Conference Engrossed

FILED

JANICE K. BREWER
SECRETARY OF STATE

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CHAPTER 229

SENATE BILL 1068

AN ACT

AMENDING SECTIONS 15-101, 15-1805.01 AND 15-1821.01, ARIZONA REVISED STATUTES; RELATING TO DUAL ENROLLMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 15-101, Arizona Revised Statutes, is amended to read:

15-101. Definitions

In this title, unless the context otherwise requires:

1. "Accommodation school" means either:

(a) A school which is operated through the county board of supervisors and the county school superintendent and which the county school superintendent administers to serve a military reservation or territory which is not included within the boundaries of a school district.

(b) A school that provides educational services to homeless children or alternative education programs as provided in section 15-308, subsection B.

2. "Assessed valuation" means the valuation derived by applying the applicable percentage as provided in title 42, chapter 15, article 1 to the full cash value or limited property value, whichever is applicable, of the property.

3. "Charter school" means a public school established by contract with a district governing board, the state board of education or the state board for charter schools pursuant to article 8 of this chapter to provide learning that will improve pupil achievement.

4. "Child with a disability" means a child with a disability as defined in section 15-761.

5. "Class A bonds" means general obligation bonds approved by a vote of the qualified electors of a school district at an election held on or before December 31, 1998.

6. "Class B bonds" means general obligation bonds approved by a vote of the qualified electors of a school district at an election held from and after December 31, 1998.

7. "Competency" means a demonstrated ability in a skill at a specified performance level.

8. "Course" means organized subject matter in which instruction is offered within a given period of time and for which credit toward promotion, graduation or certification is usually given. A course consists of knowledge selected from a subject for instructional purposes in the schools.

9. "Course of study" means a list of required and optional subjects to be taught in the schools.

10. "DUAL ENROLLMENT COURSE" MEANS A COLLEGE LEVEL COURSE THAT IS CONDUCTED ON THE CAMPUS OF A HIGH SCHOOL OR ON THE CAMPUS OF A JOINT TECHNOLOGICAL EDUCATION DISTRICT, THAT IS APPLICABLE TO AN ESTABLISHED COMMUNITY COLLEGE ACADEMIC DEGREE OR CERTIFICATE PROGRAM AND THAT IS TRANSFERABLE TO A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS. A DUAL ENROLLMENT COURSE THAT IS APPLICABLE TO A COMMUNITY COLLEGE OCCUPATIONAL DEGREE OR CERTIFICATE PROGRAM MAY BE TRANSFERABLE TO A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS.

~~10.~~ 11. "Fiscal year" means the year beginning July 1 and ending June 30.

~~11.~~ 12. "Governing board" means a body organized for the government and management of the schools within a school district or a county school superintendent in the conduct of an accommodation school.

~~12.~~ 13. "Lease" means an agreement for conveyance and possession of real or personal property.

~~13.~~ 14. "Limited property value" means the value determined pursuant to title 42, chapter 13, article 7. Limited property value shall be used as the basis for assessing, fixing, determining and levying primary property taxes.

~~14.~~ 15. "Parent" means the natural or adoptive parent of a child or a person who has custody of a child.

~~15.~~ 16. "Person who has custody" means a parent or legal guardian of a child, a person to whom custody of the child has been given by order of a court or a person who stands in loco parentis to the child.

~~16.~~ 17. "P.L. 81-874" means ~~P.L.~~ PUBLIC LAW 81-874 or its successors.

~~17.~~ 18. "Primary property taxes" means all ad valorem taxes except for secondary property taxes.

~~18.~~ 19. "Private school" means a nonpublic institution where instruction is imparted.

~~19.~~ 20. "School" means any public institution established for the purposes of offering instruction to pupils in programs for preschool children with disabilities, kindergarten programs or any combination of grades one through twelve.

~~20.~~ 21. "School district" means a political subdivision of this state with geographic boundaries organized for the purpose of the administration, support and maintenance of the public schools or an accommodation school.

~~21.~~ 22. "Secondary property taxes" means ad valorem taxes used to pay the principal of and the interest and redemption charges on any bonded indebtedness or other lawful long-term obligation issued or incurred for a specific purpose by a school district or a community college district and amounts levied pursuant to an election to exceed a budget, expenditure or tax limitation.

~~22.~~ 23. "Subject" means a division or field of organized knowledge, such as English or mathematics, or a selection from an organized body of knowledge for a course or teaching unit, such as the English novel or elementary algebra.

Sec. 2. Section 15-1805.01, Arizona Revised Statutes, is amended to read:

15-1805.01. <u>Admissions; enrollments; community colleges</u>

A. Admissions to the community colleges in this state may be granted to any person who meets any one of the following criteria:

1. Is a graduate of a high school that is accredited by a regional accrediting association as defined by the United States office of education or approved by a state board of education or other appropriate state educational agency.

2. Has a high school certificate of equivalency.

3. Is AT LEAST eighteen years of age ~~or older~~ and demonstrates evidence of potential success in the community college.

4. Is a transfer student in good standing from another college or university.

B. Each community college district shall adopt policies regarding the admission of students under eighteen years of age that include, at a minimum, STUDENT COMPLETION OF COURSE PREREQUISITES AND the following requirements:

1. Admission to the community colleges in this state shall be granted to any student who is under eighteen years of age and who achieves ONE OF THE FOLLOWING:

(a) A COMPOSITE SCORE OF 93 OR MORE ON THE PRELIMINARY SCHOLASTIC APTITUDE TEST.

(b) A composite score of 930 or more on the scholastic aptitude test. ~~or~~

(c) A composite score of twenty-two or more on the American college test.

(d) A PASSING SCORE ON THE RELEVANT PORTIONS OF THE ARIZONA INSTRUMENT TO MEASURE STANDARDS TEST.

(e) THE COMPLETION OF A COLLEGE PLACEMENT TEST DESIGNATED BY THE COMMUNITY COLLEGE DISTRICT THAT INDICATES THE STUDENT IS AT THE APPROPRIATE COLLEGE LEVEL FOR THE COURSE.

(f) IS A GRADUATE OF A PRIVATE OR PUBLIC HIGH SCHOOL OR HAS A HIGH SCHOOL CERTIFICATE OF EQUIVALENCY.

2. A community college may limit the number of semester hours in which the student may enroll to not more than six credit hours.

3. HOME SCHOOLED STUDENTS ARE EXEMPT FROM THIS SUBSECTION.

C. Students WHO ENROLL IN VOCATIONAL COURSES may be admitted on an individual basis with the approval of college officials if the student meets the established requirements of the courses for which the student enrolls and the college officials determine that the student's admission is in the best interest of the student.

Sec. 3. Section 15-1821.01, Arizona Revised Statutes, is amended to read:

15-1821.01. <u>Dual enrollment information</u>

On a determination by a community college district governing board that it is in the best interest of the citizens of a district, the district governing board may authorize district community colleges to offer college courses that may be counted toward both high school and college graduation requirements at the high school during the school day subject to the following:

1. The community college district governing board and the governing board of the school district or organization of which the high school is a part shall enter into an agreement or contract ~~that, at a minimum, shall address the responsibility of the community college and of the high school for payment for facilities, personnel and other costs, and the manner in which the college tuition is to be paid by or on behalf of each student shall be clearly stated~~. BEGINNING IN THE 2008-2009 SCHOOL YEAR, THESE INTERGOVERNMENTAL AGREEMENTS OR CONTRACTS SHALL BE BASED ON A UNIFORM FORMAT THAT HAS BEEN COOPERATIVELY DEVELOPED BY THE COMMUNITY COLLEGE DISTRICTS IN THIS STATE. THE UNIFORM FORMAT OF THE INTERGOVERNMENTAL AGREEMENTS AND CONTRACTS SHALL BE SUBMITTED FOR REVIEW TO THE JOINT LEGISLATIVE BUDGET COMMITTEE BY DECEMBER 31, 2007. ON OR BEFORE AUGUST 1 OF EACH YEAR, THE JOINT LEGISLATIVE BUDGET COMMITTEE SHALL NOTIFY EACH COMMUNITY COLLEGE DISTRICT TO REPORT ON OR BEFORE OCTOBER 1 OF EACH YEAR A SPECIFIED PERCENTAGE OF ITS INITIAL INTERGOVERNMENTAL AGREEMENTS OR CONTRACTS EXECUTED WITH SCHOOL DISTRICT GOVERNING BOARDS OR CHARTER SCHOOLS. EACH OF THESE AGREEMENTS OR CONTRACTS SHALL CLEARLY SPECIFY THE FOLLOWING:

(a) THE FINANCIAL PROVISIONS OF THE AGREEMENT OR CONTRACT AND THE FORMAT FOR THE BILLING OF ALL SERVICES UNDER THE AGREEMENT OR CONTRACT, INCLUDING THE AMOUNT THAT THE COMMUNITY COLLEGE RECEIVED IN FULL-TIME STUDENT EQUIVALENT FUNDING PURSUANT TO SECTION 15-1466.01, THE PORTION OF THE FUNDING THAT IS DISTRIBUTED TO THE SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL AND ANY AMOUNT THAT IS SUBSEQUENTLY RETURNED TO THE COMMUNITY COLLEGE DISTRICT BY THE SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL.

(b) STUDENT TUITION AND FINANCIAL AID POLICIES, INCLUDING IF SCHOLARSHIPS OR GRANTS ARE AWARDED TO STUDENTS IN DUAL ENROLLMENT COURSES FROM THE COMMUNITY COLLEGE.

(c) THE ACCOUNTABILITY PROVISIONS FOR EACH PARTY TO THE AGREEMENT OR CONTRACT.

(d) THE RESPONSIBILITIES AND SERVICES REQUIRED OF EACH PARTY TO THE AGREEMENT OR CONTRACT.

(e) THE TYPE OF INSTRUCTION THAT WILL BE PROVIDED UNDER THE AGREEMENT OR CONTRACT, INCLUDING THE TITLES OF THE COURSES TO BE OFFERED.

(f) THE QUALITY OF THE INSTRUCTION THAT WILL BE PROVIDED UNDER THE AGREEMENT OR CONTRACT.

2. Students shall be admitted to the community college under the policies adopted by each district, subject to the following:

(a) All students enrolled for college credit shall be high school juniors or seniors. All students in the course, including those not electing to enroll for college credit, shall satisfy the prerequisites for the course as published in the college catalog and shall comply with college policies regarding student placement in courses.

(b) A community college may waive the class status requirements specified in subdivision (a) of this paragraph for up to twenty-five per cent of the students enrolled by a college in courses provided that the community

college has an established written criteria for waiving the requirements for each course. These criteria shall include a demonstration, by an examination of the specific purposes and requirements of the course, that freshman and sophomore students who meet course prerequisites are prepared to benefit from the college level course. All exceptions and the justification for the exceptions shall be reported as provided in paragraph 6 of this section.

3. The courses shall be previously evaluated and approved through the curriculum approval process of the district, shall be at a higher level than taught by the high school and shall be transferable to a university under the jurisdiction of the Arizona board of regents or be applicable to an established community college occupational degree or certificate program. Physical education courses shall not be available for dual enrollment purposes.

4. College approved textbooks, syllabuses, course outlines and grading standards that are applicable to the courses if taught at the community college shall apply to these courses and to all students in the courses offered pursuant to this section. The chief executive officer of each community college shall establish an advisory committee of full-time faculty who teach in the disciplines offered at the community college to assist in course selection and implementation in the high schools and to review and report at least annually to the chief executive officer whether the course goals and standards are understood, the course guidelines are followed and the same standards of expectation and assessment are applied to these courses as though they were being offered at the community college. The advisory committee of full-time faculty shall meet at least three times each academic year.

5. Each faculty member shall meet the requirements established by the governing board pursuant to section 15-1444. The chief executive officer of each community college district shall establish an advisory committee of full-time faculty who teach in the disciplines offered at the community college district to assist in the selection, orientation, ongoing professional development and evaluation of faculty teaching college courses in conjunction with the high schools. The advisory committee of full-time faculty shall meet at least two times each academic year.

6. Each community college district, on or before ~~September~~ OCTOBER 1, shall annually provide a report to the joint legislative budget committee on the courses offered in conjunction with high schools during the previous fiscal year. In the case of a multicollege district, the multicollege district shall provide a separate report for each college. This report shall include the following:

(a) Documentation of compliance with the requirements identified in paragraphs 3, 4 and 5 of this section, INCLUDING A LISTING OF THE MEMBERS OF THE FACULTY ADVISORY COMMITTEES AT EACH COMMUNITY COLLEGE AS PROVIDED IN PARAGRAPHS 4 AND 5 OF THIS SECTION.

(b) The number of students in each course who did not meet the criteria prescribed in paragraph 2 of this section.

(c) The total enrollments listed by location, by high school grade level, by course and by whether the program was academic or occupational.

(d) Summary data on the performance of students enrolled for college credit in courses offered in conjunction with high schools, including completion rates and grade distribution.

(e) COURSE LEVEL DATA ON THE PERFORMANCE OF STUDENTS ENROLLED FOR COLLEGE CREDIT IN COURSES OFFERED IN CONJUNCTION WITH HIGH SCHOOLS, INCLUDING COMPLETION RATES, GRADE DISTRIBUTION AND THE NUMBER OF STUDENTS WHO RECEIVED REMEDIAL INSTRUCTION FOR THE COURSE.

~~(e)~~ (f) A copy of each ADDENDUM OF AN INTERGOVERNMENTAL agreement or contract executed pursuant to paragraph 1 of this section.

(g) SUMMARY DATA BY COMMUNITY COLLEGE DISTRICT AND BY INDIVIDUAL COMMUNITY COLLEGE ON THE NUMBER OF SCHOLARSHIPS OR GRANTS AWARDED TO STUDENTS.

(h) ITEMIZED ACTUAL PROGRAM COSTS INCLUDING ACTUAL PROGRAM COSTS FOR EACH OF THE FOLLOWING:

(i) CURRICULUM DEVELOPMENT AND APPROVAL.

(ii) TEXTBOOK COSTS.

(iii) FACILITY AND EQUIPMENT COSTS.

(iv) COUNSELING AND TUTORING COSTS.

(v) TEACHER TRAINING AND OBSERVATION COSTS.

(i) COURSE LEVEL DATA DELINEATING THE ENTITY THAT PROVIDED FACULTY, THE ENTITY THAT PROVIDED THE FACULTY PAY AND THE AMOUNT PAID TO THE FACULTY MEMBER.

7. Each community college district shall conduct tracking studies of subsequent academic or occupational achievement of students enrolled in courses offered pursuant to this section. The ~~report~~ REPORTS of the results of the ~~first~~ tracking ~~study shall be submitted to the joint legislative budget committee on or before September 1, 2003 and subsequent reports~~ STUDIES shall be submitted to the joint legislative budget committee on or before ~~September~~ OCTOBER 1 of each odd-numbered year ~~thereafter~~, subject to the following:

(a) The tracking studies prescribed in this paragraph may involve statistically valid sampling techniques and shall include, at a minimum, the high school graduation rate, the number of students continuing their studies after graduation at a community college in this state or a university under the jurisdiction of the Arizona board of regents, the performance of the students in subsequent college courses in the same discipline or occupational field and the student's grade point average after one year at an Arizona community college or university as compared to the student's college grade point average for courses completed while still in high school.

(b) On receipt of the report of the tracking studies prescribed in this paragraph, the joint legislative budget committee ~~shall~~ MAY convene an

ad hoc committee that includes community college academic officers, faculty and other experts in the field to review the manner in which these courses are provided. This committee may make recommendations to the joint legislative budget committee regarding desirable changes in this section or in the manner in which this section is being implemented. A copy of this report shall be provided to each district governing board.

8. A school district shall ensure that a pupil is a full-time student as defined in section 15-901 and is enrolled in and attending a full-time instructional program at a school in the school district before that pupil is allowed to enroll in a college course pursuant to this section, except that high school seniors who satisfy high school graduation requirements with less than a full-time instructional program shall be exempt from this paragraph.

Sec. 4. Current dual enrollment students

This act does not apply to high school students who have been admitted to a community college in this state before the effective date of this act.

APPROVED BY THE GOVERNOR MAY 24, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 24, 2007.