

House Engrossed

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
House of Representatives
Fiftieth Legislature
Second Regular Session
2012

CHAPTER 103

HOUSE BILL 2641

AN ACT

AMENDING SECTIONS 15-1465, 15-1483, 15-1821, 15-1821.01 AND 34-452, 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 15-1465, Arizona Revised Statutes, is amended to
3 read:

4 15-1465. Election; issuance and sale of bonds for capital
5 outlay; disposition of proceeds; proration of
6 expenditures by counties

7 A. A district may conduct an election to determine whether or not
8 bonds shall be issued and sold for the purpose of paying its share of the
9 expenditures incurred for capital outlay. The election shall be originated
10 and conducted, the bonds issued, sold and redeemed and a tax levy imposed for
11 payment of interest on such bonds and redemption of bonds in accordance with
12 ~~the provisions of~~ title 35, chapter 3, article 3 and the limitations imposed
13 on school districts by article IX, section 8, Constitution of Arizona,
14 insofar as those provisions are applicable. The election shall be held on
15 the first Tuesday following the first Monday in November as prescribed by
16 section 16-204, subsection B, paragraph 1, subdivision (d). Bond counsel
17 fees, financial advisory fees, printing costs and paying agent and registrar
18 fees shall be paid from either the amount authorized by the qualified
19 electors of the community college district or current operating funds. Bond
20 election expenses shall be paid from current operating funds only.

21 B. The proceeds of all bonds sold as provided in subsection A of this
22 section shall be used only for capital outlay, including the purchase of
23 land, the purchase, erection, remodeling or completion of buildings and the
24 purchase of equipment and facilities for educational or auxiliary purposes of
25 the community college district.

26 C. Where a district contains more than one county, subsections A and B
27 of this section shall be applicable separately to each of the counties as to
28 its portion of the expenditures to be paid for capital outlay in setting up
29 the physical plant of the district even though the proposed plant is to be
30 established, wholly or partly, in one county of the district.

31 D. The portion of the expenditures for capital outlay to be prorated
32 by each county of a district shall be determined in the ratio that the
33 assessed valuation of each county within the district bears to the total
34 assessed valuation of all counties within the district.

35 ~~E. If a majority of the qualified electors voting at an election held~~
36 ~~as provided in this chapter disapproves the issuance of bonds for any~~
37 ~~purpose, the governing board of the community college district shall not~~
38 ~~authorize the expenditure of funds from any source for such purpose without~~
39 ~~subsequent approval of a majority of the qualified electors voting at an~~
40 ~~election held as provided in this chapter, except that a subsequent vote of~~
41 ~~the district electors shall not be necessary to:~~

- 42 ~~1. Construct buildings and site improvements on existing campuses.~~
- 43 ~~2. Repair and remodel existing facilities and to purchase equipment.~~
- 44 ~~3. Purchase land adjacent to an existing campus.~~

1 3. A student admitted to a community college or university pursuant to
2 paragraph 1 of this subsection is not guaranteed admission to a specific
3 degree program or to all courses offered by the community college or
4 university.

5 C. Each community college district and the Arizona board of regents
6 shall provide all high schools in this state with information ~~which~~ THAT
7 describes the policies and rules, as appropriate, the types of courses
8 available and other information related to the enrollment of students under
9 the age of eighteen. Each unified or high school district school shall make
10 this information available to all students in at least grades nine through
11 twelve.

12 D. On or before November 15 OF EACH YEAR, ~~each community college~~
13 ~~district and~~ the Arizona board of regents shall submit a report to the
14 president of the senate, the speaker of the house of representatives and the
15 state board of education and shall provide a copy of this report to the
16 secretary of state ~~and the director of the Arizona state library, archives~~
17 ~~and public records~~, on students under eighteen years of age who had not yet
18 attained a high school diploma or high school certificate of equivalency and
19 who were enrolled in a university ~~or community college~~ course or a program
20 for ~~community college or~~ university credit during the time period of
21 September of the previous fiscal year through August of the current fiscal
22 year. The annual report shall include at least the following:

23 1. The number of students who were enrolled.

24 2. A general narrative of the types of courses or programs in which
25 the students were enrolled.

26 3. The rules adopted pursuant to subsection A OF THIS SECTION.

27 E. On or before September 30 OF EACH YEAR, each institution under the
28 jurisdiction of the Arizona board of regents shall submit to the Arizona
29 board of regents in the form specified by the Arizona board of regents the
30 information that the Arizona board of regents needs to compile the report
31 required in subsection D OF THIS SECTION.

32 Sec. 4. Section 15-1821.01, Arizona Revised Statutes, is amended to
33 read:

34 15-1821.01. Dual enrollment information

35 On a determination by a community college district governing board that
36 it is in the best interest of the citizens of a district, the district
37 governing board may authorize district community colleges to offer college
38 courses that may be counted toward both high school and college graduation
39 requirements at the high school during the school day subject to the
40 following:

41 1. The community college district governing board and the governing
42 board of the school district or organization of which the high school is a
43 part shall enter into an agreement or contract. These intergovernmental
44 agreements or contracts shall be based on a uniform format that has been

1 cooperatively developed by the community college districts in this state.
2 Each of these agreements or contracts shall clearly specify the following:

3 (a) The financial provisions of the agreement or contract and the
4 format for the billing of all services under the agreement or contract,
5 including the amount that the community college received in full-time student
6 equivalent funding pursuant to section 15-1466.01, the portion of the funding
7 that is distributed to the school district governing board or charter school
8 and any amount that is subsequently returned to the community college
9 district by the school district governing board or charter school.

10 (b) Student tuition and financial aid policies, including if
11 scholarships or grants are awarded to students in dual enrollment courses
12 from the community college.

13 (c) The accountability provisions for each party to the agreement or
14 contract.

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

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

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

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

23 (a) All students enrolled for college credit shall be high school
24 juniors or seniors. All students in the course, including those not electing
25 to enroll for college credit, shall satisfy the prerequisites for the course
26 as published in the college catalog and shall comply with college policies
27 regarding student placement in courses.

28 (b) A community college may waive the class status requirements
29 specified in subdivision (a) of this paragraph for up to twenty-five per cent
30 of the students enrolled by a college in courses, provided that the community
31 college has an established written criteria for waiving the requirements for
32 each course. These criteria shall include a demonstration, by an examination
33 of the specific purposes and requirements of the course, that freshman and
34 sophomore students who meet course prerequisites are prepared to benefit from
35 the college level course. All exceptions and the justification for the
36 exceptions shall be reported annually to the joint legislative budget
37 committee on or before October 1.

38 3. The courses shall be previously evaluated and approved through the
39 curriculum approval process of the district, shall be at a higher level than
40 taught by the high school and shall be transferable to a university under the
41 jurisdiction of the Arizona board of regents or be applicable to an
42 established community college occupational degree or certificate program.
43 Physical education courses shall not be available for dual enrollment
44 purposes.

1 4. College approved textbooks, syllabuses, course outlines and grading
2 standards that are applicable to the courses if taught at the community
3 college shall apply to these courses and to all students in the courses
4 offered pursuant to this section. The chief executive officer of each
5 community college shall establish an advisory committee of full-time faculty
6 who teach in the disciplines offered at the community college to assist in
7 course selection and implementation in the high schools and to review and
8 report at least annually to the chief executive officer whether the course
9 goals and standards are understood, the course guidelines are followed and
10 the same standards of expectation and assessment are applied to these courses
11 as though they were being offered at the community college. The advisory
12 committee of full-time faculty shall meet at least three times each academic
13 year.

14 5. Each faculty member shall meet the requirements established by the
15 governing board pursuant to section 15-1444. The chief executive officer of
16 each community college district shall establish an advisory committee of
17 full-time faculty who teach in the disciplines offered at the community
18 college district to assist in the selection, orientation, ongoing
19 professional development and evaluation of faculty teaching college courses
20 in conjunction with the high schools. The advisory committee of full-time
21 faculty shall meet at least two times each academic year.

22 ~~6. Each community college district shall conduct tracking studies of~~
23 ~~subsequent academic or occupational achievement of students enrolled in~~
24 ~~courses offered pursuant to this section. The reports of the results of the~~
25 ~~tracking studies shall be submitted to the joint legislative budget committee~~
26 ~~on or before October 1 of each odd-numbered year, subject to the following:~~

27 ~~(a) The tracking studies prescribed in this paragraph may involve~~
28 ~~statistically valid sampling techniques and shall include, at a minimum, the~~
29 ~~high school graduation rate, the number of students continuing their studies~~
30 ~~after graduation at a community college in this state or a university under~~
31 ~~the jurisdiction of the Arizona board of regents, the performance of the~~
32 ~~students in subsequent college courses in the same discipline or occupational~~
33 ~~field and the student's grade point average after one year at an Arizona~~
34 ~~community college or university as compared to the student's college grade~~
35 ~~point average for courses completed while still in high school.~~

36 ~~(b) On receipt of the report of the tracking studies prescribed in~~
37 ~~this paragraph, the joint legislative budget committee may convene an ad hoc~~
38 ~~committee that includes community college academic officers, faculty and~~
39 ~~other experts in the field to review the manner in which these courses are~~
40 ~~provided. This committee may make recommendations to the joint legislative~~
41 ~~budget committee regarding desirable changes in this section or in the manner~~
42 ~~in which this section is being implemented. A copy of this report shall be~~
43 ~~provided to each district governing board.~~

44 ~~7.~~ 6. A school district shall ensure that a pupil is a full-time
45 student as defined in section 15-901 and is enrolled in and attending a

1 full-time instructional program at a school in the school district before
2 that pupil is allowed to enroll in a college course pursuant to this section,
3 except that high school seniors who satisfy high school graduation
4 requirements with less than a full-time instructional program shall be exempt
5 from this paragraph.

6 Sec. 5. Section 34-452, Arizona Revised Statutes, is amended to read:

7 34-452. Solar design standards for state buildings; energy life
8 cycle costing

9 A. Capital projects as defined in section 41-790 including buildings
10 designed and constructed by the department of administration, school
11 districts, ~~community college districts~~ and universities and containing over
12 six thousand square feet shall include a written evaluation of the following
13 solar energy features:

- 14 1. Proper site orientation.
- 15 2. Utilization of active and passive solar energy systems for space
16 heating.
- 17 3. Utilization of solar water heating.
- 18 4. Utilization of solar daylighting devices as defined in section
19 44-1761.

20 B. Energy life cycle costing shall be used to evaluate all solar
21 energy and energy conservation design, equipment and materials that are
22 considered for constructing new state buildings and in the scheduled
23 remodeling of existing state buildings.

APPROVED BY THE GOVERNOR MARCH 27, 2012.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 27, 2012.

Passed the House February 23, 2012

Passed the Senate March 22, 2012

by the following vote: 56 Ayes,

by the following vote: 30 Ayes,

0 Nays, 3 Not Voting
/vacant

0 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

26 day of March, 2012

at 3:30 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 27th day of

March

at 3:28 o'clock P M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 27th day of March, 2012

at 5:12 o'clock P M.

[Signature]
Secretary of State

H.B. 2641