

COMMITTEE ON HIGHER EDUCATION

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2209

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 15-1444, Arizona Revised Statutes, is amended to
3 read:

4 15-1444. General powers of district governing boards

5 A. Except as otherwise provided, the district board shall:

6 1. Maintain each community college for a period of not less than eight
7 months in each year and, if the funds of the district are sufficient,
8 maintain each community college for a longer period.

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

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

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

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

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

23 7. Determine the salaries of persons it appoints and employs.

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

26 9. Award degrees, certificates and diplomas upon the completion of
27 courses and curriculum as it deems appropriate.

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

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

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

15 13. SUBMIT AN ANNUAL REPORT BY SEPTEMBER 15 ON ANY PARTNERSHIPS ENTERED
16 INTO BETWEEN THE DISTRICT AND A UNIVERSITY OR A HIGH SCHOOL, OR BOTH, TO
17 TRANSITION STUDENTS BETWEEN THE COMMUNITY COLLEGE DISTRICT AND THE
18 UNIVERSITY, BETWEEN THE HIGH SCHOOL AND THE COMMUNITY COLLEGE DISTRICT, OR
19 BETWEEN THE HIGH SCHOOL, THE COMMUNITY COLLEGE DISTRICT AND THE UNIVERSITY.
20 THE ANNUAL REPORT SHALL BE SUBMITTED TO THE GOVERNOR, THE PRESIDENT OF THE
21 SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. THE BOARD SHALL
22 PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF STATE AND THE DIRECTOR OF
23 THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.

24 B. The district board may:

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

29 2. Lease real property, as lessor or as lessee. If a district is the
30 lessee, the lease may contain an option to purchase the property. The
31 district board may adopt policies as are deemed necessary and may delegate in
32 writing to the chancellor or president of the district, or their designees,

1 all or any part of its authority to lease property under this paragraph. A
2 district board shall not delegate the authority to execute a lease that
3 exceeds one hundred thousand dollars per year. Any delegation by the
4 district board pursuant to this paragraph may be rescinded in whole or in
5 part at any time by the district board.

6 3. Sue and be sued.

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

12 5. Construct, remodel and repair buildings.

13 6. In conjunction with other districts, establish policies for
14 procurement of goods and services.

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

19 8. Accept grants or donations of monies from the United States, or
20 from any of its agencies, departments or officers, or from persons,
21 corporations, foundations or associations. A district board shall deposit
22 the monies into a specific fund or account and a district board shall
23 administer the monies in accordance with the purpose of the grant or donation
24 with specific policies or restrictions as described or stipulated in the
25 grant or donation. In the case of personal property granted or donated to or
26 for the benefit of a community college district, a district board shall
27 immediately transfer possession and ownership of the property to the
28 designated district.

29 9. Enter into intergovernmental agreements or contracts pursuant to
30 section 11-952.01 for participation in programs offered by public agency
31 pools or separately contract with a trustee or board of trustees that
32 provides a common self-insurance program with pooled funds and risks pursuant

1 to section 15-382, subsection B, paragraph 2. The district board is not
2 required to engage in competitive procurement in order to make the decision
3 to participate in these programs.

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

10 1. Is not abated, extinguished, discharged or merged in the title to
11 the property.

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

13 D. From and after December 31, 1988, in a district whose boundaries
14 encompass a vehicle emissions control area as defined in section 49-541 the
15 district board shall require all out of county and out of state students to
16 sign an affidavit at the time of course registration that the student's
17 vehicle meets the requirements of section 49-542. From and after December
18 31, 1988, the district board on property under its jurisdiction within a
19 vehicle emissions control area shall prohibit the parking of those vehicles
20 which fail to comply with section 49-542.

21 E. A community college district and a joint technological education
22 district governing board may enter into agreements for the provision of
23 administrative, operational and educational services and facilities.

24 F. Each district may establish a program for the exchange of students
25 between the community colleges under its jurisdiction and colleges and
26 universities located in Sonora, Mexico. The program may provide for in-state
27 tuition for Sonora students at the community colleges under ~~it's~~ **THE**
28 jurisdiction **OF THE DISTRICT** in exchange for similar tuition provisions for
29 Arizona students enrolled or seeking enrollment in Sonora colleges and
30 universities. The community colleges may work in conjunction with the
31 Arizona-Mexico commission in the governor's office to coordinate recruitment
32 and admissions activities to provide for in-state tuition for up to fifty

1 Sonora students at the community colleges under ~~it's~~ THE jurisdiction OF THE
2 DISTRICT in exchange for similar tuition provisions for up to fifty total
3 Arizona students enrolled or seeking enrollment in Sonora colleges and
4 universities.

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

7 Amend title to conform

and, as so amended, it do pass

NANCY MCLAIN
Vice-Chairman

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