

_____ offers the following
substitute to HB 444:

A BILL TO BE ENTITLED
AN ACT

To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to revise the "Move on When Ready Act" and dual credit courses; to revise a short title; to provide for legislative purpose; to provide for definitions; to provide for certain eligible dual credit courses; to revise provisions relating to eligible high school students; to provide for high school students to take noncovered dual credit courses at their own expense; to provide for responsibilities of the Georgia Student Finance Commission and the Office of Planning and Budget; to amend Code Section 16-11-127.1 of the Official Code of Georgia Annotated, relating to carrying weapons within school safety zones, at school functions, or on a bus or other transportation furnished by a school, so as to provide a conforming change; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

"20-2-161.3.

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

(a.1) The purpose of the Dual Enrollment program is to promote and increase access to postsecondary educational opportunities for Georgia high school students while increasing high school graduation rates, preparing a skilled workforce, and decreasing time and cost to postsecondary credential completion.

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

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

(2) 'Department' means the Department of Education.

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

(4) 'Eligible core course' means a course in English, math, science, social studies, or a foreign language upon which the commission calculates grade point averages for HOPE scholarship eligibility pursuant to paragraph (3.1) of subsection (b) of Code Section 20-2-157 and which is included in the eligible course list.

(5) 'Eligible course list' means a list of courses maintained by the commission which identifies courses approved for funding authorized by this Code section and shall include eligible core courses and eligible CTAE courses.

(6) 'Eligible CTAE course' means all career, technical, and agricultural education courses which are aligned with the department's Career Clusters and Pathways programs and which are included in the eligible course list.

(7) 'Eligible dual credit course' means a dual credit course which is included in the eligible course list and which is eligible for payment under this program subject to the following maximum credit hour caps:

(A) Eligible high school students with 18 or fewer semester hours, or the equivalent amount of quarter hours, of dual credit courses funded under this part on or before June 30, 2020, shall be limited to a total of 30 semester hours, or the equivalent amount of quarter hours, of eligible dual credit courses; and

(B) Eligible high school students with 19 or more semester hours, or the equivalent amount of quarter hours, of dual credit courses funded under this part on or before June 30, 2020, shall be limited to 12 additional semester hours, or the equivalent amount of quarter hours, of eligible dual credit courses.

~~(4)~~(8) 'Eligible high school' means any private or public secondary educational institution located within the State of Georgia and any home study program operated pursuant to Code Section 20-2-690.

~~(5)~~(9) 'Eligible high school student' means a student ~~entering ninth, tenth, eleventh, or twelfth grade at an eligible high school.~~ who is:

(A) Entering or enrolled in eleventh or twelfth grade at an eligible high school taking any eligible dual credit course at any eligible postsecondary institution; or

(B) Entering or enrolled in tenth grade at an eligible high school when such student:

(i) Is enrolled in an eligible CTAE course at an institution within the Technical College System of Georgia;

(ii) Has obtained prior to the beginning of the term of dual enrollment coursework an SAT or ACT test score that would meet the assessment requirements of a Zell Miller Scholar pursuant to division (27)(A)(i) of Code Section 20-3-519 and is taking eligible core courses at any eligible postsecondary institution; or

(iii) Was enrolled as a ninth grader in one or more dual credit courses at an eligible postsecondary institution for which payment was made under this part on or before June 30, 2020.

~~(6)~~(10) 'Eligible postsecondary institution' or 'postsecondary institution' means ~~any~~ an eligible postsecondary institution as defined in paragraph (7) of Code Section 20-3-519.

~~(7)~~(11) 'Program' means the arrangement authorized by this Code section whereby an eligible high school student takes one or more dual credit courses with the goal of completing postsecondary credit and high school diploma requirements.

~~(8)~~(12) 'Secondary credit' means high school credit for dual credit courses taken at or through an eligible postsecondary institution under the program.

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

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

(e) In order to participate in the program, each ~~Each~~ eligible high school shall be required to execute a participation agreement as prescribed by the commission.

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

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

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

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

(B) One of the following:

(i) An associate degree program;

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

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

Students who have taken dual credit courses in pursuit of a high school diploma under this paragraph, and were funded under this part, on or before June 30, 2020, shall not be subject to any maximum credit hour caps as set forth in this Code section. Such students may continue participation in the program until the student completes the coursework required for his or her high school diploma.

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

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

(h) The commission is authorized to promulgate rules and regulations not inconsistent with the provisions of this Code section relating to the program described in this Code section. Said rules and regulations shall provide that, after June 30, 2020, eligible high school students shall not be permitted to retake a dual credit course except under extenuating circumstances, as determined by the commission; and after withdrawal from a second dual credit course, a student shall be ineligible to take any dual credit courses except under extenuating circumstances, as determined by the commission.

(i)(1) Every eligible postsecondary institution shall be subject to examination by the commission for the sole purpose of determining whether such postsecondary institution has properly complied with rules and regulations established pursuant to this Code section. Such examination shall be conducted by the commission no less frequently than once every three years. The commission is authorized to conduct the examination using sampling and extrapolation techniques. However, nothing in this subsection shall be construed to interfere with the authority of ~~the~~ a postsecondary institution to determine its own curriculum, philosophy, purpose, or administration. In the event it is determined that a postsecondary institution knowingly or through error certified an ineligible student

to be eligible for the program established under this Code section, the amount paid to the postsecondary institution pursuant to such certification shall be refunded by the postsecondary institution to the commission. The commission may suspend a postsecondary institution from receiving payments under this Code section if it fails to refund any moneys deemed due pursuant to this subsection.

(2) Every eligible high school shall be subject to examination by the commission for the sole purpose of determining whether such high school has properly complied with rules and regulations established pursuant to this Code section. Such examination shall be conducted on a schedule prescribed by the commission. The commission is authorized to conduct the examination using sampling and extrapolation techniques. In the event it is determined that an eligible high school knowingly or through error certified an ineligible student to be eligible for the program established under this Code section, the commission may institute corrective actions, including but not limited to removing the high school's eligibility under this program.

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

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

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

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

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

(k) The commission shall provide funding in accordance with this Code section for eligible dual credit courses taken by eligible high school students; provided, however, that the ~~The~~ funding provided to the commission for the program shall be subject to annual appropriations enacted by the General Assembly ~~beginning in Fiscal Year 2016~~. The commission shall set criteria for funding for tuition, mandatory and noncourse related fees, course books, and transportation. The amount of such funds to be paid shall be determined by the commission. The commission shall create a grant program, subject to the availability of funds, pursuant to which participating public eligible high schools may apply

for transportation grants. Such grants shall be awarded based on criteria, terms, and conditions determined by the commission in consultation with the department.

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

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

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

(o) Nothing in this Code section shall be deemed to preclude an eligible high school student from taking one or more dual credit courses at his or her own expense."

SECTION 2.

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

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

SECTION 3.

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