

O.C.G.A. § 20-2-161.3

GEORGIA CODE
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*** Current through the 2017 Regular Session of the General Assembly. ***

TITLE 20. EDUCATION
CHAPTER 2. ELEMENTARY AND SECONDARY EDUCATION
ARTICLE 6. QUALITY BASIC EDUCATION
PART 4. FINANCING

O.C.G.A. § 20-2-161.3 (2017)

§ 20-2-161.3. Move on When Ready Act; dual credit courses

- (a) This Code section shall be known and may be cited as the "Move on When Ready Act."
- (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 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) "Eligible high school student" means a student entering ninth, tenth, eleventh, or twelfth grade at an eligible high school.
 - (6) "Eligible postsecondary institution" or "postsecondary institution" means any eligible postsecondary institution as defined in paragraph (7) of Code Section 20-3-519.
 - (7) "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) "Secondary credit" means high school credit for dual credit courses taken at or through an

eligible postsecondary institution under the program.

(c) 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) 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 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 student's eligible high school regarding his or her grade in that 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 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 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.

(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 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.

(i) 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 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.

(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;

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

(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.

(k) 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 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 and the Technical College System of Georgia provided students meet postsecondary readiness established in reading and writing and mathematics for the particular advanced training program or associate's degree.

HISTORY: Code 1981, § 20-2-161.3, enacted by Ga. L. 2009, p. 228, § 2/ HB 149; Ga. L. 2011, p. 632, § 3/ HB 49; Ga. L. 2015, p. 120, § 1/ SB 132; Ga. L. 2017, p. 119, § 2/ SB 211.