

House Engrossed Senate Bill

~~technical correction; child hearing programs~~  
(now: community colleges; noncredit workforce training)

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

**CHAPTER 198**  
**SENATE BILL 1400**

AN ACT

AMENDING SECTIONS 15-1410, 15-1466.01 AND 15-1466.02, 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 15-1410, Arizona Revised Statutes, is amended to  
3 read:

4 15-1410. Credit and noncredit courses; definition

5 A. ~~Courses~~ A COURSE THAT IS offered for credit shall satisfy at  
6 least one of the following ~~purposes and requirements~~:

7 1. ~~Credit courses shall~~ Satisfy one or more of the following  
8 purposes:

9 (a) Qualify students for a community college certificate or degree.

10 (b) Be acceptable for transfer to a regionally accredited public or  
11 private college or university.

12 (c) Prepare students with skills to seek entry-level jobs in the  
13 field of specialization.

14 (d) Improve the student's job skills or prepare the student for  
15 promotion in fields of employment.

16 (e) Provide skills necessary for success in other college courses.

17 (f) Provide continuing education and lifelong learning.

18 2. ~~A credit course shall~~ Satisfy all of the following requirements:

19 (a) Have a formal course outline that defines the objectives and  
20 content of the course on file and available for audit.

21 (b) Evaluate and grade students based on their mastery of the  
22 objectives and content of the course.

23 (c) Require faculty teaching the course to meet the standards set  
24 by the district to teach in the subject area of the course.

25 (d) Base the ~~credits~~ CREDIT HOURS OR CONTACT HOURS awarded for  
26 completion of the course on the effort required of, and the competencies  
27 gained by, the students in accordance with policies adopted by the  
28 district governing board.

29 (e) Require students, before enrollment in the course, to achieve  
30 prerequisite competencies as defined in the syllabus or approved course  
31 guidelines.

32 (f) Be developed using the district's formal curriculum review  
33 procedure.

34 (g) Have an evaluation component, the results of which are used for  
35 the purposes of formative and summative evaluation by the institution.

36 (h) Meet other requirements adopted pursuant to district governing  
37 board policies, including national standardized examinations and credit by  
38 evaluation or examination.

39 B. A NONCREDIT WORKFORCE TRAINING OR CAREER AND TECHNICAL EDUCATION  
40 COURSE THAT MEETS THE CRITERIA ESTABLISHED IN SUBSECTION A OF THIS SECTION  
41 AND THAT IS OFFERED FOR CONTACT HOURS INSTEAD OF CREDIT HOURS SHALL  
42 SATISFY ONE OR MORE OF THE FOLLOWING:

43 1. BE CONSISTENT WITH THE CARL D. PERKINS CAREER AND TECHNICAL  
44 EDUCATION IMPROVEMENT ACT OF 2006, AS AMENDED BY THE STRENGTHENING CAREER  
45 AND TECHNICAL EDUCATION FOR THE 21ST CENTURY ACT.

1           2. BE INCLUDED ON THE ELIGIBLE TRAINING PROVIDER LIST MAINTAINED  
2 PURSUANT TO THE WORKFORCE INNOVATION AND OPPORTUNITY ACT.

3           3. BE REQUESTED PURSUANT TO A FORMAL AGREEMENT OR CONTRACT WITH A  
4 BUSINESS OR ENTITY.

5           ~~B.~~ C. Noncredit courses are courses that do not meet the criteria  
6 established in subsection A of this section. Noncredit courses are the  
7 financial responsibility of the district.

8           ~~C.~~ D. A community college under the jurisdiction of a community  
9 college district governing board may not offer a course with a  
10 prerequisite for enrollment that requires a student to be a member of a  
11 labor organization, a trade organization, or a trade guild or to  
12 participate in an industry apprenticeship program.

13           E. FOR THE PURPOSES OF THIS SECTION, "CONTACT HOUR" MEANS SIXTY  
14 MINUTES OF INSTRUCTIONAL TIME THAT IS PROVIDED TO STUDENTS IN A NONCREDIT  
15 WORKFORCE TRAINING OR CAREER AND TECHNICAL EDUCATION COURSE.

16           Sec. 2. Section 15-1466.01, Arizona Revised Statutes, is amended to  
17 read:

18           15-1466.01. Calculation of full-time equivalent student  
19 enrollment; report; definition

20           A. In determining state aid under sections 15-1464 and 15-1466, the  
21 number of full-time equivalent students shall be calculated in the  
22 following manner:

23           1. For the basic actual full-time equivalent student enrollment,  
24 add the number of full-time equivalent students enrolled as of forty-five  
25 days after classes begin in the fall semester to the number of full-time  
26 equivalent students enrolled as of forty-five days after classes begin in  
27 the spring semester, not including additional short-term classes, and  
28 divide the sum by two.

29           2. For the additional short-term and open entry, open exit  
30 full-time equivalent student enrollments:

31           (a) Determine the total number of credit units for students enrolled  
32 in additional short-term and open entry, open exit classes for the fiscal  
33 year.

34           (b) Determine the total number of credit units for students who have  
35 completed the additional short-term and open entry, open exit classes for  
36 the fiscal year. Any student who has not completed the class by June 30  
37 of each fiscal year ~~shall~~ IS not ~~be~~ eligible to be counted for state aid  
38 purposes until the following year.

39           (c) Add the amounts in subdivisions (a) and (b) of this paragraph.

40           (d) Divide the amount determined in subdivision (c) of this  
41 paragraph by two.

42           (e) Divide the quotient obtained in subdivision (d) of this  
43 paragraph by thirty.

1 (f) The result in subdivision (e) of this paragraph is the  
2 additional short-term and open entry, open exit full-time equivalent  
3 student enrollments for the fiscal year.

4 3. For the skill center and adult basic education courses full-time  
5 equivalent student enrollment, divide by six hundred forty the total class  
6 attended clock hours of persons who complete vocational training. Any  
7 student who does not complete vocational training programs by June 30 of  
8 each fiscal year ~~shall~~ IS not ~~be~~ eligible to be counted for state aid  
9 purposes until the following year.

10 4. The total of basic actual, additional short-term and open entry,  
11 open exit and skill center full-time equivalent student enrollment shall  
12 be the basis of providing state aid.

13 5. For a student who takes a course for which credit is awarded by  
14 both a community college and a high school, in which the instructor is an  
15 employee of the high school and in which the class is being taught on the  
16 high school campus during the normal high school operating hours, the  
17 amount of state aid that the community college would otherwise receive for  
18 that student shall be reduced by fifty percent.

19 B. For the purposes of calculating the district expenditure  
20 limitation prescribed in article IX, section 21, Constitution of Arizona,  
21 and pursuant to section 41-563, the number of full-time equivalent  
22 students shall be calculated in the following manner:

23 1. Determine the total of basic actual, additional short-term and  
24 open entry, open exit and skill center full-time equivalent students as  
25 prescribed in subsection A of this section.

26 2. Determine the number of full-time equivalent students included  
27 in paragraph 1 of this subsection who were enrolled in career and  
28 technical education courses that have been approved by the department of  
29 education in accordance with the Carl D. Perkins career and technical  
30 education improvement act of 2006, AS AMENDED BY THE STRENGTHENING CAREER  
31 AND TECHNICAL EDUCATION FOR THE 21ST CENTURY ACT.

32 3. Multiply the amount determined in paragraph 2 of this subsection  
33 by 0.3.

34 4. ~~Add the amounts in paragraphs 1 and 3 of this subsection. This~~  
35 ~~sum is~~ The full-time equivalent student enrollment for the purpose of the  
36 DISTRICT expenditure limitation IS THE SUM OF THE FOLLOWING:

37 (a) THE AMOUNTS IN PARAGRAPHS 1 AND 3 OF THIS SUBSECTION.

38 (b) THE FULL-TIME EQUIVALENT STUDENT ENROLLMENT FOR NONCREDIT  
39 WORKFORCE TRAINING, CALCULATED BY DIVIDING THE TOTAL CLASS ATTENDED  
40 CONTACT HOURS OF PERSONS WHO COMPLETE THE NONCREDIT WORKFORCE TRAINING BY  
41 SIX HUNDRED FORTY. ANY STUDENT WHO DOES NOT COMPLETE THE NONCREDIT  
42 WORKFORCE TRAINING BY JUNE 30 OF EACH FISCAL YEAR IS NOT ELIGIBLE TO BE  
43 COUNTED FOR THE PURPOSES OF THIS SUBDIVISION UNTIL THE FOLLOWING YEAR.

44 C. The full-time equivalent student enrollment reported by each  
45 district for all basic actual, additional short-term and open entry, open

1 exit classes and skill center and adult basic education courses pursuant  
2 to subsection A of this section shall be audited annually by the auditor  
3 general. The auditor general shall audit separately any full-time  
4 equivalent student enrollment in which a student is enrolled in a course  
5 for both high school and college credit simultaneously, except for credit  
6 received at a private college or a college that is owned, operated or  
7 chartered by an Indian tribe, taking into consideration any relevant law,  
8 regulation or rule. ~~Beginning with the audit for the year ending June 30,~~  
9 ~~2016,~~ The auditor general shall audit separately the calculation of  
10 full-time equivalent student enrollment in subsection B of this section  
11 for the purpose of the expenditure limitation for use pursuant to section  
12 41-563. The auditor general shall report the results of the audit to the  
13 staffs of the joint legislative budget committee, the governor's office of  
14 strategic planning and budgeting and the economic estimates commission on  
15 or before October 15 of each year.

16 D. Pursuant to section 15-1445, paragraph 4, a community college  
17 district may submit to the economic estimates commission one of the  
18 following estimates of full-time equivalent student enrollment:

19 1. The most recent audited full-time equivalent student enrollment  
20 count calculated pursuant to subsection B of this section.

21 2. The average of the five most recent audited full-time equivalent  
22 student enrollment counts calculated pursuant to subsection B of this  
23 section.

24 3. A full-time equivalent student enrollment count that exceeds the  
25 most recent audited full-time equivalent student enrollment count  
26 calculated pursuant to subsection B of this section by up to five percent  
27 if the actual full-time equivalent student enrollment count as of  
28 forty-five days after classes begin in the current fall semester exceeds  
29 the actual full-time equivalent student enrollment count as of forty-five  
30 days after classes began in the fall semester of the previous year.

31 E. FOR THE PURPOSES OF THIS SECTION, "NONCREDIT WORKFORCE TRAINING"  
32 MEANS A NONCREDIT WORKFORCE TRAINING OR CAREER AND TECHNICAL EDUCATION  
33 COURSE DESCRIBED IN SECTION 15-1410, SUBSECTION B.

34 Sec. 3. Section 15-1466.02, Arizona Revised Statutes, is amended to  
35 read:

36 15-1466.02. Recordkeeping requirements for full-time  
37 equivalent student enrollment

38 A. On or before July 21 each year, each community college district  
39 shall:

40 1. Provide a certified report to the auditor general of the number  
41 of full-time equivalent students calculated by the district pursuant to  
42 section 15-1466.01.

43 2. Separately calculate and report to the auditor general any  
44 full-time equivalent student enrollment ~~where~~ IN WHICH a student is

1 enrolled in a course for both high school and college credit  
2 simultaneously.

3 B. Each community college district shall submit to the auditor  
4 general a summary of its full-time equivalent student enrollment  
5 accounting policies and procedures, compilation procedures and source  
6 records used for calculating full-time equivalent student enrollment.

7 C. Basic actual full-time equivalent student enrollment shall be  
8 counted on the forty-fifth day after the basic actual full-time equivalent  
9 student enrollment classes begin for the fall and spring semesters, as  
10 published in the college catalogs. Class rosters that reflect enrollment  
11 as of the forty-fifth day shall be provided by the registrar's office to  
12 each professor or instructor for every class section. The class roster  
13 shall indicate the course number, course title, time, instructor name and  
14 students enrolled. Each professor or instructor ~~is required to~~ SHALL  
15 review the class roster and make additions or deletions as necessary. On  
16 the forty-fifth day class rosters, each professor or instructor shall  
17 indicate as withdrawn each student who has not been attending class, even  
18 if the student has not formally withdrawn from the course, and that  
19 student shall not be counted for state aid purposes. The official  
20 forty-fifth day rosters shall include a manual signature and date or an  
21 electronic authorization and date by the professor or instructor and shall  
22 include the following certification:

23 I hereby certify that the information contained in this  
24 class roster accurately reflects those students who are  
25 enrolled and participating.

26 Students who have withdrawn or who have been withdrawn from classes as of  
27 the forty-fifth day shall not be counted for state aid purposes. A record  
28 shall be maintained that identifies student withdrawals by date of  
29 withdrawal, as of the forty-fifth day and after the forty-fifth day for  
30 the entire semester.

31 D. Additional short-term and open entry, open exit full-time  
32 equivalent student enrollment must be counted as of June 30 of each year.  
33 Registration records shall be maintained to support the number of credit  
34 hours for additional short-term and open entry, open exit classes in which  
35 students are enrolled during the fiscal year. Final grade rosters shall  
36 be prepared that present initial enrollees, those students who withdrew  
37 from the class and those students who completed the class. The final  
38 grade rosters shall include a manual signature or electronic authorization  
39 by the professor or instructor and shall be used to support the number of  
40 credit hours claimed for full-time equivalent student enrollment. For  
41 both additional short-term and open entry, open exit classes, only  
42 students who have received a grade by June 30 may be counted as completed  
43 for state aid purposes, and students with a grade of incomplete shall not  
44 be counted.

1 E. Skill center, ~~and~~ adult basic education AND NONCREDIT WORKFORCE  
2 TRAINING full-time equivalent student enrollment records shall be  
3 maintained to support the actual clock hours attended OR CONTACT HOURS AS  
4 DEFINED IN SECTION 15-1410 by students in skill center, ~~and~~ adult basic  
5 education AND NONCREDIT WORKFORCE TRAINING courses.

6 F. ~~Those~~ Students who are simultaneously enrolled in a course for  
7 both high school and college credit and the courses, including section  
8 numbers, that the students attend shall be specifically identified in the  
9 district's full-time equivalent student enrollment records.

10 G. The community college district's records used to calculate  
11 full-time equivalent student enrollment counts shall be provided to the  
12 auditor general in an electronic format prescribed by the auditor general.

13 Sec. 4. Community college districts; student population;  
14 reporting requirement; expenditure limitation;  
15 calculation; delayed repeal

16 A. On or before December 31, 2023, each community college district  
17 shall report to the economic estimates commission any data or information  
18 necessary for the commission to determine the student population of the  
19 community college district for fiscal year 1979-1980 using the procedure  
20 prescribed in section 15-1466.01, Arizona Revised Statutes, as amended by  
21 this act.

22 B. The economic estimates commission shall use the data or  
23 information received from each community college district pursuant to  
24 subsection A of this section for the calculations required under section  
25 41-563, Arizona Revised Statutes.

26 C. This section is repealed from and after June 30, 2024.

APPROVED BY THE GOVERNOR JUNE 20, 2023.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 20, 2023.