

House Bill 432 (AS PASSED HOUSE AND SENATE)

By: Representatives Dubnik of the 29th, Jasperse of the 11th, and Williams of the 119th

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.