

09 HB 149/AP

House Bill 149 (AS PASSED HOUSE AND SENATE)

By: Representatives Jones of the 46th, Hembree of the 67th, Dempsey of the 13th, Powell of the 171st, Harden of the 147th, and others

A BILL TO BE ENTITLED

AN ACT

To amend Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to financing under the "Quality Basic Education Act," so as to enact the "Move on When Ready Act"; to provide for definitions; to provide a program for eleventh and twelfth grade students to attend postsecondary colleges and schools for high school credit; to provide for notice to parents and students of the program; to provide requirements for course credit; to provide for state funding; to provide for testing; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be referred to as the "Move on When Ready Act."

SECTION 2.

Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to financing under the "Quality Basic Education Act," is amended by adding a new Code section to read as follows:

"20-2-161.3.

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

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

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

(3) 'Eligible student' means a student entering eleventh or twelfth grade who spent the prior school year in attendance at a public high school in this state.

(4) 'Prior school year in attendance' means that the student was reported as enrolled in a public school for funding purposes during the preceding October and March full-time equivalent (FTE) program counts in accordance with Code Section 20-2-160.

(5) 'Program' means the arrangement authorized by this Code section whereby an eligible student takes all of his or her courses at or through an eligible institution or a virtual course approved by the State Board of Education and receives secondary credit from his or her high school with the goal of completing graduation and high school diploma requirements.

(6) 'Secondary credit' means high school credit for courses taken at an eligible institution under the program.

(b) Any eligible student may apply to an eligible institution to take courses at or through that institution which are approved for secondary credit pursuant to subsection (d) of this Code section. If accepted at an eligible institution, such eligible student may take any such

approved course at that institution, whether or not the course is taught during the regular public school day, and receive secondary credit therefor under the conditions provided in this Code section. An eligible institution which accepts an eligible student authorized to apply for enrollment under the program shall not receive any state funds for that student unless such institution complies with the requirements of this Code section regarding eligible institutions.

(c) The department shall develop appropriate forms and counseling guidelines for the program and shall make such forms and guidelines available to local school systems and eligible institutions. No later than the first day of April each year, each local school system shall provide general information about the program, including such forms, to all its tenth and eleventh grade students. A local school system shall also provide counseling services in accordance with the counseling guidelines provided by the department 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 school system or by an eligible 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.

(d)(1) A local school system shall grant academic credit to an eligible student enrolled in a course in an eligible institution if that course has been approved by the State Board of Education and if such student successfully completes that course. The State Board of Education shall approve any such course which is substantially comparable to a state approved course. The secondary credit granted shall be for the comparable course and course hours approved by the State Board of Education. Upon completion of an eligible institution's approved course, the eligible student shall be responsible for requesting that the institution notify the student's local school system regarding his or her grade in that course.

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

(3) The State Board of Education shall establish rules to require local school systems to award a high school diploma to any eligible student who is enrolled at an eligible institution under the program as long as the credit earned at such institution satisfies course requirements needed for the eligible student to complete high school graduation. The department shall consult the Board of Regents of the University System of Georgia and the State Board of Technical and Adult Education in developing rules and regulations to be recommended to the State Board of Education for approval regarding the eligibility criteria for program participation.

(e)(1) The department shall pay to eligible institutions through appropriation of state funds the lesser of the following amounts for each participating eligible student enrolled therein, less a records fee of \$200.00 for administration costs of the local school system:

(A) The actual cost of tuition, materials, and fees directly related to the courses taken by the eligible student at such institution; or

(B) The amount that the participating eligible student would have earned under this article if he or she had been in equivalent instructional programs in the local school system.

(2) The total allotment of state funds to the local school system in which a participating student is enrolled at an eligible institution pursuant to this Code section shall be calculated as otherwise provided in this article with an ensuing reduction equivalent to the amount of state funds appropriated to such eligible institution pursuant to this subsection.

- (3) The records fee contained in paragraph (1) of this subsection may be increased by the State Board of Education by up to 4 percent annually, at the board's sole discretion.
- (4) An eligible institution shall not charge an eligible student for coursework taken pursuant to this program and shall accept the payment made pursuant to paragraph (1) of this subsection as full payment for such eligible student.
- (f) The State Board of Education shall establish rules and regulations relating to applicable state and federal testing requirements for eligible students participating in the program.
- (g) An eligible student enrolled in an eligible institution for secondary credit shall not be eligible for any other state student financial aid at an eligible institution for courses taken under the program.
- (h) Hours for courses taken at an eligible institution pursuant to this Code section by a participating eligible student shall not count against any maximum hourly caps which may be applicable for purposes of HOPE scholarships or grants.
- (i) Any person who knowingly makes or furnishes any false statement or misrepresentation, or who accepts such statement or misrepresentation knowing it to be false, for the purpose of enabling an eligible institution to obtain wrongfully any payment under this Code section shall be guilty of a misdemeanor."

SECTION 3.

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