



Bill Number: S.B. 1525

Dunn Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

- 1. Stipulates that a career technical education district (CTED) may enter into an intergovernmental agreement (IGA) with a public university only if the community college district (CCD) that is located in the county of the CTED is not able to offer the career and technical education (CTE) course or program in the next school year, rather than if the equivalent CTE course or program is not available through an existing IGA between the CTED and another entity.**
- 2. Determines that a CCD is not able to offer a CTE course or program if:**
 - a) the CTED governing board provides written notification to the CCD president or chancellor by November 1 that the CTED seeks to offer a course or program that is not offered through an existing IGA between the CTED and CCD, but is available through a public university; and**
 - b) the CCD president or chancellor provides written notification to the CTED superintendent that no CCD is able to offer the course or program for the next school year or fails to respond to the CTED's notice within 30 days of receipt of the notice.**
- 3. Makes technical and conforming changes.**

DUNN FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1525
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

~~[GREEN STRIKEOUT IN BRACKETS]~~ indicates new text removed from statute or previously enacted session law.

~~[Green strikeout in brackets]~~ indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

~~<<Green strikeout in carets>>~~ indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 15-393, Arizona Revised Statutes, is amended to
3 read:

4 15-393. Career technical education district governing board;
5 report; definitions

6 A. The management and control of a career technical education
7 district are vested in the career technical education district governing
8 board, including the content and quality of the courses offered by the
9 district, the quality of teachers who provide instruction on behalf of the
10 district, the salaries of teachers who provide instruction on behalf of
11 the district and the reimbursement of other entities for the facilities
12 used by the district. This section does not restrict a school district
13 from offering any career and technical education course that does not
14 qualify for funding as a career technical education course or career
15 technical education district program. Unless the governing boards of the
16 school districts participating in the formation of the career technical
17 education district vote to implement an alternative election system as
18 provided in subsection B of this section, the career technical education
19 board consists of five members elected from five single member districts
20 formed within the career technical education district. The single member
21 district election system shall be submitted as part of the plan for the
22 career technical education district pursuant to section 15-392 and shall
23 be established in the plan as follows:

24 1. The governing boards of the school districts participating in
25 the formation of the career technical education district shall define the
26 boundaries of the single member districts so that the single member
27 districts are as nearly equal in population as is practicable, except that
28 if the career technical education district lies in part in each of two or
29 more counties, at least one single member district may be entirely within

1 each of the counties comprising the career technical education district if
2 this district design is consistent with the obligation to equalize the
3 population among single member districts.

4 2. The boundaries of each single member district shall follow
5 election precinct boundary lines, as far as practicable, in order to avoid
6 further segmentation of the precincts.

7 3. A person who is a registered voter of this state and who has
8 been a resident of the single member district for at least one year
9 immediately preceding the date of the election is eligible for election to
10 the office of career technical education board member from the single
11 member district. The terms of office of the members of the career
12 technical education board shall be as prescribed in section 15-427,
13 subsection B. An employee of a career technical education district or the
14 spouse of an employee shall not hold membership on a governing board of a
15 career technical education district by which the employee is employed. A
16 member of one school district governing board or career technical
17 education district governing board is ineligible to be a candidate for
18 nomination or election to or serve simultaneously as a member of any other
19 governing board, except that a member of a governing board may be a
20 candidate for nomination or election for any other governing board if the
21 member is serving in the last year of a term of office. A member of a
22 governing board shall resign the member's seat on the governing board
23 before becoming a candidate for nomination or election to the governing
24 board of any other school district or career technical education district,
25 unless the member of the governing board is serving in the last year of a
26 term of office. Members of a career technical education district
27 governing board are subject to the conflict of interest requirements
28 prescribed in section 38-503.

29 4. Nominating petitions shall be signed by the number of qualified
30 electors of the single member district as provided in section 16-322.

31 B. The governing boards of the school districts participating in
32 the formation of the career technical education district may vote to
33 implement any other alternative election system for the election of career
34 technical education district board members. If an alternative election
35 system is selected, it shall be submitted as part of the plan for the
36 career technical education district pursuant to section 15-392, and the
37 implementation of the system shall be as approved by the United States
38 justice department.

39 C. Career technical education districts are subject to the
40 following provisions of this title:

- 41 1. Chapter 1, articles 1, 2, 3, 4, 5 and 6.
- 42 2. Sections 15-208, 15-210, 15-213 and 15-234.
- 43 3. Articles 2, 3 and 5 of this chapter.
- 44 4. Section 15-361.
- 45 5. Chapter 4, articles 1, 2 and 5.
- 46 6. Chapter 5, articles 1 and 3.

1 7. Sections 15-701.01, 15-722, 15-723, 15-724, 15-727, 15-728,
2 15-729 and 15-730.
3 8. Chapter 7, article 5.
4 9. Chapter 8, articles 1, 3 and 4.
5 10. Sections 15-828 and 15-829.
6 11. Chapter 9, article 1, article 6, except for section 15-995, and
7 article 7.
8 12. Sections 15-941, 15-943.01, 15-953 and 15-973.
9 13. Sections 15-1101 and 15-1104.
10 14. Chapter 10, articles 2, 3, 4 and 8.
11 D. Notwithstanding subsection C of this section, the following
12 apply to a career technical education district:
13 1. A career technical education district may issue bonds for the
14 purposes specified in section 15-1021 and in chapter 4, article 5 of this
15 title to an amount in the aggregate, including the existing indebtedness,
16 not exceeding one percent of the net assessed value of the full cash value
17 of the property within the career technical education district. For the
18 purposes of this paragraph, "full cash value" and "net assessed value"
19 have the same meanings prescribed in section 42-11001.
20 2. The number of governing board members for a career technical
21 education district shall be as prescribed in subsection A of this section.
22 3. The student count for the first year of operation of a career
23 technical education district as provided in this article shall be
24 determined as follows:
25 (a) Determine the estimated student count for career technical
26 education district classes that will operate in the first year of
27 operation. This estimate shall be based on actual registration of pupils
28 as of March 30 scheduled to attend classes that will be operated by the
29 career technical education district. The student count for the school
30 district of residence of the pupils registered at the career technical
31 education district shall be adjusted. The adjustment shall cause the
32 school district of residence to reduce the student count for the pupil to
33 reflect the courses to be taken at the career technical education
34 district. The school district of residence shall review and approve the
35 adjustment of its own student count as provided in this subdivision before
36 the pupils from the school district can be added to the student count of
37 the career technical education district.
38 (b) The student count for the new career technical education
39 district shall be the student count as determined in subdivision (a) of
40 this paragraph.
41 (c) For the first year of operation, the career technical education
42 district shall revise the student count to the actual average daily
43 membership as prescribed in section 15-901, subsection A, paragraph 1 for
44 students attending classes in the career technical education district. A
45 career technical education district shall revise its student count, the
46 base support level as provided in section 15-943.02, the revenue control
47 limit as provided in section 15-944.01 and the district additional

1 assistance as provided in section 15-962.01 before May 15. A career
2 technical education district that overestimated its student count shall
3 revise its budget before May 15. A career technical education district
4 that underestimated its student count may revise its budget before May 15.

5 (d) After March 15 of the first year of operation, the school
6 district of residence shall adjust its student count by reducing it to
7 reflect the courses actually taken at the career technical education
8 district. The school district of residence shall revise its student
9 count, the base support level as provided in section 15-943, the revenue
10 control limit as provided in section 15-944 and the district additional
11 assistance as provided in section 15-962.01 prior to May 15. A district
12 that underestimated the student count for students attending the career
13 technical education district shall revise its budget before May 15. A
14 district that overestimated the student count for students attending the
15 career technical education district may revise its budget before May 15.

16 (e) The procedures for implementing this paragraph shall be as
17 prescribed in the uniform system of financial records.

18 For the purposes of this paragraph, "school district of residence" means
19 the school district that included the pupil in its average daily
20 membership for the year before the first year of operation of the career
21 technical education district and that would have included the pupil in its
22 student count for the purposes of computing its base support level for the
23 fiscal year of the first year of operation of the career technical
24 education district if the pupil had not enrolled in the career technical
25 education district.

26 4. A student includes any person enrolled in the career technical
27 education district without regard to the person's age or high school
28 graduation status, except that:

29 (a) A student in a kindergarten program or in any of grades one
30 through eight who enrolls in courses offered by the career technical
31 education district shall not be included in the career technical education
32 district's student count or average daily membership.

33 (b) A student in a kindergarten program or in any of grades one
34 through eight who is enrolled in career and technical education courses
35 shall not be funded in whole or in part with monies provided by a career
36 technical education district, except that a pupil in grade eight may be
37 funded with monies generated by the \$.05 qualifying tax rate authorized in
38 subsection F of this section.

39 (c) A student who has graduated from high school or received a
40 general equivalency diploma or who is over twenty-one years of age shall
41 not be included in the student count of the career technical education
42 district for the purposes of chapter 9, articles 3, 4 and 5 of this title.

43 5. A career technical education district may operate for more than
44 one hundred eighty days per year, or less, with the equivalent number of
45 hours of instruction.

46 6. A career technical education district may use the carryforward
47 provisions of section 15-943.01.

1 7. A school district that is part of a career technical education
2 district shall use any monies received pursuant to this article to
3 supplement and not supplant base year career and technical education
4 courses, and directly related equipment and facilities, except that a
5 school district that is part of a career technical education district and
6 that has used monies received pursuant to this article to supplant career
7 and technical education courses that were offered before the first year
8 that the school district participated in the career technical education
9 district or the first year that the school district used monies received
10 pursuant to this article or that used the monies for purposes other than
11 for career and technical education courses shall use one hundred percent
12 of the monies received pursuant to this article to supplement and not
13 supplant base year career and technical education courses. Each
14 applicable school district shall provide a report to the career technical
15 education board and the department of education outlining the required
16 maintenance of effort and how monies were used to supplement and not
17 supplant base year career and technical education courses and directly
18 related equipment and facilities.

19 8. A career technical education district shall use any monies
20 received pursuant to this article to enhance and not supplant career and
21 technical education courses and directly related equipment and facilities.

22 9. A career technical education district or a school district that
23 is part of a career technical education district or a charter school shall
24 only include pupils in grades nine through twelve and pupils in the school
25 year immediately following graduation in the calculation of student count
26 or average daily membership if the pupils are enrolled in courses that are
27 approved jointly by the governing board of the career technical education
28 district and each participating school district or charter school for
29 satellite courses taught within the participating school district or
30 charter school, or approved solely by the career technical education
31 district for centrally located courses. Funding may be provided for not
32 more than four years for the same student. Student count and average
33 daily membership from courses that are not part of an approved program for
34 career and technical education shall not be included in student count and
35 average daily membership of a career technical education district.

36 10. A career technical education district may build, maintain and
37 provide housing facilities and support services for students who are in
38 foster care or who meet the definition of unaccompanied youth as defined
39 in the McKinney-Vento homeless assistance act (P.L. 100-77; 101 Stat. 482;
40 42 United States Code section 11434a).

41 E. The career technical education board shall appoint a
42 superintendent as the executive officer of the career technical education
43 district.

44 F. Taxes may be levied for the support of the career technical
45 education district as prescribed in chapter 9, article 6 of this title,
46 except that a career technical education district shall not levy a
47 property tax pursuant to law that exceeds \$.05 per \$100 assessed valuation

1 except for bond monies pursuant to subsection D, paragraph 1 of this
2 section. Such taxes shall be obtained from a levy of taxes on the taxable
3 property used for secondary tax purposes.

4 G. The schools in the career technical education district are
5 available to all persons who reside in the career technical education
6 district and to pupils whose school district of residence within this
7 state is paying tuition on behalf of the pupils to a district of
8 attendance that is a member of the career technical education district,
9 subject to the rules for admission prescribed by the career technical
10 education board.

11 H. The career technical education board may collect tuition for
12 adult students and the attendance of pupils who are residents of school
13 districts that are not participating in the career technical education
14 district pursuant to arrangements made between the governing board of the
15 school district and the career technical education board.

16 I. The career technical education board may accept gifts, grants,
17 federal monies, tuition and other allocations of monies to erect, repair
18 and equip buildings and for the cost of operating the schools of the
19 career technical education district.

20 J. One member of the career technical education board shall be
21 selected chairperson. The chairperson shall be selected annually on a
22 rotation basis from among the participating school districts. The
23 chairperson of the career technical education board shall be a voting
24 member.

25 K. A career technical education board ~~and a community college~~
26 ~~district~~ may enter into agreements to provide for administrative,
27 operational and educational services and facilities WITH EITHER:

28 1. A COMMUNITY COLLEGE DISTRICT.

29 2. A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF
30 REGENTS [ONLY] IF ~~[THE EQUIVALENT COURSES OR PROGRAMS ARE NOT AVAILABLE~~
31 ~~THROUGH AN EXISTING AGREEMENT BETWEEN THE CAREER TECHNICAL EDUCATION BOARD~~
32 ~~AND A COMMUNITY COLLEGE DISTRICT, A SCHOOL DISTRICT, A CHARTER SCHOOL OR~~
33 ~~ANOTHER CAREER TECHNICAL EDUCATION DISTRICT.] [THE COMMUNITY COLLEGE~~
34 ~~DISTRICT, IF ANY, FOR EACH COUNTY IN WHICH THE CAREER TECHNICAL EDUCATION~~
35 ~~DISTRICT IS LOCATED IS NOT ABLE TO OFFER THE COURSE OR PROGRAM IN THE NEXT~~
36 ~~SCHOOL YEAR. FOR THE PURPOSES OF THIS PARAGRAPH, A COMMUNITY COLLEGE~~
37 ~~DISTRICT IS NOT ABLE TO OFFER A COURSE OR PROGRAM IF BOTH OF THE FOLLOWING~~
38 ~~APPLY:~~

39 (a) ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE CAREER TECHNICAL
40 EDUCATION BOARD NOTIFIES THE PRESIDENT OR CHANCELLOR OF THE COMMUNITY
41 COLLEGE DISTRICT IN WRITING THAT THE CAREER TECHNICAL EDUCATION DISTRICT
42 SEEKS TO OFFER ONE OR MORE COURSES OR PROGRAMS, OR BOTH, THAT ARE:

43 (i) NOT OFFERED THROUGH AN EXISTING AGREEMENT BETWEEN THE CAREER
44 TECHNICAL EDUCATION BOARD AND THE COMMUNITY COLLEGE DISTRICT.

45 (ii) ARE AVAILABLE THROUGH A UNIVERSITY UNDER THE JURISDICTION OF
46 THE ARIZONA BOARD OF REGENTS.

1 **(b) THE PRESIDENT OR CHANCELLOR OF THE COMMUNITY COLLEGE DISTRICT**
2 **EITHER:**

3 **(i) NOT LATER THAN THIRTY DAYS AFTER THE PRESIDENT OR CHANCELLOR**
4 **RECEIVES THE NOTICE PURSUANT TO SUBDIVISION (a) OF THIS PARAGRAPH.**
5 **NOTIFIES THE SUPERINTENDENT OF THE CAREER TECHNICAL EDUCATION DISTRICT IN**
6 **WRITING THAT NO COMMUNITY COLLEGE DISTRICT IS ABLE TO OFFER THE COURSE OR**
7 **PROGRAM IN THE NEXT SCHOOL YEAR.**

8 **(ii) FAILS TO RESPOND TO THE SUPERINTENDENT OF THE CAREER TECHNICAL**
9 **EDUCATION DISTRICT WITHIN THIRTY DAYS AFTER THE PRESIDENT OR CHANCELLOR**
10 **THE COMMUNITY COLLEGE DISTRICT RECEIVES THE NOTICE PURSUANT TO SUBDIVISION**
11 **(a) OF THIS PARAGRAPH.]**

12 L. Any agreement between the governing board of a career technical
13 education district and another career technical education district, a
14 school district, a charter school, **A UNIVERSITY** or a community college
15 district shall be in the form of an intergovernmental agreement or other
16 written contract. The auditor general shall modify the uniform system of
17 financial records and budget forms in accordance with this
18 subsection. The intergovernmental agreement or other written contract
19 shall completely and accurately specify each of the following:

20 1. The financial provisions of the intergovernmental agreement or
21 other written contract and the format for the billing of all services.

22 2. The accountability provisions of the intergovernmental agreement
23 or other written contract.

24 3. The responsibilities of each career technical education
25 district, each school district, each charter school, **EACH UNIVERSITY** and
26 each community college district that is a party to the intergovernmental
27 agreement or other written contract.

28 4. The type of instruction that will be provided under the
29 intergovernmental agreement or other written contract, including
30 individualized education programs pursuant to section 15-763.

31 5. The quality of the instruction that will be provided under the
32 intergovernmental agreement or other written contract.

33 6. The transportation services that will be provided under the
34 intergovernmental agreement or other written contract and the manner in
35 which transportation costs will be paid.

36 7. The amount that the career technical education district will
37 contribute to a course and the amount of support required by the school
38 district, the charter school, **THE UNIVERSITY** or the community college.

39 8. That the services provided by the career technical education
40 district, the school district, the charter school, **THE UNIVERSITY** or the
41 community college district be proportionally calculated in the cost of
42 delivering the service.

43 9. That the payment for services shall not exceed the cost of the
44 services provided.

45 10. That the career technical education district will provide the
46 following minimum services for all member districts:

1 (a) Professional development of career and technical teachers in
2 the career technical education district who are teaching programs or
3 courses at a satellite campus.

4 (b) Ongoing evaluation and support of satellite campus programs and
5 courses to ensure quality and compliance.

6 11. An itemized listing of other goods and services that are
7 provided to the member district and that are paid for by the retention of
8 satellite campus student funding.

9 M. A member school district or charter school may not submit
10 requests to approve or add satellite campus career technical education
11 district programs or courses directly to the career and technical
12 education division of the department of education but shall submit all
13 appropriate application documentation and materials for programs or
14 courses to the career technical education district. On approval from the
15 career technical education board, a career technical education district
16 shall only submit requests to approve or add satellite campus career
17 technical education district programs or courses directly to the career
18 and technical education division of the department of education, which
19 shall determine whether the criteria prescribed in section 15-391,
20 paragraphs 2 and 4 have been met. If the career and technical education
21 division of the department of education determines that a course does not
22 meet the criteria for approval as a career technical education course, the
23 governing board of the career technical education district may appeal this
24 decision to the state board of education acting as the state board of
25 vocational education.

26 N. Notwithstanding any other law, the average daily membership for
27 a pupil who is enrolled in a career technical education course and who
28 does not meet the criteria specified in subsection P, Q or R of this
29 section shall be 0.25 for each course, except the sum of the average daily
30 membership shall not exceed the limits prescribed by subsection D, P, Q or
31 R of this section, as applicable.

32 O. If a career and technical education course or program is
33 provided on a satellite campus, the sum of the average daily membership,
34 as provided in section 15-901, subsection A, paragraph 1, for that pupil
35 in the school district or charter school and career technical education
36 district shall not exceed 1.25. The school district or charter school and
37 the career technical education district shall determine the apportionment
38 of the average daily membership for that pupil between the school district
39 or charter school and the career technical education district. A pupil
40 who attends a course or program at a satellite campus and who is not
41 enrolled in the school district or charter school where the satellite
42 campus is located may generate the average daily membership of up to 0.25
43 for one hundred fifty instructional hours of enrollment for instruction
44 received during any hour of the day, during any day of the week and at any
45 time between July 1 and June 30 of each fiscal year pursuant to this
46 subsection if the pupil is enrolled in a school district that is a member
47 district in the same career technical education district.

1 P. The sum of the average daily membership of a pupil who is
2 enrolled in both the school district and career technical education course
3 or career technical education program provided by a community college OR
4 UNIVERSITY pursuant to subsection K of this section or at a centralized
5 campus shall not exceed 1.75. The average daily membership for a pupil
6 who is enrolled in a career technical education course or career technical
7 education program provided by a community college OR UNIVERSITY shall be
8 0.25 for the accumulation of every three community college OR UNIVERSITY
9 credits for which a student is enrolled in career technical education
10 courses. The member school district and the career technical education
11 district shall determine the apportionment of the average daily membership
12 and student enrollment for that pupil between the member school district
13 and the career technical education district, except that the amount
14 apportioned shall not exceed 1.0 for either entity. Notwithstanding any
15 other law, the average daily membership for a pupil who is in grade nine,
16 ten, eleven or twelve or in the school year immediately following
17 graduation and who is enrolled in a course that meets for at least one
18 hundred fifty minutes per class period at a centralized campus shall be
19 0.75. To qualify for funding pursuant to this subsection, a centralized
20 campus shall offer programs and courses to all eligible students in each
21 member district of the career technical education district. Students in
22 an approved career technical education program may generate an average
23 daily membership of up to 1.75 for instruction received during any hour of
24 the day, during any day of the week and at any time between July 1 and
25 June 30 of each fiscal year. Average daily membership shall not be
26 calculated on the one hundredth day of instruction for the purposes of
27 this section. Average daily membership shall be calculated by dividing
28 the instructional hours of enrollment by six hundred hours, except that:
29 1. At least one hundred fifty hours and less than three hundred
30 hours equals 0.25 average daily membership.
31 2. At least three hundred hours and less than four hundred fifty
32 hours equals 0.5 average daily membership.
33 3. At least four hundred fifty hours and less than six hundred
34 hours equals 0.75 average daily membership.
35 4. At least six hundred hours equals 1.0 average daily membership.
36 Q. The average daily membership for a pupil who is in grade nine,
37 ten, eleven or twelve or in the school year immediately following
38 graduation and who is enrolled in a course that meets for at least one
39 hundred fifty minutes per class period at a leased centralized campus
40 shall not exceed 0.75. Students in an approved career technical education
41 program provided by a leased centralized campus may generate an average
42 daily membership for instruction received during any hour of the day,
43 during any day of the week and at any time between July 1 and June 30 of
44 each fiscal year. Average daily membership shall be calculated by
45 dividing the instructional hours of enrollment by six hundred hours,
46 except that:

1 1. At least one hundred fifty hours and less than three hundred
2 hours equals 0.25 average daily membership.

3 2. At least three hundred hours and less than four hundred fifty
4 hours equals 0.5 average daily membership.

5 3. At least four hundred fifty hours and less than six hundred
6 hours equals 0.75 average daily membership.

7 4. At least six hundred hours equals 1.0 average daily membership.

8 R. The sum of the average daily membership, as provided in section
9 15-901, subsection A, paragraph 1, of a pupil who is enrolled in both the
10 school district and in career technical education courses provided at a
11 leased centralized campus shall not exceed 1.75 if all of the following
12 conditions are met:

13 1. The course qualifies as a career technical education course.

14 2. The course is offered to all eligible students in each member
15 district of the career technical education district and enrolls students
16 from multiple high schools.

17 3. The career technical education district program in which the
18 course is included addresses a specific industry need and has been
19 developed in cooperation with that industry, or the leased facility is a
20 state or federal asset that would otherwise be unused or underutilized.

21 4. The lease is established at fair market value if the lease is
22 executed for a facility located on the site of a member district and was
23 approved by the joint committee on capital review, except that a lease
24 that was executed or renewed before December 31, 2012 is not subject to
25 approval by the joint committee on capital review.

26 S. A student who is enrolled in an accommodation school may be
27 treated as a student of the school district in which the student
28 physically resides for the purposes of enrollment in a career technical
29 education district and shall be included in the calculation of average
30 daily membership for either the career technical education district or the
31 accommodation school, or both.

32 T. Notwithstanding any other law, the student count for a career
33 technical education district shall be equivalent to the career technical
34 education district's average daily membership. Students in an approved
35 career technical education program provided by a satellite campus,
36 centralized campus or leased centralized campus may generate an average
37 daily membership subject to the limits prescribed by subsections D, N, O,
38 P, Q and R of this section, as applicable, for instruction received during
39 any hour of the day, during any day of the week and at any time between
40 July 1 and June 30 of each fiscal year. Average daily membership shall
41 not be calculated on the one hundredth day of instruction for the purposes
42 of this section. The department may not restrict the instructional time
43 by limiting the particular days of the week or time of the fiscal year for
44 instruction to occur.

45 U. A school district or charter school may not prohibit or
46 discourage students who are enrolled in that school district or charter
47 school from attending courses offered by a career technical education

1 district, including requiring students to generate a full 1.0 average
2 daily membership or to enroll in more courses than are needed to graduate
3 before enrolling in and attending programs or courses offered by a career
4 technical education district.

5 V. The governing board of the career technical education district
6 may contract with any charter school that is located within the boundaries
7 of the career technical education district to allow that charter school to
8 offer career and technical education courses or programs as a satellite
9 campus.

10 W. Beginning in 2020 and every five years thereafter, the career
11 and technical education division of the department of education shall
12 review career technical education district programs and career technical
13 education courses to ensure compliance, quality and eligibility. Any
14 program or course deemed to not meet the requirements set forth by law
15 shall not be funded for the current school year and shall be removed from
16 the approved program and course list for the purposes of funding. The
17 career and technical education division may establish a staggered schedule
18 for reviewing each career technical education district.

19 X. Notwithstanding subsection D, paragraphs 4 and 9 and subsections
20 P, Q and R of this section, for a student in grade nine, funding shall be
21 provided pursuant to this section only if the student reaches the fortieth
22 day of grade eleven enrolled in an approved career technical education
23 program and meets the requirements prescribed in subsection Z of this
24 section. At that time funding shall be provided for that student for
25 grade nine and for any subsequent year in which the student is eligible
26 for funding pursuant to this section.

27 Y. On or before September 1 of each year, the office of economic
28 opportunity in collaboration with the department of education shall
29 compile an in-demand regional education list of the approved career
30 technical education programs that lead to a career path in high demand
31 with median-to-high-wage jobs in that region. The office of economic
32 opportunity shall incorporate industry feedback as part of developing the
33 in-demand regional educational list. The office of economic opportunity
34 shall submit the in-demand regional education list to the Arizona career
35 and technical education quality commission for review and approval.

36 Z. Notwithstanding subsection D, paragraphs 4 and 9 and subsections
37 P, Q and R of this section, for a student in grade nine or in the school
38 year immediately following graduation, funding shall be provided pursuant
39 to this section only if the student is enrolled in a program that was
40 included on the in-demand regional education list compiled pursuant to
41 subsection Y of this section for that student's region for the year in
42 which the student began the program.

43 AA. For the purposes of this section:

44 1. "Base year" means the complete school year in which voters of a
45 school district elected to join a career technical education district.

1 2. "Centralized campus" means a facility that is owned and operated
2 by a career technical education district to offer career technical
3 education district programs or career technical education courses.

4 3. "Lease" means a written agreement in which the right to occupy
5 or use real property is conveyed from one person or entity to another
6 person or entity for a specified period of time.

7 4. "Leased centralized campus" means a facility that is leased and
8 operated by a career technical education district to offer career
9 technical education district programs or career technical education
10 courses.

11 5. "Satellite campus" means a facility that is owned or operated by
12 a school district or charter school to offer career technical education
13 district programs or career technical education courses.

14 Sec. 2. Section 15-1626, Arizona Revised Statutes, is amended to
15 read:

16 15-1626. General administrative powers and duties of board;
17 definition

18 A. The board shall:

19 1. Have and exercise the powers necessary for the effective
20 governance and administration of the institutions under its control. To
21 that end, the board may adopt, and authorize each university to adopt,
22 such regulations, policies, rules or measures as are deemed necessary and
23 may delegate in writing to its committees, to its university presidents,
24 or their designees, or to other entities under its control any part of its
25 authority for the administration and governance of such institutions,
26 including those powers enumerated in section 15-1625, subsection B,
27 paragraphs 2 and 4, paragraphs 3, 4, 8, 9, 11, ~~and~~ 12 **AND 22** of this
28 subsection and subsection B of this section. Any delegation of authority
29 may be rescinded by the board at any time in whole or in part.

30 2. Appoint and employ and determine the compensation of presidents
31 with such power and authority and for such purposes in connection with the
32 operation of the institutions as the board deems necessary.

33 3. Appoint and employ and determine the compensation of
34 vice-presidents, deans, professors, instructors, lecturers, fellows and
35 such other officers and employees with such power and authority and for
36 such purposes in connection with the operation of the institutions as the
37 board deems necessary, or delegate its authority pursuant to paragraph 1
38 of this subsection.

39 4. Remove any officer or employee when the interests of education
40 in this state so require in accordance with its personnel rules and
41 policies.

42 5. Fix tuitions and fees to be charged and differentiate the
43 tuitions and fees between institutions and between residents,
44 nonresidents, undergraduate students, graduate students, students from
45 foreign countries and students who have earned credit hours in excess of
46 the credit hour threshold. For the purposes of this paragraph, the
47 undergraduate credit hour threshold is one hundred forty-five hours for

1 students who attend a university under the jurisdiction of the board. The
2 undergraduate credit hour threshold shall be based on the actual full-time
3 equivalent student enrollment counted on the forty-fifth day of every fall
4 and spring semester, divided by two, and any budget adjustment based on
5 student enrollment shall occur in the fiscal year following the actual
6 full-time equivalent student enrollment count. The undergraduate credit
7 hour threshold shall not apply to degree programs that require credit
8 hours above the credit hour threshold, credits earned in the pursuit of up
9 to two baccalaureate degrees, credits earned in the pursuit of up to two
10 state regulated licensures or certificates, credits earned in the pursuit
11 of teaching certification, credits transferred from a private institution
12 of higher education, credits transferred from an institution of higher
13 education in another state, credits earned at another institution of
14 higher education but that are not accepted as transfer credits at the
15 university where the student is currently enrolled and credits earned by
16 students who enroll at a university under the jurisdiction of the board
17 more than twenty-four months after the end of that student's previous
18 enrollment at a public institution of higher education in this state. On
19 or before October 15 of each year, the board shall report to the joint
20 legislative budget committee the number of in-state students and
21 out-of-state students who were enrolled at universities under the
22 jurisdiction of the board during the previous fiscal year and who met or
23 exceeded the undergraduate credit hour threshold prescribed in this
24 paragraph. The amount of tuition and fees included in the operating
25 budget for the university adopted by the board as prescribed in paragraph
26 13 of this subsection shall be subject to legislative appropriation and
27 deposited in a separate tuition and fees subaccount for each university.
28 All other tuition and fee revenue shall be retained by each university for
29 expenditure as approved by the board in a separate local tuition and fees
30 subaccount for each university. This subaccount shall consist of only
31 tuition and fees. The universities shall not use any tuition or fee
32 revenue to fund or support an alumni association.

33 6. Adopt rules to govern its tuition and academic fee setting
34 process that provide for the following:

35 (a) At least one public hearing at each university as an
36 opportunity for students and members of the public to comment on any
37 proposed increase in tuition or fees.

38 (b) Publication of the notice of public hearing at least ten days
39 before the hearing in a newspaper of general circulation in Maricopa
40 county, Coconino county and Pima county. The notice shall include the
41 date, time and location of the public hearing.

42 (c) Public disclosure by each university of any proposed increases
43 in tuition or fees at least ten days before the public hearing.

44 (d) A roll call vote of any final board action on changes in
45 tuition, including tuition rate changes for online programs, or academic
46 fees.

1 (e) Public disclosure by the board and each university of any final
2 board action on changes in tuition or academic fees.

3 7. Pursuant to section 35-115, submit a budget request for each
4 institution under its jurisdiction that includes the estimated tuition and
5 fee revenue available to support the programs of the institution as
6 described in the budget request. The estimated available tuition and fee
7 revenue shall be based on the tuition and registration fee rates in effect
8 at the time the budget request is submitted with adjustments for projected
9 changes in enrollment as provided by the board.

10 8. Establish curricula and designate courses at the several
11 institutions that in its judgment will best serve the interests of this
12 state.

13 9. Award such degrees and diplomas on the completion of such
14 courses and curriculum requirements as it deems appropriate.

15 10. Prescribe qualifications for admission of all students to the
16 universities. The board shall establish policies for guaranteed admission
17 that ensure fair and equitable access to students in this state from
18 public, private and charter schools and homeschools. For the purpose of
19 determining the qualifications of honorably discharged veterans, veterans
20 are those persons who served in the armed forces for a minimum of two
21 years and who were previously enrolled at a university or community
22 college in this state. No prior failing grades received by the veteran at
23 the university or community college in this state may be considered.

24 11. Adopt any energy conservation standards adopted by the
25 department of administration for the construction of new buildings.

26 12. Employ for such time and purposes as the board requires
27 attorneys whose compensation shall be fixed and paid by the board.
28 Litigation to which the board is a party and for which self-insurance is
29 not provided may be compromised or settled at the direction of the board.

30 13. Adopt annually an operating budget for each university equal to
31 the sum of appropriated general fund monies and the amount of tuition and
32 fees approved by the board and allocated to each university operating
33 budget.

34 14. In consultation with the state board of education and other
35 education groups, develop and implement a program to award honors
36 endorsements to be affixed to the high school diplomas of qualifying high
37 school pupils and to be included in the transcripts of pupils who are
38 awarded endorsements. The board shall develop application procedures and
39 testing criteria and adopt testing instruments and procedures to
40 administer the program. In order to receive an honors endorsement, a
41 pupil must demonstrate an extraordinary level of knowledge, skill and
42 competency as measured by the testing instruments adopted by the board in
43 mathematics, English, science and social studies. Additional subjects may
44 be added at the determination of the board. The program is voluntary for
45 pupils.

46 15. Require the publisher of each literary and nonliterary textbook
47 used in the universities of this state to furnish to the Arizona board of

1 regents computer software in a standardized format when software becomes
2 available for nonliterary textbooks from which braille versions of the
3 textbooks may be produced.

4 16. Require universities that provide a degree in education to
5 require courses that are necessary to obtain a provisional structured
6 English immersion endorsement as prescribed by the state board of
7 education.

8 17. Acquire United States flags for each classroom that are
9 manufactured in the United States and that are at least two feet by three
10 feet and hardware to appropriately display the United States flags,
11 acquire a legible copy of the Constitution of the United States and the
12 Bill of Rights, display the flags in each classroom in accordance with
13 title 4 of the United States Code and display a legible copy of the
14 Constitution of the United States and the Bill of Rights adjacent to the
15 flag.

16 18. To facilitate the transfer of military personnel and their
17 dependents to and from the public schools of this state, pursue, in
18 cooperation with the state board of education, reciprocity agreements with
19 other states concerning the transfer credits for military personnel and
20 their dependents. A reciprocity agreement entered into pursuant to this
21 paragraph shall:

22 (a) Address procedures for each of the following:

23 (i) The transfer of student records.

24 (ii) Awarding credit for completed coursework.

25 (iii) Permitting a student to satisfy the graduation requirements
26 prescribed in section 15-701.01 through the successful performance on
27 comparable exit-level assessment instruments administered in another
28 state.

29 (b) Include appropriate criteria developed by the state board of
30 education and the Arizona board of regents.

31 19. Require a university to publicly post notices of all of its
32 employment openings, including the title and description, instructions for
33 applying and relevant contact information.

34 20. In consultation with the community college districts in this
35 state, develop and implement common equivalencies for specific levels of
36 achievement on advanced placement examinations and international
37 baccalaureate examinations in order to award commensurate postsecondary
38 academic credits at community colleges and public universities in this
39 state.

40 21. On or before August 1 of each year, report to the joint
41 legislative budget committee the graduation rate by university campus
42 during the previous fiscal year. The board shall also report the
43 retention rate by university campus and by class, as determined by date of
44 entry during the previous fiscal year.

45 22. ENTER INTO AN AGREEMENT WITH ONE OR MORE CAREER TECHNICAL
46 EDUCATION DISTRICT GOVERNING BOARDS ~~[TO PROVIDE ADMINISTRATIVE,~~
47 ~~OPERATIONAL AND EDUCATIONAL SERVICES AND FACILITIES BY A UNIVERSITY UNDER~~

1 ~~THE JURISDICTION OF THE BOARD~~ [PURSUANT TO SECTION 15-393, SUBSECTION K]
2 IF THE AGREEMENT, IN THE BOARD'S JUDGMENT, WILL SERVE THE INTERESTS OF
3 THIS STATE.

4 B. The board shall adopt personnel policies for all employees of
5 the board and the universities.

6 C. In conjunction with the auditor general, the board shall develop
7 a uniform accounting and reporting system, which shall be reviewed by the
8 joint legislative budget committee before final adoption by the board.
9 The board shall require each university to comply with the uniform
10 accounting and reporting system.

11 D. The board may employ legal assistance in procuring loans for the
12 institutions from the United States government. Fees or compensation paid
13 for such legal assistance shall not be a claim on the general fund of this
14 state but shall be paid from funds of the institutions.

15 E. The board shall approve or disapprove any contract or agreement
16 entered into by the university of Arizona hospital with the Arizona
17 industrial development authority.

18 F. The board may adopt policies that authorize the institutions
19 under its jurisdiction to enter into employment contracts with nontenured
20 employees for periods of more than one year but not more than five years.
21 The policies shall prescribe limitations on the authority of the
22 institutions to enter into employment contracts for periods of more than
23 one year but not more than five years, including the requirement that the
24 board approve the contracts.

25 G. The board may adopt a plan or plans for employee benefits that
26 allow for participation in a cafeteria plan that meets the requirements of
27 the United States internal revenue code of 1986.

28 H. The board may establish a program for the exchange of students
29 between the universities under the jurisdiction of the board and colleges
30 and universities located in the state of Sonora, Mexico. Notwithstanding
31 subsection A, paragraph 5 of this section, the program may provide for
32 in-state tuition at the universities under the jurisdiction of the board
33 for fifty Sonoran students in exchange for similar tuition provisions for
34 up to fifty Arizona students enrolled or seeking enrollment in Sonoran
35 colleges or universities. The board may direct the universities to work
36 in conjunction with the Arizona-Mexico commission to coordinate
37 recruitment and admissions activities.

38 I. The Arizona board of regents, in collaboration with the
39 universities under its jurisdiction, shall adopt a performance funding
40 model. The performance funding model shall use performance metrics that
41 include the increase in degrees awarded, the increase in completed student
42 credit hours and the increase in externally generated research and public
43 service funding. The funding formula may give added weight to degrees
44 related to science, technology, engineering and mathematics and other
45 high-value degrees that are in short supply or that are essential to this
46 state's long-term economic development strategy.

1 J. The Arizona board of regents shall use the performance funding
2 model adopted pursuant to subsection I of this section in developing and
3 submitting budget requests for the universities under its jurisdiction.

4 K. On or before November 1 of each year, the Arizona board of
5 regents shall submit to the joint legislative budget committee and the
6 governor's office of strategic planning and budgeting a report on
7 university debt and obligations, including:

8 1. Long-term notes and obligations.

9 2. Certificates of participation and other obligations pursuant to
10 any lease-purchase agreements.

11 3. Revenue bonds.

12 4. Bonds issued pursuant to section 15-1682.03.

13 5. Commercial paper issued pursuant to section 15-1696.

14 L. The report issued pursuant to subsection K of this section shall
15 contain, for the most recent fiscal year:

16 1. The aggregate level of outstanding principal and the principal
17 and interest payments, by type of debt or obligation.

18 2. An itemization, by campus and project, of the amount of yearly
19 principal and interest to be paid in the most recent and the next five
20 fiscal years.

21 M. The board may enter into an intergovernmental agreement pursuant
22 to section 15-1747 to manage universities under its jurisdiction subject
23 to the terms of the reciprocity agreement.

24 N. For the purposes of this section, "university debt and
25 obligations" means debt and obligations, the principal and interest of
26 which are paid in whole or in part with university monies.

27 Enroll and engross to conform

28 Amend title to conform

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