

House Bill 444 (AS PASSED HOUSE AND SENATE)

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

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 certain eligible dual  
4 credit courses; to revise provisions relating to eligible high school students; to provide for  
5 high school students to take noncovered dual credit courses at their own expense; to provide  
6 for responsibilities of the Georgia Student Finance Commission and the Office of Planning  
7 and Budget; to amend Code Section 16-11-127.1 of the Official Code of Georgia Annotated,  
8 relating to carrying weapons within school safety zones, at school functions, or on a bus or  
9 other transportation furnished by a school, so as to provide a conforming change; to provide  
10 for related matters; 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 is to promote and increase access to  
20 postsecondary educational opportunities for Georgia high school students while increasing  
21 high school graduation rates, preparing a skilled workforce, and decreasing time and cost  
22 to postsecondary credential 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) 'Department' means the Department of Education.

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

31 (4) 'Eligible core course' means a course in English, math, science, social studies, or a  
 32 foreign language upon which the commission calculates grade point averages for HOPE  
 33 scholarship eligibility pursuant to paragraph (3.1) of subsection (b) of Code Section  
 34 20-2-157 and which is included in the eligible course list.

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

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

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

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

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

52 ~~(4)~~(8) '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)~~(9) 'Eligible high school student' means a student ~~entering ninth, tenth, eleventh, or~~  
 56 ~~twelfth grade at an eligible high school. who is:~~

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

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

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

62 (ii) Has obtained prior to the beginning of the term of dual enrollment coursework  
 63 an SAT or ACT test score that would meet the assessment requirements of a Zell

64 Miller Scholar pursuant to division (27)(A)(i) of Code Section 20-3-519 and is taking  
 65 eligible core courses at any eligible postsecondary institution; or  
 66 (iii) Was enrolled as a ninth grader in one or more dual credit courses at an eligible  
 67 postsecondary institution for which payment was made under this part on or before  
 68 June 30, 2020.

69 ~~(6)~~(10) 'Eligible postsecondary institution' or 'postsecondary institution' means ~~any~~ an  
 70 eligible postsecondary institution as defined in paragraph (7) of Code Section 20-3-519.

71 ~~(7)~~(11) 'Program' means the arrangement authorized by this Code section whereby an  
 72 eligible high school student takes one or more dual credit courses with the goal of  
 73 completing postsecondary credit and high school diploma requirements.

74 ~~(8)~~(12) 'Secondary credit' means high school credit for dual credit courses taken at or  
 75 through an eligible postsecondary institution under the program.

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

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

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

99 (f)(1) A participating eligible high school shall grant secondary credit to an eligible high  
 100 school student enrolled in a dual credit course in an eligible postsecondary institution if

101 such student successfully completes ~~that~~ such course. The secondary credit granted shall  
 102 be for a comparable required course; career, technical, and agricultural education course;  
 103 or elective course. Upon completion of an eligible postsecondary institution's dual credit  
 104 course, the eligible high school student shall be responsible for requesting that the eligible  
 105 postsecondary institution notify ~~the~~ such student's eligible high school regarding his or  
 106 her grade in ~~that~~ such course.

107 (2) Secondary credits granted for eligible postsecondary institution dual credit courses  
 108 under paragraph (1) of this subsection shall be counted by the eligible high school toward  
 109 graduation requirements and subject area requirements of the eligible high school.

110 Evidence of successful completion of each dual credit course and secondary credits  
 111 granted shall be included in the eligible high school student's secondary school records.

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

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

127 (B) One of the following:

128 (i) An associate degree program;

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

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

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

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

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

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

159 (i)(1) Every eligible postsecondary institution shall be subject to examination by the  
160 commission for the sole purpose of determining whether such postsecondary institution  
161 has properly complied with rules and regulations established pursuant to this Code  
162 section. Such examination shall be conducted by the commission no less frequently than  
163 once every three years. The commission is authorized to conduct the examination using  
164 sampling and extrapolation techniques. However, nothing in this subsection shall be  
165 construed to interfere with the authority of ~~the~~ a postsecondary institution to determine  
166 its own curriculum, philosophy, purpose, or administration. In the event it is determined  
167 that a postsecondary institution knowingly or through error certified an ineligible student  
168 to be eligible for the program established under this Code section, the amount paid to the  
169 postsecondary institution pursuant to such certification shall be refunded by the  
170 postsecondary institution to the commission. The commission may suspend a  
171 postsecondary institution from receiving payments under this Code section if it fails to  
172 refund any moneys deemed due pursuant to this subsection.

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

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

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

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

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

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

195 (k) The commission shall provide funding in accordance with this Code section for eligible  
 196 dual credit courses taken by eligible high school students; provided, however, that the ~~The~~  
 197 funding provided to the commission for the program shall be subject to annual  
 198 appropriations enacted by the General Assembly ~~beginning in Fiscal Year 2016~~. The  
 199 commission shall set criteria for funding for tuition, mandatory and noncourse related fees,  
 200 course books, and transportation. The amount of such funds to be paid shall be determined  
 201 by the commission. The commission shall create a grant program, subject to the  
 202 availability of funds, pursuant to which participating public eligible high schools may apply  
 203 for transportation grants. Such grants shall be awarded based on criteria, terms, and  
 204 conditions determined by the commission in consultation with the department.

205 (l) In the event the funds made available to the commission are not sufficient to enable the  
 206 commission to meet all funding requirements of the program, the amount paid to eligible  
 207 postsecondary institutions shall be reduced by the commission. Under no circumstances  
 208 shall the eligible postsecondary institutions require an eligible high school student

209 participating in the program taking an eligible dual credit course to pay for tuition,  
 210 mandatory and noncourse related fees, or course books.

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

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

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

228 **SECTION 2.**

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

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

236 **SECTION 3.**

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