

House Bill 432

By: Representatives Dubnik of the 29<sup>th</sup>, Jasperse of the 11<sup>th</sup>, and Williams of the 119<sup>th</sup>

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 relative to tuition equalization grants at private colleges and universities, so as to  
3 provide that certain institutions that lack accreditation by the Southern Association of  
4 Colleges and Schools shall be deemed to be an approved school for tuition equalization  
5 purposes if previously deemed an approved school under certain alternative provisions; to  
6 provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 SECTION 1.

9 Code Section 20-3-411 of the Official Code of Georgia Annotated, relating to definitions  
10 relative to tuition equalization grants at private colleges and universities, is amended by  
11 revising paragraph (2) as follows:

12 "(2) 'Approved school' means:

13 (A) A nonproprietary institution of higher education located in this state which is not  
14 a branch of the university system; which is not a four-year or graduate level institution  
15 of higher education that is, or is a part of, a college or university system that is owned  
16 and operated by a state other than Georgia; which is accredited by the Southern  
17 Association of Colleges and Schools; which is not a graduate level school or college of  
18 theology or divinity; and which is not presently receiving state funds under Article 4  
19 of this chapter; provided, however, that an institution which otherwise meets the  
20 requirements of this definition and of this subpart except for the lack of accreditation  
21 by the Southern Association of Colleges and Schools shall be deemed to be an  
22 'approved school' during the period that the institution holds candidate for accreditation  
23 status with the Southern Association of Colleges and Schools; provided, further, that  
24 an institution which otherwise meets the requirements of this definition and of this  
25 subpart except for the lack of accreditation by the Southern Association of Colleges and  
26 Schools shall be deemed to be an 'approved school' if such institution was previously

27 an 'approved school' under division (iii) of subparagraph (B) of this paragraph within  
 28 the last five years; provided, further, that an institution which was previously accredited  
 29 by the Southern Association of Colleges and Schools within the last seven years and  
 30 which otherwise meets the requirements of this definition and of this subpart except for  
 31 the lack of accreditation by the Southern Association of Colleges and Schools shall be  
 32 deemed to be an 'approved school'; and

33 (B)(i) A qualified proprietary institution of higher education located in this state  
 34 which is a baccalaureate degree-granting institution of higher education; which is  
 35 accredited by the Southern Association of Colleges and Schools; which is not a Bible  
 36 school or college (or, at the graduate level, a school or college of theology or  
 37 divinity); which admits as regular students only persons who have a high school  
 38 diploma, a general educational development (GED) diploma, or a degree from an  
 39 accredited postsecondary institution; whose students are eligible to participate in the  
 40 federal Pell Grant program; which has been reviewed and approved for operation and  
 41 for receipt of tuition equalization grant funds by the Georgia Nonpublic  
 42 Postsecondary Education Commission; which is domiciled and incorporated in the  
 43 State of Georgia; which has been in existence in the State of Georgia for at least ten  
 44 years; and which met all of the requirements of this subparagraph by January 1, 2011;  
 45 provided, however, that the criteria for approval for receipt of tuition equalization  
 46 grant funds shall include but not be limited to areas of course study, quality of  
 47 instruction, student placement rate, research and library sources, faculty, support staff,  
 48 financial resources, physical plant facilities resources, and support and equipment  
 49 resources.

50 (ii) Any proprietary institution that is otherwise qualified pursuant to division (i) of  
 51 this subparagraph on July 1, 1995, shall be deemed to be eligible for receipt of tuition  
 52 equalization grant funds subject, however, to any subsequent review of such approval  
 53 pursuant to any proper regulations which may thereafter be adopted in accordance  
 54 with paragraph (10) of subsection (b) of Code Section 20-3-250.5 applicable to all  
 55 qualified proprietary institutions.

56 (iii) Any proprietary institution of higher education that is otherwise qualified  
 57 pursuant to division (i) of this subparagraph on January 1, 2011, shall continue to be  
 58 an approved school pursuant to this paragraph as long as it continues to meet the  
 59 requirements of division (i) of this subparagraph as such existed on March 14, 2011."

60 **SECTION 2.**

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