

REFERENCE TITLE: community colleges; employment contracts; duration

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **SB 1722**

Introduced by  
Senator Gonzales

AN ACT

AMENDING SECTION 15-1444, 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 15-1444, Arizona Revised Statutes, is amended to  
3 read:

4 15-1444. General powers and duties of district boards

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

6 1. Maintain each community college under its jurisdiction for a  
7 period of at least eight months in each year and, if the monies of the  
8 district are sufficient, maintain each community college for a longer  
9 period.

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

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

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

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

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

24 7. Determine the salaries of persons it appoints and employs. A  
25 district may not compensate an employee for work performed on behalf of an  
26 elected employee representative organization and may not provide more  
27 favorable terms and conditions of employment to any employee because that  
28 individual belongs to an elected employee representative organization.

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

31 9. Award degrees, certificates and diplomas on the completion of  
32 courses and curricula as it deems appropriate.

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

39 11. Determine the location within the district of a community  
40 college and purchase, receive, hold, make and take leases of, sell and  
41 convey real or personal property for the benefit of the community colleges  
42 under its jurisdiction.

43 12. Obtain insurance or be self-insured, or a combination of  
44 insurance and self-insurance, against loss, to the extent it is determined

1 necessary on community college buildings of the district. The local  
2 district shall have an insurable interest in the buildings.

3 B. The district board may:

4 1. Administer trusts declared or created for the district and  
5 receive by gift or devise and hold in trust or otherwise property  
6 wheresoever located, and if not otherwise provided, dispose of the  
7 property for the benefit of the district.

8 2. Lease real property, as lessor or as lessee. If a district is  
9 the lessee, the lease may contain an option to purchase the property. The  
10 district board may adopt policies as are deemed necessary and may delegate  
11 in writing to the chancellor or president of the district, or their  
12 designees, all or any part of its authority to lease property under this  
13 paragraph. Any delegation by the district board pursuant to this  
14 paragraph may be rescinded in whole or in part at any time by the district  
15 board.

16 3. Sue and be sued.

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

23 5. Construct, remodel and repair buildings.

24 6. In conjunction with other districts, establish policies for  
25 procuring goods and services.

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

30 8. Accept grants or donations of monies from the United States or  
31 any of its agencies, departments or officers, this state, political  
32 subdivisions of this state, tribal governments, school districts, special  
33 taxing districts, persons, corporations, foundations or associations. The  
34 district board shall deposit the monies ~~into~~ IN a specific fund or account  
35 and shall administer the monies in accordance with the purpose of the  
36 grant or donation with specific policies or restrictions as described or  
37 stipulated in the grant or donation. In the case of personal property  
38 granted or donated to or for the benefit of a community college district,  
39 the district board shall immediately transfer possession and ownership of  
40 the property to the designated district. Monies received pursuant to this  
41 paragraph are not considered local revenues for the purposes of article  
42 IX, section 21, Constitution of Arizona.

43 9. Enter into intergovernmental agreements or contracts pursuant to  
44 section 11-952.01 for participation in programs offered by public agency  
45 pools or separately contract with a trustee or board of trustees that

1 provides a common self-insurance program with pooled funds and risks  
2 pursuant to section 15-382, subsection B, paragraph 2. The district board  
3 is not required to engage in competitive procurement in order to make the  
4 decision to participate in these programs.

5 10. Name a building or a group of buildings that is located on a  
6 community college campus on behalf of a person or entity that has made a  
7 significant contribution of monies or other property to the community  
8 college or the community college district.

9 11. Enter into research and development agreements, royalty  
10 agreements, development agreements, licensing agreements and  
11 profit-sharing agreements concerning the research, development,  
12 production, storing or marketing of new products developed or to be  
13 developed through community college district research. Monies received  
14 pursuant to this paragraph are not considered local revenues for the  
15 purposes of article IX, section 21, Constitution of Arizona.

16 12. Enter into an intergovernmental agreement pursuant to section  
17 15-1747 to participate in a reciprocity agreement subject to the terms of  
18 the reciprocity agreement.

19 13. Engage in entrepreneurial and commercial activities. Monies  
20 received pursuant to this paragraph are not considered local revenues for  
21 the purposes of article IX, section 21, Constitution of Arizona.

22 14. Collect auxiliary fees, including cafeteria fees, food service  
23 fees, bookstore fees and dormitory fees. Monies received pursuant to this  
24 paragraph are not considered local revenues for the purposes of article  
25 IX, section 21, Constitution of Arizona.

26 15. Provide goods and services pursuant to a contract with a  
27 political subdivision of this state or with a tribal government. Monies  
28 received pursuant to this paragraph are not considered local revenues for  
29 the purposes of article IX, section 21, Constitution of Arizona.

30 16. For a community college in a county with a population of seven  
31 hundred fifty thousand persons or less, offer four-year baccalaureate  
32 degrees that are accredited by a regional accreditation agency approved by  
33 the United States department of education.

34 17. For a community college in a county with a population of more  
35 than seven hundred fifty thousand persons, offer four-year baccalaureate  
36 degrees that are accredited by a regional accreditation agency approved by  
37 the United States department of education as follows:

38 (a) For the first four years that a community college offers  
39 four-year baccalaureate degrees, the community college may not offer more  
40 than five percent of its total number of degree and certification  
41 offerings for four-year baccalaureate degrees. For the fifth and  
42 subsequent years that a community college offers four-year baccalaureate  
43 degrees, the community college may not offer more than ten percent of its  
44 total number of degree and certification offerings for four-year  
45 baccalaureate degrees.

1 (b) Tuition per credit hour for the third and fourth years of a  
2 four-year baccalaureate program may not exceed one hundred fifty percent  
3 of the tuition per credit hour of any other district program.

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

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

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

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

20 E. A community college district and a career technical education  
21 district governing board may enter into agreements to provide  
22 administrative, operational and educational services and facilities.

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

36 G. Each district shall facilitate transfer articulation  
37 coordination pursuant to section 15-1824.

38 Sec. 2. Existing contracts; applicability

39 Notwithstanding section 15-1444, Arizona Revised Statutes, as  
40 amended by this act, all chancellors, vice chancellors and presidents who  
41 are under an existing employment contract with a community college  
42 district board shall continue to serve until the expiration of their  
43 existing employment contract. This act applies to all new employment  
44 contracts entered into on or after the effective date of this act.