

The Senate Committee on Higher Education offered the following substitute to HB 444:

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 courses; to revise a short title; to
3 provide for legislative purpose; to provide for definitions; to provide for counseling; to
4 provide for certain covered dual credit courses; to revise provisions relating to eligible high
5 school students; to provide for high school students to take noncovered dual credit courses
6 at their own expense; to provide for a responsibility of the commission; to amend Code
7 Section 16-11-127.1 of the Official Code of Georgia Annotated, relating to carrying weapons
8 within school safety zones, at school functions, or on a bus or other transportation furnished
9 by a school, so as to provide a conforming change; to provide for related matters; to provide
10 for a grandfather provision; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

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

16 "20-2-161.3.

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

19 (a.1) The purpose of the dual enrollment program shall be to provide qualified high school
20 students with access to rigorous career and academic courses at higher education
21 institutions in order to increase high school graduation rates, prepare a skilled workforce,
22 and to decrease postsecondary students' time to degree completion.

23 (b) For purposes of this Code section, the term:

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

26 (2) 'Covered dual credit course' means dual credit courses:

27 (A) Of up to 32 semester hours of academic coursework included on the General
 28 Education Course Transfer Chart for the Technical College System of Georgia and the
 29 University System of Georgia offered at any eligible postsecondary institution; or

30 (B) Of up to 63 semester hours of coursework in technical education taken at any
 31 eligible postsecondary institution under the Technical College System of Georgia,
 32 including any academic coursework taken to earn a high school diploma pursuant to
 33 subparagraph (a)(4)(i) of Code Section 20-2-149.2.

34 'Covered dual credit course' shall not include any course taken during a summer term,
 35 unless such course is necessary to complete a prescribed course of study, such as an
 36 apprenticeship program, as approved by the commission in accordance with rules and
 37 regulations established by the commission for such purpose.

38 (3) 'Covered eligible high school student' means an eligible high school student
 39 possessing a grade point average of:

40 (A) At least 3.0 to take covered dual credit courses at an eligible postsecondary
 41 institution under the Board of Regents of the University System of Georgia or at a
 42 private eligible postsecondary institution;

43 (B) At least 2.6 to take covered dual credit courses at an eligible postsecondary
 44 institution under the Technical College System of Georgia; or

45 (C) At least 2.0 to take covered dual credit courses designated within the high demand
 46 career initiative at any eligible postsecondary institution.

47 ~~(2)~~(4) 'Department' means the Department of Education.

48 ~~(3)~~(5) 'Dual credit course' means a postsecondary course, including a virtual course,
 49 taken by an eligible high school student pursuant to an arrangement at or through an
 50 eligible postsecondary institution for which the student receives secondary credit from
 51 his or her eligible high school.

52 ~~(4)~~(6) 'Eligible high school' means any private or public secondary educational
 53 institution located within the State of Georgia and any home study program operated
 54 pursuant to Code Section 20-2-690.

55 ~~(5)~~(7) 'Eligible high school student' means a student;

56 (A) Entering ninth or tenth grade at an eligible high school taking online dual credit
 57 courses at any eligible post secondary institution;

58 (B) Entering tenth entering ninth, tenth, eleventh, or twelfth grade at an eligible high
 59 school taking dual credit courses within the Technical College System of Georgia; or

60 (C) Entering eleventh or twelfth grade at an eligible high school taking dual credit
 61 courses at any eligible postsecondary institution.

62 ~~(6)~~(8) 'Eligible postsecondary institution' or 'postsecondary institution' means any
 63 eligible postsecondary institution as defined in paragraph (7) of Code Section 20-3-519.

64 ~~(7)~~(9) 'Program' means the arrangement authorized by this Code section whereby an
65 eligible high school student takes one or more dual credit courses with the goal of
66 completing postsecondary credit and high school diploma requirements.

67 ~~(8)~~(10) 'Secondary credit' means high school credit for dual credit courses taken at or
68 through an eligible postsecondary institution under the program.

69 (c) Any eligible high school student may apply to an eligible postsecondary institution to
70 take one or more dual credit courses at or through that postsecondary institution which are
71 approved for secondary credit pursuant to subsection (f) of this Code section. If accepted
72 at an eligible postsecondary institution, such eligible high school student may take any such
73 approved dual credit course at or through that postsecondary institution, whether or not the
74 course is taught during the regular eligible high school day, and receive secondary credit
75 therefor under the conditions provided in this Code section.

76 (d) The commission ~~In consultation with and subject to approval by the commission, the~~
77 ~~department~~ shall develop appropriate forms and counseling guidelines for the program and
78 shall make such forms and guidelines available to eligible high schools and eligible
79 postsecondary institutions. No later than the first day of February each year, each eligible
80 high school shall provide general information about the program, including such forms, to
81 all its eligible high school students. An eligible high school shall also provide counseling
82 services to such students and their parents or guardians each year before the students enroll
83 in the program. Such counseling services may be provided via group counseling. Prior to
84 participating in the program each year, the student and the student's parent or guardian shall
85 sign the form provided by the eligible high school or by an eligible postsecondary
86 institution stating that they have received the counseling specified in this subsection and
87 that they understand the responsibilities that shall be assumed in participating in the
88 program. Program information and materials shall be provided to each eighth grade public
89 school student at the time the student is developing his or her individual graduation plan
90 as required by Code Section 20-2-327.

91 (e) Each eligible high school shall be required to execute a participation agreement as
92 prescribed by the commission.

93 (f)(1) A participating eligible high school shall grant secondary credit to an eligible high
94 school student enrolled in a dual credit course in an eligible postsecondary institution if
95 such student successfully completes ~~that~~ such course. The secondary credit granted shall
96 be for a comparable required course; career, technical, and agricultural education course;
97 or elective course. Upon completion of an eligible postsecondary institution's dual credit
98 course, the eligible high school student shall be responsible for requesting that the eligible
99 postsecondary institution notify ~~the~~ such student's eligible high school regarding his or
100 her grade in ~~that~~ such course.

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

106 (3) A participating eligible high school shall be required to award a high school diploma
107 to any eligible high school student who is enrolled at or through an eligible postsecondary
108 institution under the program as long as the credit earned at or through such
109 postsecondary institution satisfies course requirements needed for the eligible high school
110 student to complete high school graduation. The State Board of Education, in
111 consultation with the State Board of the Technical College System of Georgia and the
112 Board of Regents of the University System of Georgia, shall determine appropriate
113 courses to meet these requirements. No later than July 1, 2015, the ~~Department of~~
114 ~~Education~~ department shall communicate to high schools the subject area requirements
115 or elective courses that may be satisfied with dual credit courses provided by eligible
116 postsecondary institutions, which shall include completion of:

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

121 (B) One of the following:

122 (i) An associate degree program;

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

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

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

137 (g)(1) Hours for dual credit courses taken at or through an eligible postsecondary
138 institution pursuant to this Code section by an eligible high school student shall not count
139 against any maximum hourly caps which may be applicable for purposes of HOPE
140 scholarships or grants.

141 (2) Any eligible high school student may take any one or more noncovered dual credit
142 courses at his or her own expense.

143 (3) A covered eligible high school student shall be eligible to take a maximum of 16
144 hours per semester or the quarter equivalent of covered dual credit courses.

145 (h)(1) The commission shall be responsible for the administration of this Code section,
146 including but not limited to collecting dual enrollment data to measure and report on the
147 success of the dual enrollment program, and through rules and regulations requiring
148 private postsecondary institutions to share data for such purpose.

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

152 (i) Every eligible postsecondary institution and eligible high school shall be subject to
153 examination by the commission for the sole purpose of determining whether such
154 postsecondary institution or eligible high school has properly complied with rules and
155 regulations established pursuant to this Code section. Such examination shall be conducted
156 by the commission no less frequently than once every three years. The commission is
157 authorized to conduct the examination using sampling and extrapolation techniques.
158 However, nothing in this subsection shall be construed to interfere with the authority of ~~the~~
159 a postsecondary institution to determine its own curriculum, philosophy, purpose, or
160 administration. In the event it is determined that a postsecondary institution knowingly or
161 through error certified an ineligible student to be eligible for the program established under
162 this Code section, the amount paid to the postsecondary institution pursuant to such
163 certification shall be refunded by the postsecondary institution to the commission. The
164 commission may suspend a postsecondary institution from receiving payments under this
165 Code section if it fails to refund any moneys deemed due pursuant to this subsection.

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

168 (1) Waive all mandatory and noncourse related fees for covered eligible high school
169 students participating in the program taking covered dual credit courses;

170 (2) Provide course books to covered eligible high school students participating in the
171 program taking covered dual credit courses at no charge to the student;

172 (3) Accept the amount paid by the commission as full payment for ~~an eligible high~~
 173 ~~school student's~~ tuition, mandatory and noncourse related fees, and course books for
 174 covered eligible high school students taking covered dual credit courses; and

175 (4) Provide enrollment and student record data to the Office of Student Achievement and
 176 to the state-wide longitudinal data system maintained by such office. Such data shall be
 177 submitted in accordance with timelines and formats established by the Office of Student
 178 Achievement.

179 (k) The commission shall provide funding in accordance with this Code section for
 180 covered dual credit courses taken by covered eligible high school students; provided,
 181 however, that the ~~The~~ funding provided to the commission for the program shall be subject
 182 to annual appropriations enacted by the General Assembly ~~beginning in Fiscal Year 2016~~.
 183 The commission shall set criteria for funding for tuition, mandatory and noncourse related
 184 fees, and course books, ~~and transportation~~. The amount of such funds to be paid shall be
 185 determined by the commission. The commission shall create a grant program, subject to
 186 the availability of funds, pursuant to which participating public eligible high schools may
 187 apply for transportation grants. Such grants shall be awarded based on criteria, terms, and
 188 conditions determined by the commission in consultation with the department.

189 (l) In the event the funds made available to the commission are not sufficient to enable the
 190 commission to meet all funding requirements of the program, the amount paid to eligible
 191 postsecondary institutions shall be reduced by the commission. Under no circumstances
 192 shall the eligible postsecondary institutions require ~~an~~ a covered eligible high school
 193 student participating in the program taking a covered dual credit course, to pay for tuition,
 194 mandatory and noncourse related fees, or course books.

195 (m) Students enrolled in a work based learning program under Code Section 20-2-161.2
 196 may be eligible to earn dual credit upon completing a planned training experience under
 197 guidelines developed by the ~~Department of Education~~ department and the Technical
 198 College System of Georgia provided students meet postsecondary readiness established in
 199 reading and writing and mathematics for the particular advanced training program or
 200 associate's degree.

201 (n) The commission ~~The Office of Student Achievement~~ shall collect and monitor
 202 enrollment and student record data for dual credit courses taken pursuant to this Code
 203 section. ~~The Office of Student Achievement~~ commission shall annually measure and
 204 evaluate the program. ~~The commission~~ Office of Student Achievement, the department,
 205 eligible postsecondary institutions, and local boards of education shall cooperate with and
 206 provide data as necessary to the ~~Office of Student Achievement~~ commission to facilitate
 207 the provisions of this subsection. ~~The Office of Student Achievement is authorized to~~

208 ~~promulgate rules and regulations as necessary to implement the provisions of this~~
209 ~~subsection.~~

210 (o) The commission, in consultation with the Office of Planning and Budget, shall
211 annually publish on its website the rates to be paid to eligible postsecondary institutions for
212 covered dual credit courses. Such rates may be based upon the classification of eligible
213 postsecondary institutions and the method of delivery of coursework, including onsite at
214 an eligible postsecondary institution, onsite at an eligible high school, or by virtual means;
215 provided, however, that the rates paid to private eligible postsecondary institutions shall
216 not be less than the per credit hour rate for semester systems or quarter systems contained
217 in commission regulation for the dual enrollment program in effect as of February 1, 2019."

218

SECTION 2.

219 Code Section 16-11-127.1 of the Official Code of Georgia Annotated, relating to carrying
220 weapons within school safety zones, at school functions, or on a bus or other transportation
221 furnished by a school, is amended by revising division (c)(20)(A)(iv) as follows:

222 "(iv) Not apply to any room or space being used for classes in which high school
223 students are enrolled through a dual enrollment program, including, but not limited
224 to, classes related to the '~~Move-on-When-Ready~~ Dual Enrollment Act' as provided for
225 under Code Section 20-2-161.3;"

226

SECTION 3.

227 Ninth grade students who were enrolled in one or more dual credit courses in an eligible
228 postsecondary institution under the Board of Regents of the University System of Georgia
229 in school year 2018-2019, excluding any summer term, pursuant to Code Section 20-2-161.3
230 as it existed on June 30, 2019, shall be eligible to continue enrollment as tenth grade students
231 in one or more dual credit courses in an eligible postsecondary institution under the Board
232 of Regents of the University System of Georgia in school year 2019-2020, excluding any
233 summer term.

234

SECTION 4.

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