



MARICOPA
COMMUNITY COLLEGES

**Maricopa County Community College District
Governing Board Work Session Agenda
November 10, 2020**

- vision** *A Community of Colleges—Colleges for the Community—working collectively and responsibly to meet the life-long learning needs of our diverse students and communities.*
- mission** *The Maricopa Community Colleges provide access to higher education for diverse students and communities. We focus on learning through: University Transfer Education, General Education, Developmental Education, Workforce Development, Student Development Services, Continuing Education, Community Education, Civic Responsibility, and Global Engagement.*

As a consequence of the COVID 19 Pandemic, **the Board’s November 10th Work Session will be conducted entirely remotely via **WebEx Events**.**

In order for the **general public** to attend the **Work Session** at **4:00 p.m.**, either:

- **[Follow this link](#) | Enter your name and email address | Choose *Join by browser***
Please proceed to follow the onscreen instructions to continue to view the event; or
- If you do not wish to see the presented materials during the meeting, you may choose to join solely by audio conference.
Dial +1-408-418-9388 | Enter meeting access code 146 028 0043 # #

WORK SESSION:

4:00 p.m.

WebEx Events

CALL TO ORDER

1. 2021 LEGISLATIVE AGENDA

ESTABLISHMENT OF NEXT MEETING DATES, TIMES, AND LOCATIONS

- November 17, 2020, 4:00 p.m., Work Session & Agenda Review – The Governing Board of MCCCCD will be assessing on a monthly basis the status of “in person” meetings.
- November 24, 2020, 4:30 p.m., Work Session & Regular Board Meeting – The Governing Board of MCCCCD will be assessing on a monthly basis the status of “in person” meetings.

ADJOURN

2021 Legislative Agenda

Darcy Renfro, Chief Workforce and Economic Development Officer
Alexis Susdorf, Government Relations Director



GOVERNING BOARD WORK SESSION
NOVEMBER 10, 2020

INTERNAL PROCESS/TIMELINE

2

- August - October: Internal Committee Convened
- Late October: Presented to the Chancellor's Executive Committee for Feedback
- November: Board Work Session on Legislative Agenda
- January: Board Votes on 2021 Legislative Agenda



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LEGISLATIVE AGENDA GOALS

- General positions and guidance on legislation to allow quick staff response.
- Ongoing communication with Board Members to keep informed throughout session



RECOMMENDATION #1

4

“Support funding and expansion of Pre-K through 12 teacher preparation programs, including support for high school teachers to gain qualifications to provide college-level instruction.”

- Examples:
 - Arizona Teachers Academy
 - Dual Enrollment Credentials



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RECOMMENDATION #2

5

“Support full funding of statutory STEM workforce development formula for community colleges to support the growth of high demand occupational areas.”

- Significant cost to open and operate STEM Programs
- Maricopa County STEM workforce needs are growing
- FY21 Budget Recommendation included \$11.1 M
- Requesting FY22 Funding



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RECOMMENDATION #3

“Support expanded scholarship opportunities and incentives for community college students, including adult basic education, short-term training to up- and re-skill, and for CTE students.”

- Anticipatory legislation establishing new scholarships and financial incentives for students.
- Interest around funding the adult education waitlist.



RECOMMENDATION #4

7

“Support increase in lease/purchase capacity to 20 years and \$25M in any one year.”

- Supporting last year’s lease/purchase legislation
- Enhancing current capacity, which is outdated and too small to allow for major projects



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RECOMMENDATION #5

“Support adjustments to Proposition 301 that are beneficial to community colleges.”

- Ongoing discussions around the Proposition 301 sales tax:
 - From .6 to 1%
 - Revising the current funding structure.



RECOMMENDATION #6

“Support efforts to clarify, and mitigate or limit financial impacts on Community Colleges from property assessment judgments such as the recent judgment in the Transwestern Pipeline case.”

- Property assessment value lawsuits = large legal fees
- Conversations to clarify statute are ongoing



RECOMMENDATION #7

10

“Support expansion of access to quality, affordable baccalaureate degrees for community colleges that address areas of workforce demand.”

- Continued interest in legislation from last session.
- Additional guard rails from Senate Ed Committee amendment.
- Work with higher education partners.



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RECOMMENDATION #8

11

“Protect and expand local district authority and control in the administration of the colleges.”

- Maintain board autonomy/authority
- Minimize unfunded mandates and unnecessary additional bureaucracies and administrative challenges



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RECOMMENDATION #9

12

“Support efforts to expand opportunities for high school students to enroll in community college courses through dual enrollment partnerships, such as lifting the dual enrollment cap on freshmen and sophomore students.”

- Enhance dual enrollment access
- Expand dual enrollment opportunities



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RECOMMENDATION #10

13

“Maintain primacy of community colleges as providers of high school equivalency programs and support increased funding of those programs.”

- Vendor presence to create pricy adult education programs
- More economical to invest in current infrastructure.



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RECOMMENDATION #11

14

“Support efforts to mitigate expenditure limitation impacts to better reflect the current economy, including revisions to the statutory “full-time student equivalent” calculations to better meet the needs of community college students, particularly with post-pandemic unemployment and enrollment rates.”

- Interest to address the archaic formulas that fund our colleges.
- Support the modernization and revision of the FTSE formula.



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Fiscal Estimate: Proposition 207

Gary Yaquinto, Chief Financial Officer

ESTIMATED REVENUE FROM PROPOSITION 207			
Assumptions:			
Expected first year of sales FY22			
Third year of tax collections expected to be \$161M (<i>\$166M less \$5m in agency costs</i>).			
First two years expected to be less than the \$161M due to administrative time required.			
50% of full tax expected in Year 1; 75% of full tax expected in Year 2.			
Assume growth of 10% in years 4 and 5.			
Assume the distribution does not apply to Tribal Community Colleges.			
Taxes collected in:			
		Comm Coll Share	MCCCD Share
Year 1	\$80,500,000	\$24,915,000	\$9,242,584
Year 2	\$120,750,000	\$38,197,500	\$14,169,922
Year 3	\$161,000,000	\$51,480,000	\$19,097,261
Year 4	\$177,100,000	\$56,793,000	\$21,068,196
Year 5	\$194,810,000	\$62,637,300	\$23,236,225
Revenue distributed to Community Colleges is for the purpose of investing in and providing workforce development programs, job training, career and technical education, and science, technology, engineering, and math programs. (Proposition 207, 36-2856.D)			
10/13/2020			

QUESTIONS?

16



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COMMUNITY COLLEGES

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HOUSE BILL 2108

AN ACT

AMENDING SECTIONS 15-701.01 AND 15-1821.01, ARIZONA REVISED STATUTES;
RELATING TO DUAL ENROLLMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-701.01, Arizona Revised Statutes, is amended
3 to read:

4 15-701.01. High schools; graduation; requirements; community
5 college or university courses; transfer from
6 other schools; academic credit

7 A. The state board of education shall:

8 1. Prescribe a minimum course of study, as defined in section
9 15-101 and incorporating the academic standards adopted by the state
10 board, for the graduation of pupils from high school.

11 2. Prescribe competency requirements for the graduation of pupils
12 from high school incorporating the academic standards in at least the
13 areas of reading, writing, mathematics, science and social studies. The
14 academic standards prescribed by the state board in social studies shall
15 include personal finance and American civics education. The state board
16 may consider establishing a required separate personal finance course for
17 the purpose of the graduation of pupils from high school. The state board
18 shall require at least one-half of a course credit in economics, which
19 shall include financial literacy and personal financial management. The
20 competency requirements for social studies shall include a requirement
21 that, in order to graduate from high school or obtain a high school
22 equivalency diploma, a pupil must correctly answer at least sixty of the
23 one hundred questions listed on a test that is identical to the civics
24 portion of the naturalization test used by the United States citizenship
25 and immigration services. A district school or charter school shall
26 document on the pupil's transcript that the pupil has passed a test that
27 is identical to the civics portion of the naturalization test used by the
28 United States citizenship and immigration services as required by this
29 section.

30 3. Develop and adopt competency tests pursuant to section 15-741.
31 English language learners who are subject to article 3.1 of this chapter
32 are subject to the assessments prescribed in section 15-741.

33 B. The governing board of a school district shall:

34 1. Prescribe curricula that include the academic standards in the
35 required subject areas pursuant to subsection A, paragraph 1 of this
36 section.

37 2. Prescribe criteria for the graduation of pupils from the high
38 schools in the school district. These criteria shall include
39 accomplishment of the academic standards in at least reading, writing,
40 mathematics, science and social studies, as determined by district
41 assessment. Other criteria may include additional measures of academic
42 achievement and attendance. Pursuant to the prescribed graduation
43 requirements adopted by the state board of education, the governing board
44 may approve a rigorous computer science course that would fulfill a
45 mathematics course required for graduation from high school. The

1 governing board may approve a rigorous computer science course only if the
2 rigorous computer science course includes significant mathematics content
3 and the governing board determines the high school where the rigorous
4 computer science course is offered has sufficient capacity, infrastructure
5 and qualified staff, including competent teachers of computer science.
6 The school district governing board or charter school governing body may
7 determine the method and manner in which to administer a test that is
8 identical to the civics portion of the naturalization test used by the
9 United States citizenship and immigration services. A pupil who does not
10 obtain a passing score on the test that is identical to the civics portion
11 of the naturalization test may retake the test until the pupil obtains a
12 passing score.

13 C. The governing board may prescribe the course of study and
14 competency requirements for the graduation of pupils from high school that
15 are in addition to or higher than the course of study and competency
16 requirements that the state board prescribes.

17 D. The governing board may prescribe competency requirements for
18 the passage of pupils in courses that are required for graduation from
19 high school.

20 E. A teacher shall determine whether to pass or fail a pupil in a
21 course in high school on the basis of the competency requirements, if any
22 have been prescribed. The governing board, if it reviews the decision of
23 a teacher to pass or fail a pupil in a course in high school as provided
24 in section 15-342, paragraph 11, shall base its decision on the competency
25 requirements, if any have been prescribed.

26 F. Graduation requirements established by the governing board may
27 be met by a pupil who passes courses in the required or elective subjects
28 at a community college or university, if the course is at a higher level
29 than the course taught in the high school attended by the pupil or, if the
30 course is not taught in the high school, the level of the course is equal
31 to or higher than the level of a high school course. The governing board
32 shall determine whether the subject matter of the community college or
33 university course is appropriate to the specific requirement the pupil
34 intends it to fulfill and whether the level of the community college or
35 university course is less than, equal to or higher than a high school
36 course, and the governing board shall award ~~one-half of a~~ ONE Carnegie
37 unit for each three semester hours of credit that the pupil earns in an
38 appropriate community college or university course. If a pupil is not
39 satisfied with the decision of the governing board regarding the amount of
40 credit granted or the subjects for which credit is granted, the pupil may
41 request that the state board of education review the decision of the
42 governing board, and the state board shall make the final determination of
43 the amount of credit to be given the pupil and for which subjects. The
44 governing board shall not limit the number of credits that is required for

1 high school graduation and that may be met by taking community college or
2 university courses. For the purposes of this subsection:

3 1. "Community college" means an educational institution that is
4 operated by a community college district as defined in section 15-1401 or
5 a postsecondary educational institution under the jurisdiction of an
6 Indian tribe recognized by the United States department of the interior.

7 2. "University" means a university under the jurisdiction of the
8 Arizona board of regents.

9 G. A pupil who transfers from a private school shall be provided
10 with a list that indicates those credits that have been accepted and
11 denied by the school district. A pupil may request to take an examination
12 in each particular course in which credit has been denied. The school
13 district shall accept the credit for each particular course in which the
14 pupil takes an examination and receives a passing score on a test designed
15 and evaluated by a teacher in the school district who teaches the subject
16 matter on which the examination is based. In addition to the above
17 requirements, the governing board of a school district may prescribe
18 requirements for the acceptance of the credits of pupils who transfer from
19 a private school.

20 H. If a pupil who was previously enrolled in a charter school or
21 school district enrolls in a school district in this state, the school
22 district shall accept credits earned by the pupil in courses or
23 instructional programs at the charter school or school district. The
24 governing board of a school district may adopt a policy concerning the
25 application of transfer credits for the purpose of determining whether a
26 credit earned by a pupil who was previously enrolled in a school district
27 or charter school will be assigned as an elective or core credit.

28 I. A pupil who transfers credit from a charter school, a school
29 district or Arizona online instruction shall be provided with a list that
30 indicates which credits have been accepted as elective credits and which
31 credits have been accepted as core credits by the school district or
32 charter school. Within ten school days after receiving the list, the
33 pupil may request to take an examination in each particular course in
34 which core credit has been denied. The school district or charter school
35 shall accept the credit as a core credit for each particular course in
36 which the pupil takes an examination and receives a passing score on a
37 test that is aligned to the competency requirements adopted pursuant to
38 this section and that is designed and evaluated by a teacher in the school
39 district or charter school who teaches the subject matter on which the
40 examination is based. If a pupil is enrolled in a school district or
41 charter school and that pupil also participates in Arizona online
42 instruction between May 1 and July 31, the school district or charter
43 school shall not require proof of payment as a condition of the school
44 district or charter school accepting credits earned from the online course
45 provider.

1 J. The state board of education shall adopt rules to allow high
2 school pupils who can demonstrate competency in a particular academic
3 course or subject to obtain academic credit for the course or subject
4 without enrolling in the course or subject.

5 K. Pupils who earn a Grand Canyon diploma pursuant to article 6 of
6 this chapter are exempt from the graduation requirements prescribed in
7 this section. Pupils who earn a Grand Canyon diploma are entitled to all
8 the rights and privileges of persons who graduate with a high school
9 diploma issued pursuant to this section, including access to postsecondary
10 scholarships and other forms of student financial aid and access to all
11 forms of postsecondary education. Notwithstanding any other law, a pupil
12 who is eligible for a Grand Canyon diploma may elect to remain in high
13 school through grade twelve and shall not be prevented from enrolling at a
14 high school after the pupil becomes eligible for a Grand Canyon diploma.
15 A pupil who is eligible for a Grand Canyon diploma and who elects not to
16 pursue one of the options prescribed in section 15-792.03 may only be
17 readmitted to that high school or another high school in this state
18 pursuant to policies adopted by the school district of readmission.

19 Sec. 2. Section 15-1821.01, Arizona Revised Statutes, is amended to
20 read:

21 15-1821.01. Dual enrollment information

22 On a determination by a community college district governing board
23 that it is in the best interest of the citizens of a district, the
24 district governing board may authorize district community colleges to
25 offer college courses that may be counted toward both high school and
26 college graduation requirements at the high school during the school day,
27 subject to the following:

28 1. The community college district governing board and the governing
29 board of the school district or organization of which the high school is a
30 part shall enter into an agreement or contract. These intergovernmental
31 agreements or contracts shall be based on a uniform format that has been
32 cooperatively developed by the community college districts in this state.
33 Each of these agreements or contracts shall clearly specify the following:

34 (a) The financial provisions of the agreement or contract and the
35 format for the billing of all services under the agreement or contract,
36 including the amount that the community college received in full-time
37 student equivalent funding pursuant to section 15-1466.01, the portion of
38 the funding that is distributed to the school district governing board or
39 charter school and any amount that is subsequently returned to the
40 community college district by the school district governing board or
41 charter school.

42 (b) Student tuition and financial aid policies, including whether
43 scholarships or grants are awarded to students in dual enrollment courses
44 from the community college.

1 (c) The accountability provisions for each party to the agreement
2 or contract.

3 (d) The responsibilities and services required of each party to the
4 agreement or contract.

5 (e) The type of instruction that will be provided under the
6 agreement or contract, including the titles of the courses to be offered.

7 (f) The quality of the instruction that will be provided under the
8 agreement or contract.

9 2. Students shall be admitted to the community college under the
10 policies adopted by each district, ~~subject to the following:~~

11 ~~(a)~~ EXCEPT THAT all students who are enrolled for college credit
12 shall be high school FRESHMEN, SOPHOMORES, juniors or seniors. All
13 students who are in the course, including those not electing to enroll for
14 college credit, shall satisfy the prerequisites for the course as
15 published in the college catalog and shall comply with college policies
16 regarding student placement in courses.

17 ~~(b) A community college may waive the class status requirements~~
18 ~~specified in subdivision (a) of this paragraph for up to twenty-five~~
19 ~~percent of the students enrolled by a college in courses if the community~~
20 ~~college has established written criteria for waiving the requirements for~~
21 ~~each course. These criteria shall include a demonstration, by an~~
22 ~~examination of the specific purposes and requirements of the course, that~~
23 ~~freshman and sophomore students who meet course prerequisites are prepared~~
24 ~~to benefit from the college-level course. All exceptions and the~~
25 ~~justification for the exceptions shall be reported annually to the joint~~
26 ~~legislative budget committee on or before December 1.~~

27 3. The courses shall be previously evaluated and approved through
28 the curriculum approval process of the district, shall be at a higher
29 level than taught by the high school and shall be transferable to a
30 university under the jurisdiction of the Arizona board of regents or be
31 applicable to an established community college occupational degree or
32 certificate program. Physical education courses are not available for
33 dual enrollment purposes.

34 4. College-approved textbooks, syllabuses, course outlines and
35 grading standards that are applicable to the courses if taught at the
36 community college shall apply to these courses and to all students in the
37 courses offered pursuant to this section. The chief executive officer of
38 each community college shall establish an advisory committee of full-time
39 faculty who teach in the disciplines offered at the community college to
40 assist in course selection and implementation in the high schools and to
41 review and report at least annually to the chief executive officer whether
42 the course goals and standards are understood, the course guidelines are
43 followed and the same standards of expectation and assessment are applied
44 to these courses as though they were being offered at the community

1 college. The advisory committee of full-time faculty shall meet at least
2 three times each academic year.

3 5. Each faculty member shall meet the requirements established by
4 the governing board pursuant to section 15-1444. The chief executive
5 officer of each community college district shall establish an advisory
6 committee of full-time faculty who teach in the disciplines offered at the
7 community college district to assist in the selection, orientation,
8 ongoing professional development and evaluation of faculty who are
9 teaching college courses in conjunction with the high schools. The
10 advisory committee of full-time faculty shall meet at least two times each
11 academic year.

12 6. A school district shall ensure that a pupil is a full-time
13 student as defined in section 15-901 and is enrolled in and attending a
14 full-time instructional program at a school in the school district before
15 that pupil is allowed to enroll in a college course pursuant to this
16 section, except that high school seniors who satisfy high school
17 graduation requirements with less than a full-time instructional program
18 are exempt from this paragraph.

19 7. Notwithstanding paragraph 6 of this section, homeschooled
20 students may fully participate in dual enrollment, including receipt of
21 college credit pursuant to this section.

State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

SENATE BILL 1123

AN ACT

AMENDING SECTION 15-1446, ARIZONA REVISED STATUTES; RELATING TO COMMUNITY COLLEGE DISTRICT BOARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-1446, Arizona Revised Statutes, is amended to
3 read:

4 15-1446. Lease-purchase agreements

5 A. A district board may enter into lease or lease-purchase
6 agreements for real property, including buildings and improvements to the
7 property.

8 B. Lease or lease-purchase agreements authorized by subsection A of
9 this section or section 15-1444, subsection A, paragraph 11 shall not
10 create an obligation of payment by the district under the terms of the
11 lease or lease-purchase agreement for periods longer than ~~fifteen~~ TWENTY
12 years.

13 C. Notwithstanding subsection B of this section, a district board
14 may enter into lease agreements for real property, including buildings and
15 improvements to the property, that obligate the district for more than
16 ~~fifteen~~ TWENTY years if ~~such~~ THE agreements are with an Indian tribe,
17 involve land owned or controlled by the federal government or by a joint
18 powers airport authority organized under title 28, chapter 25, article 8
19 or involve real property that is owned by a nongovernmental nonprofit
20 corporation and that is offered for lease in an amount not to exceed ~~one~~
21 ~~thousand dollars~~ \$1,000 per year to a community college district for
22 purposes of expanding health care education programs.

23 D. The amount of outstanding indebtedness due to ~~acquisition of~~
24 ACQUIRING real property by lease-purchase for each district shall not
25 exceed ~~two million five hundred thousand dollars~~ EITHER:

26 1. \$2,500,000 in any one year and ~~fifteen million dollars~~
27 \$15,000,000 in the aggregate FOR A DISTRICT LOCATED IN A COUNTY WITH A
28 POPULATION OF LESS THAN SEVEN HUNDRED FIFTY THOUSAND PERSONS.

29 2. \$25,000,000 IN ANY ONE YEAR AND \$50,000,000 IN THE AGGREGATE FOR
30 A DISTRICT LOCATED IN A COUNTY WITH A POPULATION OF SEVEN HUNDRED FIFTY
31 THOUSAND PERSONS OR MORE.

32 E. A district board may pledge tuitions, fees, rentals and other
33 charges to any payments due under lease-purchase agreements.

34 ~~E.~~ F. Notwithstanding subsection ~~D~~ E of this section, periodic
35 payments and any option payments for ~~acquisition of~~ ACQUIRING real
36 property by lease-purchase are restricted to payment from capital outlay
37 funds.

38 ~~F.~~ G. Districts that acquire real property by lease-purchase are
39 not entitled to receive monies pursuant to section 15-1463 pertaining to
40 the specific real property acquired by lease-purchase.

41 ~~G.~~ H. Notwithstanding any other law, payments on lease or
42 lease-purchase agreements entered into pursuant to subsection A of this
43 section or section 15-1444, subsection A, paragraph 11 are obligations of
44 the district within the meaning of the constitutional limit against
45 indebtedness set out in article IX, section 8, Constitution of Arizona.

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HOUSE BILL 2387

AN ACT

AMENDING TITLE 15, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-217; RELATING TO THE STATE BOARD OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 2, article 1, Arizona Revised
3 Statutes, is amended by adding section 15-217, to read:

4 15-217. Continuing high school program: requirements;
5 reporting; enrollment limits; rules; program
6 termination

7 A. THE STATE BOARD OF EDUCATION SHALL ESTABLISH A CONTINUING HIGH
8 SCHOOL PROGRAM THAT PROVIDES ADULT LEARNERS WITH ALTERNATIVE STUDY
9 SERVICES AND THAT LEADS TO THE ISSUANCE OF A HIGH SCHOOL DIPLOMA AND
10 INDUSTRY-RECOGNIZED CREDENTIALS. THE STATE BOARD OF EDUCATION SHALL
11 AUTHORIZE SERVICE PROVIDERS PARTICIPATING IN THE CONTINUING HIGH SCHOOL
12 PROGRAM TO OPERATE SCHOOLS THROUGH PARTNERSHIPS WITH THE APPROVED SERVICE
13 PROVIDER AND SCHOOL DISTRICTS, NONPROFIT CHARTER SCHOOLS OR CAREER
14 TECHNICAL EDUCATION DISTRICTS.

15 B. TO BE ELIGIBLE TO PARTICIPATE IN THE CONTINUING HIGH SCHOOL
16 PROGRAM, A SERVICE PROVIDER MUST BE QUALIFIED PURSUANT TO SECTION
17 501(c)(3) OF THE INTERNAL REVENUE CODE AND DEMONSTRATE AT LEAST A TEN-YEAR
18 HISTORY OF PROVIDING SERVICES IN THIS STATE TO PERSONS WHO ARE AT LEAST
19 EIGHTEEN YEARS OF AGE AND WHOSE EDUCATIONAL AND TRAINING OPPORTUNITIES
20 HAVE BEEN LIMITED BY EDUCATIONAL DISADVANTAGES, DISABILITIES AND
21 CHALLENGES.

22 C. A HIGH SCHOOL DIPLOMA MAY BE ISSUED PURSUANT TO THIS SECTION
23 ONLY TO AN ADULT LEARNER WHO MEETS ALL THE GRADUATION REQUIREMENTS OF
24 SECTION 15-701.01 AND THE STATE BOARD OF EDUCATION.

25 D. A SCHOOL THAT PARTICIPATES IN THE CONTINUING HIGH SCHOOL PROGRAM
26 SHALL MEET ALL APPLICABLE LEGAL REQUIREMENTS PRESCRIBED IN THIS TITLE FOR
27 A PUBLIC SCHOOL, INCLUDING REQUIREMENTS FOR STUDENT ASSESSMENTS AND
28 SPECIAL EDUCATION SERVICES AND PROHIBITIONS AGAINST ADMISSION LIMITS BASED
29 ON ETHNICITY, NATIONAL ORIGIN, GENDER, INCOME LEVEL, DISABLING CONDITION,
30 ENGLISH LANGUAGE PROFICIENCY OR ATHLETIC ABILITY.

31 E. THE CONTINUING HIGH SCHOOL PROGRAM IS NOT ELIGIBLE FOR EITHER:

32 1. TRANSPORTATION FUNDING PURSUANT TO SECTION 15-945.

33 2. ARIZONA ONLINE INSTRUCTION FUNDING PURSUANT TO SECTION 15-808.

34 F. NOTWITHSTANDING THE AGE RESTRICTIONS OTHERWISE PRESCRIBED IN
35 THIS TITLE, A SCHOOL PARTICIPATING IN THE CONTINUING HIGH SCHOOL PROGRAM
36 IS ELIGIBLE TO RECEIVE BASE SUPPORT LEVEL FUNDING PURSUANT TO SECTION
37 15-943 AND ADDITIONAL ASSISTANCE IN THE SAME MANNER AS A SCHOOL DISTRICT
38 OR CHARTER SCHOOL.

39 G. THE DEPARTMENT OF EDUCATION SHALL DEVELOP APPLICATION PROCEDURES
40 FOR SERVICE PROVIDERS THAT WISH TO PARTICIPATE IN THE CONTINUING HIGH
41 SCHOOL PROGRAM. AN APPLICATION SUBMITTED PURSUANT TO THIS SECTION MUST
42 INCLUDE ALL OF THE FOLLOWING:

43 1. A DESCRIPTION OF THE SERVICE PROVIDER'S ADMINISTRATIVE
44 STRUCTURE, PROGRAM ACTIVITIES, PROGRAM STAFF, BUDGET AND SPECIFIC
45 CURRICULUM THAT IS ALIGNED WITH THE STATE ACADEMIC STANDARDS.

1 2. THE SERVICE PROVIDER'S SCHOOL CALENDAR AND A SCHEDULE DESCRIBING
2 THE SERVICE PROVIDER'S LOCATION, LENGTH OF SCHOOL DAY, PROGRAM SEQUENCE,
3 MULTIDISCIPLINARY COURSES, PACE AND INSTRUCTIONAL ACTIVITIES, OR ANY
4 COMBINATION OF THESE ITEMS.

5 3. A DESCRIPTION OF SPECIFIC ACADEMIC, BEHAVIORAL AND EMOTIONAL
6 SUPPORT SERVICES THE SERVICE PROVIDER OFFERS TO ADULT LEARNERS WHO ENROLL
7 IN THE SCHOOL.

8 4. A DESCRIPTION OF THE SERVICE PROVIDER'S CAREER TECHNICAL
9 EDUCATION COURSES THAT LEAD TO INDUSTRY-RECOGNIZED CREDENTIALS OR DUAL
10 ENROLLMENT COURSES FROM A UNIVERSITY OR COMMUNITY COLLEGE. A SERVICE
11 PROVIDER MAY PARTNER WITH A COMMUNITY COLLEGE DISTRICT TO PROVIDE CAREER
12 TECHNICAL EDUCATION COURSES THAT LEAD TO INDUSTRY-RECOGNIZED CREDENTIALS.

13 5. A DESCRIPTION OF SPECIFIC PROGRAM OUTCOMES, GOALS AND METRICS
14 THE SERVICE PROVIDER WILL USE TO DETERMINE STUDENT SUCCESS.

15 6. THE PROJECTED NUMBER OF ADULT LEARNERS THE SERVICE PROVIDER WILL
16 ENROLL.

17 H. THE STATE BOARD OF EDUCATION SHALL EVALUATE APPLICATIONS
18 SUBMITTED BY SERVICE PROVIDERS AND APPROVE SERVICE PROVIDERS THAT
19 DEMONSTRATE, THROUGH EVIDENCE OR OTHER DOCUMENTATION, THE ABILITY TO
20 PROVIDE STUDENTS WITH THE INSTRUCTION AND SUPPORT THAT LEADS TO A HIGH
21 SCHOOL DIPLOMA AND ONE OR MORE INDUSTRY-RECOGNIZED CREDENTIALS. THE
22 FOLLOWING APPLY TO APPROVAL OF A SERVICE PROVIDER'S PARTICIPATION IN THE
23 CONTINUING HIGH SCHOOL PROGRAM:

24 1. INITIAL APPROVAL SHALL BE FOR A PERIOD OF NOT MORE THAN TWO
25 SCHOOL YEARS.

26 2. RENEWAL OF APPROVAL SHALL BE FOR A PERIOD OF NOT MORE THAN FOUR
27 SCHOOL YEARS AND IS CONTINGENT ON SPECIFIC PERFORMANCE EXPECTATIONS,
28 INCLUDING STUDENT PROGRESSION, GRADUATION RATES AND EARNING OF
29 INDUSTRY-RECOGNIZED CREDENTIALS.

30 3. IF AN APPROVED SERVICE PROVIDER FAILS TO MEET ANY REQUIREMENTS
31 OF THIS SECTION OR ANY RULES ADOPTED BY THE STATE BOARD, THE STATE BOARD
32 SHALL IMMEDIATELY INITIATE A PROCESS TO REVOKE THE SERVICE PROVIDER'S
33 APPROVAL.

34 I. ON OR BEFORE JULY 1, 2022, THE STATE BOARD OF EDUCATION SHALL
35 ADOPT PERFORMANCE EXPECTATIONS TO EVALUATE SERVICE PROVIDERS. THE
36 PERFORMANCE EXPECTATIONS SHALL INCLUDE MEASUREMENTS OF STUDENT PROGRESS
37 TOWARD EARNING A HIGH SCHOOL DIPLOMA, THE GRADUATION RATES OF STUDENTS
38 EARNING AT LEAST ONE ACADEMIC CREDIT AND THE NUMBER OF INDUSTRY-RECOGNIZED
39 CREDENTIALS EARNED.

40 J. AN APPROVED SERVICE PROVIDER OF THE CONTINUING HIGH SCHOOL
41 PROGRAM SHALL ANNUALLY REPORT THE FOLLOWING INFORMATION TO THE DEPARTMENT
42 OF EDUCATION:

43 1. THE NUMBER OF ADULT LEARNERS THE SERVICE PROVIDER ENROLLS IN THE
44 SCHOOL.

- 1 2. THE GRADUATION RATE OF ADULT LEARNERS THE SERVICE PROVIDER
2 ENROLLS IN THE SCHOOL.
- 3 3. THE AVERAGE PROGRESS OF ADULT LEARNERS TOWARD MEETING GRADUATION
4 REQUIREMENTS.
- 5 4. THE NUMBER AND TYPE OF INDUSTRY-RECOGNIZED CREDENTIALS EARNED BY
6 ADULT LEARNERS THE SERVICE PROVIDER ENROLLS IN THE SCHOOL.
- 7 5. A DESCRIPTIVE SUMMARY OF THE ACADEMIC, BEHAVIORAL AND EMOTIONAL
8 SUPPORT SERVICES THE SERVICE PROVIDER OFFERS TO ADULT LEARNERS IN THE
9 SCHOOL.
- 10 K. ON OR BEFORE DECEMBER 15, 2023 AND ON OR BEFORE DECEMBER 15 OF
11 EACH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL SUBMIT AN ANNUAL
12 REPORT EVALUATING THE EFFECTIVENESS OF THE CONTINUING HIGH SCHOOL PROGRAM
13 TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE
14 OF REPRESENTATIVES. THE DEPARTMENT SHALL PROVIDE A COPY OF THE REPORT TO
15 THE SECRETARY OF STATE.
- 16 L. EXCEPT AS PROVIDED IN SUBSECTION M OF THIS SECTION, THE STATE
17 BOARD OF EDUCATION MAY APPROVE PROGRAM SERVICE PROVIDERS WITH A TOTAL
18 PROJECTED AVERAGE DAILY MEMBERSHIP OF:
- 19 1. IN FISCAL YEAR 2021-2022, NOT MORE THAN THREE HUNDRED FIFTY
20 TOTAL AVERAGE DAILY MEMBERSHIP.
- 21 2. IN FISCAL YEAR 2022-2023, NOT MORE THAN SEVEN HUNDRED TOTAL
22 AVERAGE DAILY MEMBERSHIP.
- 23 3. IN FISCAL YEAR 2023-2024 AND EACH FISCAL YEAR THEREAFTER, NOT
24 MORE THAN ONE THOUSAND FOUR HUNDRED TOTAL AVERAGE DAILY MEMBERSHIP.
- 25 M. THE STATE BOARD OF EDUCATION MAY NOT INCLUDE STUDENTS WHO ARE
26 TWENTY-ONE YEARS OF AGE OR YOUNGER IN THE TOTAL PROJECTED AVERAGE DAILY
27 MEMBERSHIP UNDER THIS SECTION.
- 28 N. TO MAXIMIZE THE AVAILABILITY OF THE CONTINUING HIGH SCHOOL
29 PROGRAM, THE STATE BOARD OF EDUCATION MAY ADJUST THE AVERAGE DAILY
30 MEMBERSHIP ALLOCATED TO INDIVIDUAL PROGRAM SERVICE PROVIDERS BASED ON THE
31 PREVIOUS YEAR'S ENROLLMENT, DEMAND FOR NEW ENROLLMENT OR CHANGES IN THE
32 FACILITIES WHERE THE PROGRAM IS OPERATED, EXCEPT THAT THE TOTAL AVERAGE
33 DAILY MEMBERSHIP MAY NOT EXCEED THE TOTAL PROJECTED AVERAGE DAILY
34 MEMBERSHIP AUTHORIZED BY SUBSECTION L OF THIS SECTION.
- 35 O. THE STATE BOARD OF EDUCATION MAY ADOPT RULES TO CARRY OUT THE
36 PURPOSES OF THIS SECTION.
- 37 P. THE PROGRAM ESTABLISHED PURSUANT TO THIS SECTION ENDS ON JULY 1,
38 2030 PURSUANT TO SECTION 41-3102.

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HOUSE BILL 2790

AN ACT

AMENDING SECTIONS 15-1401 AND 15-1444, ARIZONA REVISED STATUTES; RELATING
TO COMMUNITY COLLEGES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-1401, Arizona Revised Statutes, is amended to
3 read:

4 15-1401. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Accredited" means accredited by a regional accrediting agency
7 recognized by the United States department of education or by the council
8 on postsecondary accreditation.

9 2. "Additional short-term classes" means those classes that are not
10 in session on the forty-fifth day of the fall or spring semester, that
11 commence at various times during the fiscal year and that are offered over
12 a period of less than sixteen weeks.

13 3. "Budget year" means the fiscal year for which the community
14 college district is budgeting and that immediately follows the current
15 year.

16 4. "Community college" means an educational institution that is
17 operated by a district board and that provides a program ~~not exceeding two~~
18 **OF NOT MORE THAN FOUR** years' training in the arts, sciences and humanities
19 beyond the twelfth grade of the public or private high school course of
20 study or vocational education, including terminal courses of a technical
21 and vocational nature and basic adult education courses.

22 5. "Community college tuition financing district" means a district
23 that is organized pursuant to section 15-1409.

24 6. "Current year" means the fiscal year in which the community
25 college district is operating.

26 7. "District" means a community college district that is
27 established pursuant to sections 15-1402 and 15-1403 or section 15-1402.01
28 and that is a political subdivision of this state and, unless otherwise
29 specified, includes community college tuition financing districts
30 established pursuant to section 15-1409.

31 8. "District board" means the community college district governing
32 board.

33 9. "Full-time equivalent student" means student enrollment for
34 fifteen community college semester credit units per semester.

35 10. "Open entry, open exit classes" means those classes in which
36 students enter or exit based on mastery of specified competencies and that
37 commence at various times during the fiscal year.

38 11. "Operational expense budget" means the budget as adopted by the
39 district board pursuant to section 15-1461.

40 12. "Operational expenses" means the administration, instruction,
41 operation of community college plant, maintenance of community college
42 plant, fixed charges and contingencies incurred in the operation of a
43 district, ~~exclusive of~~ **EXCLUDING** all capital outlay items, special levies,
44 auxiliary enterprise funds, restricted funds and bond service items.

1 13. "Provisional community college district" means a community
2 college district THAT WAS organized pursuant to section 15-1409 AND THAT
3 BEGAN OPERATIONS BEFORE JANUARY 1, 2015.

4 Sec. 2. Section 15-1444, Arizona Revised Statutes, is amended to
5 read:

6 15-1444. General powers and duties of district boards

7 A. Except as otherwise provided, ~~the~~ EACH district board shall:

8 1. Maintain each community college UNDER ITS JURISDICTION for a
9 period of ~~not less than~~ AT LEAST eight months in each year and, if the
10 ~~funds~~ MONIES of the district are sufficient, maintain each community
11 college for a longer period.

12 2. Adopt policies in a public forum to offer programs that meet the
13 educational needs of the population served by the community college.

14 3. Enforce the courses of study prescribed by the district board.

15 4. Visit each community college under its jurisdiction and examine
16 carefully into its management, conditions and needs.

17 5. Exclude from each community college all books, publications or
18 papers of a sectarian, partisan or denominational character intended for
19 use as textbooks.

20 6. Appoint and employ a chancellor or chancellors, ~~vice-chancellors~~
21 VICE CHANCELLORS, a president or presidents, vice presidents, deans,
22 professors, instructors, lecturers, fellows and such other officers and
23 employees it deems necessary. The district board may enter into
24 employment contracts with chancellors, ~~vice-chancellors~~ VICE CHANCELLORS
25 and presidents for a duration of more than one year but not more than five
26 years.

27 7. Determine the salaries of persons it appoints and employs. A
28 district may not compensate an employee for work performed on behalf of an
29 elected employee representative organization and may not provide more
30 favorable terms and conditions of employment to any employee because that
31 individual belongs to an elected employee representative organization.

32 8. Remove any officer or employee if in its judgment the interests
33 of education in this state require the removal.

34 9. Award degrees, certificates and diplomas on the completion of
35 courses and curricula as it deems appropriate.

36 10. Appoint or employ, if it deems necessary, police officers who
37 shall have the authority and power of peace officers. The police officers
38 who have received a certificate from the Arizona peace officer standards
39 and training board are eligible for membership in and benefits under
40 either title 38, chapter 5, article 2 or the public safety personnel
41 retirement system under title 38, chapter 5, article 4.

42 11. Determine the location within the district of a community
43 college and purchase, receive, hold, make and take leases of, sell and
44 convey real or personal property for the benefit of the community colleges
45 under its jurisdiction.

1 12. Obtain insurance or be self-insured, or a combination of
2 insurance and self-insurance, against loss, to the extent it is determined
3 necessary on community college buildings of the district. The local
4 district shall have an insurable interest in the buildings.

5 B. The district board may:

6 1. Administer trusts declared or created for the district and
7 receive by gift or devise and hold in trust or otherwise property
8 wheresoever located, and if not otherwise provided, dispose of the
9 property for the benefit of the district.

10 2. Lease real property, as lessor or as lessee. If a district is
11 the lessee, the lease may contain an option to purchase the property. The
12 district board may adopt policies as are deemed necessary and may delegate
13 in writing to the chancellor or president of the district, or their
14 designees, all or any part of its authority to lease property under this
15 paragraph. Any delegation by the district board pursuant to this
16 paragraph may be rescinded in whole or in part at any time by the district
17 board.

18 3. Sue and be sued.

19 4. Contract. The district board may adopt such policies as are
20 deemed necessary and may delegate in writing to the chancellor or
21 president of the district, or their designees, all or any part of its
22 authority to contract under this paragraph. Any delegation of authority
23 under this paragraph may be rescinded by the district board at any time in
24 whole or in part.

25 5. Construct, remodel and repair buildings.

26 6. In conjunction with other districts, establish policies for
27 ~~procurement of~~ PROCURING goods and services.

28 7. Provide a plan or plans for employee benefits, which may include
29 optional retirement programs pursuant to section 15-1451, subsection A,
30 which allow for participation in a cafeteria plan that meets the
31 requirements of the United States internal revenue code of 1986.

32 8. Accept grants or donations of monies from the United States or
33 any of its agencies, departments or officers, this state, political
34 subdivisions of this state, tribal governments, school districts, special
35 taxing districts, persons, corporations, foundations or associations. The
36 district board shall deposit the monies into a specific fund or account
37 and shall administer the monies in accordance with the purpose of the
38 grant or donation with specific policies or restrictions as described or
39 stipulated in the grant or donation. In the case of personal property
40 granted or donated to or for the benefit of a community college district,
41 the district board shall immediately transfer possession and ownership of
42 the property to the designated district. Monies received pursuant to this
43 paragraph are not considered local revenues for the purposes of article
44 IX, section 21, Constitution of Arizona.

1 9. Enter into intergovernmental agreements or contracts pursuant to
2 section 11-952.01 for participation in programs offered by public agency
3 pools or separately contract with a trustee or board of trustees that
4 provides a common self-insurance program with pooled funds and risks
5 pursuant to section 15-382, subsection B, paragraph 2. The district board
6 is not required to engage in competitive procurement in order to make the
7 decision to participate in these programs.

8 10. Name a building or a group of buildings that is located on a
9 community college campus on behalf of a person or entity that has made a
10 significant contribution of monies or other property to the community
11 college or the community college district.

12 11. Enter into research and development agreements, royalty
13 agreements, development agreements, licensing agreements and
14 profit-sharing agreements concerning the research, development,
15 production, storing or marketing of new products developed or to be
16 developed through community college district research. Monies received
17 pursuant to this paragraph are not considered local revenues for the
18 purposes of article IX, section 21, Constitution of Arizona.

19 12. Enter into an intergovernmental agreement pursuant to section
20 15-1747 to participate in a reciprocity agreement subject to the terms of
21 the reciprocity agreement.

22 13. Engage in entrepreneurial and commercial activities. Monies
23 received pursuant to this paragraph are not considered local revenues for
24 the purposes of article IX, section 21, Constitution of Arizona.

25 14. Collect auxiliary fees, including cafeteria fees, food service
26 fees, bookstore fees and dormitory fees. Monies received pursuant to this
27 paragraph are not considered local revenues for the purposes of article
28 IX, section 21, Constitution of Arizona.

29 15. Provide goods and services pursuant to a contract with a
30 political subdivision of this state or with a tribal government. Monies
31 received pursuant to this paragraph are not considered local revenues for
32 the purposes of article IX, section 21, Constitution of Arizona.

33 16. OFFER FOUR-YEAR BACCALAUREATE DEGREES THAT ARE ACCREDITED BY A
34 REGIONAL ACCREDITATION AGENCY APPROVED BY THE UNITED STATES DEPARTMENT OF
35 EDUCATION.

36 C. If a district acquires real or personal property, whether by
37 purchase, exchange, condemnation, gift or otherwise, the district shall
38 pay to the county treasurer any taxes on the property that were unpaid as
39 of the date of acquisition, including penalties and interest. The lien
40 for unpaid delinquent taxes, penalties and interest on property acquired
41 by the district:

42 1. Is not abated, extinguished, discharged or merged in the title
43 to the property.

44 2. Is enforceable in the same manner as other delinquent tax liens.

1 D. In a district whose boundaries encompass a vehicle emissions
2 control area as defined in section 49-541, the district board shall
3 require all out-of-county and out-of-state students to sign an affidavit
4 at the time of course registration that the student's vehicle meets the
5 requirements of section 49-542. The district board on property under its
6 jurisdiction within a vehicle emissions control area shall prohibit the
7 parking of those vehicles that fail to comply with section 49-542.

8 E. A community college district and a career technical education
9 district governing board may enter into agreements ~~for the provision of TO~~
10 **PROVIDE** administrative, operational and educational services and
11 facilities.

12 F. Each district may establish a program for the exchange of
13 students between the community colleges under its jurisdiction and
14 colleges and universities located in Sonora, Mexico. The program may
15 provide for in-state tuition for Sonora students at the community colleges
16 under the jurisdiction of the district in exchange for similar tuition
17 provisions for Arizona students enrolled or seeking enrollment in Sonora
18 colleges and universities. The community colleges may work in conjunction
19 with the Arizona-Mexico commission in the governor's office to coordinate
20 recruitment and admissions activities to provide for in-state tuition for
21 up to fifty Sonora students at the community colleges under the
22 jurisdiction of the district in exchange for similar tuition provisions
23 for up to fifty total Arizona students enrolled or seeking enrollment in
24 Sonora colleges and universities.

25 G. Each district shall facilitate transfer articulation
26 coordination pursuant to section 15-1824.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 15-1401, Arizona Revised Statutes, is amended to read:

15-1401. Definitions

In this chapter, unless the context otherwise requires:

1. "Accredited" means accredited by a regional accrediting agency recognized by the United States department of education or by the council on postsecondary accreditation.
2. "Additional short-term classes" means those classes that are not in session on the forty-fifth day of the fall or spring semester, that commence at various times during the fiscal year and that are offered over a period of less than sixteen weeks.
3. "Budget year" means the fiscal year for which the community college district is budgeting and that immediately follows the current year.
4. "Community college" means an educational institution that is operated by a district board and that provides a program ~~not exceeding two~~ **OF NOT MORE THAN FOUR** years' training in the arts, sciences and humanities beyond the twelfth grade of the public or private high school course of study or vocational education, including terminal courses of a technical and vocational nature and basic adult education courses.
5. "Community college tuition financing district" means a district that is organized pursuant to section 15-1409.
6. "Current year" means the fiscal year in which the community college district is operating.
7. "District" means a community college district that is established pursuant to sections 15-1402 and 15-1403 or section 15-1402.01 and that is a political subdivision of this state and, unless otherwise specified, includes community college tuition financing districts established pursuant to section 15-1409.
8. "District board" means the community college district governing board.
9. "Full-time equivalent student" means student enrollment for fifteen community college semester credit units per semester.
10. "Open entry, open exit classes" means those classes in which students enter or exit based on mastery of specified competencies and that commence at various times during the fiscal year.
11. "Operational expense budget" means the budget as adopted by the district board pursuant to section 15-1461.
12. "Operational expenses" means the administration, instruction, operation of community college plant, maintenance of community college plant, fixed charges and contingencies incurred in the operation of a district, ~~exclusive of~~ **EXCLUDING** all capital outlay items, special levies, auxiliary enterprise funds, restricted funds and bond service items.
13. "Provisional community college district" means a community college district **THAT WAS** organized pursuant to section 15-1409 **AND THAT BEGAN OPERATIONS BEFORE JANUARY 1, 2015.**

Sec. 2. Section 15-1444, Arizona Revised Statutes, is amended to read:

15-1444. General powers and duties of district boards

A. Except as otherwise provided, ~~the~~ **EACH** district board shall:

1. Maintain each community college **UNDER ITS JURISDICTION** for a period of ~~not less than~~ **AT LEAST** eight months in each year and, if the ~~funds~~ **MONIES** of the district are sufficient, maintain each community college for a longer period.
2. Adopt policies in a public forum to offer programs that meet the educational needs of the population served by the community college.
3. Enforce the courses of study prescribed by the district board.
4. Visit each community college under its jurisdiction and examine carefully into its management, conditions and needs.
5. Exclude from each community college all books, publications or papers of a sectarian, partisan or denominational character intended for use as textbooks.
6. Appoint and employ a chancellor or chancellors, ~~vice-chancellors~~ **VICE CHANCELLORS**, a president or presidents, vice presidents, deans, professors, instructors, lecturers, fellows and such other officers and employees it deems necessary. The district board may enter into employment contracts with chancellors, ~~vice-chancellors~~ **VICE CHANCELLORS** and presidents for a duration of more than one year but not more than five years.

7. Determine the salaries of persons it appoints and employs. A district may not compensate an employee for work performed on behalf of an elected employee representative organization and may not provide more favorable terms and conditions of employment to any employee because that individual belongs to an elected employee representative organization.

8. Remove any officer or employee if in its judgment the interests of education in this state require the removal.

9. Award degrees, certificates and diplomas on the completion of courses and curricula as it deems appropriate.

10. Appoint or employ, if it deems necessary, police officers who shall have the authority and power of peace officers. The police officers who have received a certificate from the Arizona peace officer standards and training board are eligible for membership in and benefits under either title 38, chapter 5, article 2 or the public safety personnel retirement system under title 38, chapter 5, article 4.

11. Determine the location within the district of a community college and purchase, receive, hold, make and take leases of, sell and convey real or personal property for the benefit of the community colleges under its jurisdiction.

12. Obtain insurance or be self-insured, or a combination of insurance and self-insurance, against loss, to the extent it is determined necessary on community college buildings of the district. The local district shall have an insurable interest in the buildings.

B. The district board may:

1. Administer trusts declared or created for the district and receive by gift or devise and hold in trust or otherwise property wheresoever located, and if not otherwise provided, dispose of the property for the benefit of the district.

2. Lease real property, as lessor or as lessee. If a district is the lessee, the lease may contain an option to purchase the property. The district board may adopt policies as are deemed necessary and may delegate in writing to the chancellor or president of the district, or their designees, all or any part of its authority to lease property under this paragraph. Any delegation by the district board pursuant to this paragraph may be rescinded in whole or in part at any time by the district board.

3. Sue and be sued.

4. Contract. The district board may adopt such policies as are deemed necessary and may delegate in writing to the chancellor or president of the district, or their designees, all or any part of its authority to contract under this paragraph. Any delegation of authority under this paragraph may be rescinded by the district board at any time in whole or in part.

5. Construct, remodel and repair buildings.

6. In conjunction with other districts, establish policies for ~~procurement of~~ **PROCURING** goods and services.

7. Provide a plan or plans for employee benefits, which may include optional retirement programs pursuant to section 15-1451, subsection A, which allow for participation in a cafeteria plan that meets the requirements of the United States internal revenue code of 1986.

8. Accept grants or donations of monies from the United States or any of its agencies, departments or officers, this state, political subdivisions of this state, tribal governments, school districts, special taxing districts, persons, corporations, foundations or associations. The district board shall deposit the monies into a specific fund or account and shall administer the monies in accordance with the purpose of the grant or donation with specific policies or restrictions as described or stipulated in the grant or donation. In the case of personal property granted or donated to or for the benefit of a community college district, the district board shall immediately transfer possession and ownership of the property to the designated district. Monies received pursuant to this paragraph are not considered local revenues for the purposes of article IX, section 21, Constitution of Arizona.

9. Enter into intergovernmental agreements or contracts pursuant to section 11-952.01 for participation in programs offered by public agency pools or separately contract with a trustee or board of trustees that provides a common self-insurance program with pooled funds and risks pursuant to section 15-382, subsection B, paragraph 2. The district board is not required to engage in competitive procurement in order to make the decision to participate in these programs.

10. Name a building or a group of buildings that is located on a community college campus on behalf of a person or entity that has made a significant contribution of monies or other property to the community college or the community college district.

11. Enter into research and development agreements, royalty agreements, development agreements, licensing agreements and profit-sharing agreements concerning the research, development, production, storing or marketing of new products developed or to be developed through community college district research. Monies received pursuant to this paragraph are not considered local revenues for the purposes of article IX, section 21, Constitution of Arizona.

12. Enter into an intergovernmental agreement pursuant to section 15-1747 to participate in a reciprocity agreement subject to the terms of the reciprocity agreement.

13. Engage in entrepreneurial and commercial activities. Monies received pursuant to this paragraph are not considered local revenues for the purposes of article IX, section 21, Constitution of Arizona.

14. Collect auxiliary fees, including cafeteria fees, food service fees, bookstore fees and dormitory fees. Monies received pursuant to this paragraph are not considered local revenues for the purposes of article IX, section 21, Constitution of Arizona.

15. Provide goods and services pursuant to a contract with a political subdivision of this state or with a tribal government. Monies received pursuant to this paragraph are not considered local revenues for the purposes of article IX, section 21, Constitution of Arizona.

16. FOR A COMMUNITY COLLEGE IN A COUNTY WITH A POPULATION OF SEVEN HUNDRED FIFTY THOUSAND PERSONS OR LESS, OFFER FOUR-YEAR BACCALAUREATE DEGREES THAT ARE ACCREDITED BY A REGIONAL ACCREDITATION AGENCY APPROVED BY THE UNITED STATES DEPARTMENT OF EDUCATION.

17. FOR A COMMUNITY COLLEGE IN A COUNTY WITH A POPULATION OF MORE THAN SEVEN HUNDRED FIFTY THOUSAND PERSONS, OFFER FOUR-YEAR BACCALAUREATE DEGREES THAT ARE ACCREDITED BY A REGIONAL ACCREDITATION AGENCY APPROVED BY THE UNITED STATES DEPARTMENT OF EDUCATION AS FOLLOWS:

(a) FOR THE FIRST FOUR YEARS THAT A DISTRICT OFFERS FOUR-YEAR BACCALAUREATE DEGREES, THE DISTRICT MAY NOT OFFER MORE THAN TEN PERCENT OF ITS COURSES FOR FOUR-YEAR BACCALAUREATE DEGREES BASED ON THE CURRENT NUMBER OF ASSOCIATE DEGREE PROGRAMS AND CERTIFICATES OF COMPLETION IN LEARNING PROGRAMS OFFERED. THE FIFTH AND SUBSEQUENT YEARS THAT A DISTRICT OFFERS FOUR-YEAR BACCALAUREATE DEGREES, THE DISTRICT MAY NOT OFFER MORE THAN FIFTEEN PERCENT OF ITS COURSES FOR FOUR-YEAR BACCALAUREATE DEGREES BASED ON THE CURRENT NUMBER OF ASSOCIATE DEGREE PROGRAMS AND CERTIFICATES OF COMPLETION IN LEARNING PROGRAMS OFFERED.

(b) TUITION PER CREDIT HOUR FOR THE THIRD AND FOURTH YEARS OF A FOUR-YEAR BACCALAUREATE PROGRAM MAY NOT EXCEED ONE HUNDRED FIFTY PERCENT OF THE TUITION PER CREDIT HOUR OF ANY OTHER DISTRICT PROGRAM."

C. If a district acquires real or personal property, whether by purchase, exchange, condemnation, gift or otherwise, the district shall pay to the county treasurer any taxes on the property that were unpaid as of the date of acquisition, including penalties and interest. The lien for unpaid delinquent taxes, penalties and interest on property acquired by the district:

1. Is not abated, extinguished, discharged or merged in the title to the property.
2. Is enforceable in the same manner as other delinquent tax liens.

D. In a district whose boundaries encompass a vehicle emissions control area as defined in section 49-541, the district board shall require all out-of-county and out-of-state students to sign an affidavit at the time of course registration that the student's vehicle meets the requirements of section 49-542. The district board on property under its jurisdiction within a vehicle emissions control area shall prohibit the parking of those vehicles that fail to comply with section 49-542.

E. A community college district and a career technical education district governing board may enter into agreements ~~for the provision of~~ TO PROVIDE administrative, operational and educational services and facilities.

F. Each district may establish a program for the exchange of students between the community colleges under its jurisdiction and colleges and universities located in Sonora, Mexico. The program may provide for in-state tuition for Sonora students at the community colleges under the jurisdiction of the district in exchange for similar tuition provisions for Arizona students enrolled or seeking enrollment in Sonora colleges and universities. The community colleges may work in conjunction with the Arizona-Mexico commission in the governor's office to coordinate recruitment and admissions

activities to provide for in-state tuition for up to fifty Sonora students at the community colleges under the jurisdiction of the district in exchange for similar tuition provisions for up to fifty total Arizona students enrolled or seeking enrollment in Sonora colleges and universities.

G. Each district shall facilitate transfer articulation coordination pursuant to section 15-1824.

Sec. 3. **Legislative findings and intent**

The legislature finds and declares:

1. The primary mission of this state's community college districts shall continue to be to provide associate degree programs and certification programs.

2. Community college districts shall continue to partner with this state's public universities to create joint degree programs and programs that facilitate transfer to this state's public universities that are in the best interests of the districts' students.

3. Any four-year baccalaureate degree program offered by a community college district pursuant to this act shall be developed and approved by that community college district's governing board based on the needs of the district's students and the workforce needs of that district's community.

4. This state's public universities will continue to comply with existing articulation agreements and shall make every effort to facilitate the transfer of upper division credits toward a baccalaureate degree.

5. Community college districts shall continue to provide robust educational opportunities at an affordable cost to students."