

House Bill 1231 (AS PASSED HOUSE AND SENATE)

By: Representative Holcomb of the 81st

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-3-411 of the Official Code of Georgia Annotated, relating to
2 definitions regarding tuition equalization grants at private colleges and universities, so as to
3 revise the definition of approved school to include schools which were previously accredited
4 by the Southern Association of Colleges and Schools, are now accredited by the
5 Transnational Association of Christian Colleges and Schools, and which meet other
6 requirements; to amend Code Section 20-3-519.2 of the Official Code of Georgia Annotated,
7 relating to eligibility requirements for a HOPE scholarship and award amount, to allow
8 academically successful students who are concurrently seeking a baccalaureate degree and
9 a first professional degree to use the full number of hours of HOPE scholarship eligibility;
10 to allow academically successful students who commence a graduate program at an eligible
11 postsecondary institution within 18 months of earning a baccalaureate degree to use the full
12 number of hours of HOPE scholarship eligibility; to provide for exceptions based on
13 previous participation in the dual enrollment program; to provide for limited HOPE
14 scholarship eligibility for former foster youths who meet certain criteria; to provide for such
15 criteria; to provide for a definition; to provide for related matters; to repeal conflicting laws;
16 and for other purposes.

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

18
19 Code Section 20-3-411 of the Official Code of Georgia Annotated, relating to definitions
20 regarding tuition equalization grants at private colleges and universities, is amended by
21 revising subparagraph (A) of paragraph (2) as follows:

22 "(A) A nonproprietary institution of higher education located in this state which is not
23 a branch of the university system; which is not a four-year or graduate level institution
24 of higher education that is, or is a part of, a college or university system that is owned
25 and operated by a state other than Georgia; which is accredited by the Southern
26 Association of Colleges and Schools; which is not a graduate level school or college of
27 theology or divinity; and which is not presently receiving state funds under Article 4
28 of this chapter; provided, however, that an institution which otherwise meets the
29 requirements of this definition and of this subpart except for the lack of accreditation
30 by the Southern Association of Colleges and Schools shall be deemed to be an
31 'approved school' during the period that the institution holds candidate for accreditation
32 status with the Southern Association of Colleges and Schools; provided, further, that
33 an institution which otherwise meets the requirements of this definition and of this
34 subpart except for the lack of accreditation by the Southern Association of Colleges and
35 Schools shall be deemed to be an 'approved school' if such institution was previously
36 an 'approved school' under division (iii) of subparagraph (B) of this paragraph within
37 the last five years; provided, further, that an institution which was previously accredited
38 by the Southern Association of Colleges and Schools within the last seven years and
39 which otherwise meets the requirements of this definition and of this subpart except for
40 the lack of accreditation by the Southern Association of Colleges and Schools shall be
41 deemed to be an 'approved school'; provided, further, that an institution which was
42 previously accredited by the Southern Association of Colleges and Schools, is now
43 accredited by the Transnational Association of Christian Colleges and Schools, and
44 which otherwise meets the requirements of this definition and of this subpart except for

45 the lack of accreditation by the Southern Association of Colleges and Schools shall be
 46 deemed to be an 'approved school'; and"

47 **SECTION 2.**

48 Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,
 49 relating to HOPE scholarships and grants, is amended by revising subsection (d) of Code
 50 Section 20-3-519.2, relating to eligibility requirements for a HOPE scholarship and award
 51 amount, as follows:

52 "(d) A student may receive the HOPE scholarship until the first of these events:

53 (1)(A) Except as provided in subparagraph (B) of this paragraph, the student has
 54 earned a baccalaureate or first professional degree.

55 (B)(i) Subject to division (ii) of this subparagraph, the provisions of
 56 subparagraph (A) of this paragraph shall not apply to any student:

57 (I) Who continuously meets the achievement standards provided for in this Code
 58 section while concurrently seeking both a baccalaureate degree and a first
 59 professional degree; or

60 (II) Who continuously met the achievement standards provided for in this Code
 61 section while earning a baccalaureate degree and who, within 18 months of earning
 62 such degree, commences a graduate program at an eligible postsecondary
 63 institution, provided that he or she continuously meets such achievement standards.

64 (ii) Notwithstanding any provision of Code Section 20-2-161.3 to the contrary, the
 65 number of hours for which a student is eligible to receive the HOPE scholarship for
 66 a first professional degree or a graduate degree under division (i) of this subparagraph
 67 shall be reduced by the number of hours for which such student received credit for
 68 completing one or more postsecondary courses while participating in the dual

69 enrollment program provided for in Code Section 20-2-161.3 and the cost of such
70 postsecondary courses was paid for using state funds pursuant to such program;

71 (2) The student has attempted at any postsecondary institution a total of 190 quarter
72 hours or 127 semester hours; or

73 (3) For those students receiving a HOPE scholarship for the first time between July 1,
74 2011, and June 30, 2019, seven years from a student's graduation from high school or the
75 equivalent thereof as determined by the Georgia Student Finance Commission in its rules
76 and regulations; provided, however, that for a student who serves in the military during
77 such seven-year period, any such active duty military service shall not count against the
78 seven-year period nor constitute a failure to be enrolled. For those students receiving a
79 HOPE scholarship for the first time on or after July 1, 2019, ten years from a student's
80 graduation from high school or the equivalent thereof as determined by the Georgia
81 Student Finance Commission in its rules and regulations; provided, however, that for a
82 student who serves in the military during such ten-year period, any such active duty
83 military service shall not count against the ten-year period nor constitute a failure to be
84 enrolled. Any full-time or part-time student receiving a HOPE scholarship and enrolled
85 in an eligible postsecondary institution after June 30, 2019, shall remain eligible for a
86 HOPE scholarship pursuant to this paragraph, provided that such student meets all other
87 eligibility requirements, including, but not limited to, those set forth in paragraphs (1)
88 and (2) of this subsection. Students with a disability, as defined in the federal Americans
89 with Disabilities Act, 42 U.S.C. Section 12102, which prevents or substantially inhibits
90 full-time academic study, may apply to the Georgia Student Finance Commission for a
91 limited waiver from the applicable year limit set forth in this paragraph and request
92 additional time to complete the first to occur of the events set forth in paragraphs (1)
93 and (2) of this subsection. Such application for a limited waiver shall be considered and
94 determined by the Georgia Student Finance Commission in accordance with its rules and
95 regulations."

96 **SECTION 3.**

97 Said part is further amended by repealing Code Section 20-3-519.3, which was previously
98 reserved, and enacting a new Code section to read as follows:

99 "20-3-519.3.

100 (a) As used in this Code section, the term 'former foster youth' means an individual who
101 is under the age of 28 years and:

102 (1) Is currently in the custody of the Georgia Division of Family and Children Services;

103 (2) Is currently participating in the Division of Family and Children Services
104 independent living program in accordance with applicable policies and procedures;

105 (3) Whose family currently receives or previously received state funded adoption
106 services as provided for in Code Section 49-5-8; or

107 (4) Is an adopted child who was in the permanent legal custody of and placed for
108 adoption by the Division of Family and Children Services following the child's fourteenth
109 birthday, including any such individual who, at the time of application to a public
110 postsecondary educational institution, resides outside of Georgia due to such placement.

111 (b) Notwithstanding any provision of Code Section 20-3-519.2 to the contrary, a former
112 foster youth who has not previously received a HOPE scholarship or previously met the
113 eligibility requirements for a HOPE scholarship as provided in Code Section 20-3-519.2
114 shall be deemed eligible for a HOPE scholarship for up to 30 semester hours or 45 quarter
115 hours, provided that such former foster youth:

116 (1) Meets eligibility requirements provided for in subsection (a) of Code Section
117 20-3-519.1 and does not meet any of the ineligibility criteria provided for in
118 subsection (b) of Code Section 20-3-519.1; and

119 (2) Maintains satisfactory academic progress in accordance with the standards and
120 practices used for federal Title IV programs by the institution at which the student is
121 enrolled."

122

SECTION 4.

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