

Senate Engrossed House Bill

provisional community colleges; accreditation; oversight

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

## CHAPTER 84

# HOUSE BILL 2039

AN ACT

AMENDING SECTION 15-1402.01, ARIZONA REVISED STATUTES; RELATING TO  
COMMUNITY COLLEGE DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-1402.01, Arizona Revised Statutes, is amended  
3 to read:

4 15-1402.01. Alternative organization for community college  
5 districts; definition

6 A. A county that does not meet the requirements prescribed in  
7 section 15-1402 may organize a community college district under this  
8 chapter if all of the following requirements are met:

9 1. A provisional community college district that began operations  
10 before January 1, 2015 has been in operation in that county for at least  
11 five years immediately before the formation of the proposed community  
12 college district pursuant to this section.

13 2. The most recent number of full-time equivalent student  
14 enrollment calculated pursuant to section 15-1466.01 for the provisional  
15 community college district is at least four hundred fifty.

16 3. The proposed community college district is actively seeking  
17 accreditation from a regional accrediting agency recognized by the United  
18 States department of education or by the council on postsecondary  
19 accreditation.

20 4. A member of the public requests, or the governing board  
21 schedules, public meetings to discuss and hear testimony on converting the  
22 provisional community college district to an independent community college  
23 district.

24 5. At the next regularly scheduled meeting after the meeting  
25 prescribed in paragraph 4 of this subsection, the governing board of the  
26 provisional community college district adopts a resolution to form a  
27 community college district pursuant to this section.

28 6. Notwithstanding section 42-17056, after the governing board of  
29 the provisional community college district adopts a resolution pursuant to  
30 paragraph 5 of this subsection, the governing board may call an election  
31 on a general election date of the board's choice to seek voter approval to  
32 increase the primary property tax levy for the provisional community  
33 college district. If a majority of the qualified electors voting:

34 (a) Approve the proposed levy amount, the levy applicable for the  
35 district for the next tax year shall not exceed the approved amount and  
36 the governing board shall not seek voter approval to increase the primary  
37 property tax levy in any subsequent year.

38 (b) Disapprove the proposed levy amount, the district shall levy a  
39 primary property tax based on the previously authorized levy.

40 7. The provisional community college district has maintained a  
41 regional accreditation and oversight relationship with another ~~community~~  
42 ~~college district~~ POSTSECONDARY INSTITUTION until the conversion of the  
43 provisional community college district to an independent community college  
44 district.

1           B. A community college district established pursuant to this  
2 section shall maintain a regional accreditation and oversight relationship  
3 with another ~~community college district~~ POSTSECONDARY INSTITUTION until  
4 the district achieves initial candidacy status from a regional accrediting  
5 agency recognized by the United States department of education or by the  
6 council on postsecondary accreditation.

7           C. FOR THE PURPOSES OF THIS SECTION, "POSTSECONDARY INSTITUTION"  
8 MEANS ANY OF THE FOLLOWING:

9           1. AN ACCREDITED COMMUNITY COLLEGE DISTRICT THAT IS ORGANIZED  
10 PURSUANT TO THIS CHAPTER.

11           2. A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF  
12 REGENTS.

13           3. A COMMUNITY COLLEGE IN THIS STATE THAT IS OWNED, OPERATED OR  
14 CHARTERED BY A QUALIFYING INDIAN TRIBE ON ITS OWN INDIAN RESERVATION.

15           Sec. 2. Emergency

16           This act is an emergency measure that is necessary to preserve the  
17 public peace, health or safety and is operative immediately as provided by  
18 law.

APPROVED BY THE GOVERNOR APRIL 8, 2024.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 8, 2024.