may
 269 receive HOPE grants for more than 95 quarter hours or 63 semester hours of attempted
 270 coursework. No student may receive more than a cumulative total of 190 quarter hours or
 271 127 semester hours of combined HOPE scholarships and grants and dual credit coursework
 272 paid for by lottery funds pursuant to Code Section 20-2-161.3. For purposes of this
 273 subsection, attempted hours shall not include hours for courses taken and paid for by a
 274 HOPE grant or lottery funds while a student is participating in dual credit enrollment with
 275 both an eligible high school and a branch of the Technical College System of Georgia or
 276 a unit of the University System of Georgia. The Technical College System of Georgia or
 277 the University System of Georgia, as applicable, shall verify that the student is enrolled in
 278 an eligible high school and shall notify the Georgia Student Finance Commission of the
 279 student's participation in dual credit enrollment."

280

SECTION 3.

281 This Act shall become effective on July 1, 2019, and shall be applicable beginning in the fall
282 2019 academic term.

283

SECTION 4.

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