

COMMITTEE ON EDUCATION ACCOUNTABILITY AND REFORM

SENATE AMENDMENTS TO S.B. 1135

(Reference to printed bill)

- 1 Page 1, line 6, strike "Board" insert "**COMMISSION**"; strike "Arizona board of  
2 regents" insert "**COMMISSION FOR POSTSECONDARY EDUCATION**"  
3 Lines 15 through 38, strike "board" insert "**COMMISSION**"  
4 Line 40, strike the first and second "board" insert "**COMMISSION**"  
5 Line 41, strike "board" insert "**COMMISSION**"  
6 Line 42, strike the first and second "board" insert "**COMMISSION**"  
7 Page 2, lines 1 through 8, strike "board" insert "**COMMISSION**"  
8 Line 10, strike "Arizona board of regents" insert "**COMMISSION**"  
9 Lines 13 through 41, strike "board" insert "**COMMISSION**"  
10 Page 3, lines 9 through 35, strike "board" insert "**COMMISSION**"  
11 Page 4, lines 1 and 4, strike "board" insert "**COMMISSION**"  
12 Line 6, strike the first and second "board" insert "**COMMISSION**"  
13 Lines 9 and 11, strike "board" insert "**COMMISSION**"  
14 After line 12, insert:  
15           "Sec. 4. Section 15-1784, Arizona Revised Statutes, is amended to  
16 read:  
17           15-1784. Mathematics, science and special education teacher  
18                         student loan fund  
19           A. The mathematics, science and special education teacher student loan  
20 fund is established. All monies appropriated to carry out the purposes of  
21 sections 15-1782 and 15-1783 shall be deposited in the fund, and all payments  
22 of principal and interest that are received by the ~~board~~ **COMMISSION** shall be  
23 deposited, pursuant to sections 35-146 and 35-147, in the fund.  
24           B. Monies in the fund are continuously appropriated for use by the  
25 ~~board~~ **COMMISSION**. THE COMMISSION MAY RETAIN UP TO TEN PER CENT OF THE AMOUNT  
26 DEPOSITED IN EACH FISCAL YEAR INTO THE FUND FOR THE PURPOSES OF ADMINISTERING  
27 THE LOAN PROGRAM ESTABLISHED BY THIS ARTICLE.

1           C. On notice from the ~~board~~ COMMISSION, the state treasurer shall  
2 invest and divest monies in the fund as provided by section 35-313, and  
3 monies earned from investment shall be credited to the fund.

4           Sec. 5. Section 15-1851, Arizona Revised Statutes, is amended to read:

5           15-1851. Commission for postsecondary education; purpose;  
6           report; members; terms; powers and duties;  
7           compensation; quorum; personal liability;  
8           definition

9           A. The commission for postsecondary education is established and shall  
10 administer the applicable programs identified under section 1203 of the  
11 higher education act amendments of 1998 (P.L. 105-244), including the  
12 leveraging educational assistance partnership program, the federal family  
13 education loan program and the Paul Douglas teacher scholarships program, and  
14 shall supervise the state guarantee agency under the higher education act  
15 amendments of 1998.

16           B. In addition to the responsibilities prescribed in subsection A of  
17 this section, the commission shall:

18           1. Provide a forum to public and private postsecondary education  
19 institutions for discussion of issues of mutual interest, including the  
20 following:

21           (a) The postsecondary needs of unserved and underserved individuals in  
22 this state.

23           (b) The resources of public and private institutions, organizations  
24 and agencies that are located in this state and that are capable of providing  
25 postsecondary education opportunities.

26           (c) Enrollment demand and public policy options to meet statewide  
27 needs for postsecondary education services.

28           (d) Cooperative comprehensive instructional and capital planning.

29           2. Provide reports pursuant to this subsection on discussions of  
30 issues of mutual interest.

31           3. Coordinate and promote collaborative studies on issues of mutual  
32 interest to public and private postsecondary education institutions.

1           4. Compile and disseminate information to the public regarding  
2 postsecondary education opportunities in this state.

3           5. Prepare an annual report that summarizes the results of the  
4 commission's activities prescribed in this section and section 15-1852. The  
5 annual report shall be submitted to the speaker of the house of  
6 representatives, the president of the senate, the governor and the Arizona  
7 state library, archives and public records by December 28.

8           **6. ADMINISTER THE MATHEMATICS, SCIENCE AND SPECIAL EDUCATION TEACHER  
9 STUDENT LOAN PROGRAM ESTABLISHED UNDER CHAPTER 13, ARTICLE 11 OF THIS TITLE.**

10          C. The commission consists of the executive director of the Arizona  
11 board of regents, the executive director of the state board for private  
12 postsecondary education and the following additional members who shall be  
13 appointed by the governor pursuant to section 38-211:

14          1. Two members who hold senior executive or managerial positions in a  
15 university under the jurisdiction of the Arizona board of regents.

16          2. Two members who hold senior executive or managerial positions in a  
17 community college district, one representing a community college district in  
18 a county with a population of five hundred thousand persons or more and one  
19 representing a community college district in a county with a population of  
20 less than five hundred thousand persons.

21          3. Two members who hold senior executive or managerial positions in  
22 private postsecondary institutions of higher education that are licensed  
23 under title 32, chapter 30, that are located in this state, that offer  
24 bachelor or higher degrees and that are accredited by a regional  
25 accreditation agency approved by the United States department of education.

26          4. Two members who hold senior executive or managerial positions in  
27 private postsecondary institutions of higher education that are licensed  
28 under title 32, chapter 30, that are located in this state, that offer  
29 vocational education programs and that are accredited by a national  
30 accreditation agency approved by the United States department of education.

31          5. One member who holds a senior executive or managerial position in a  
32 private cosmetology school that is licensed under title 32, chapter 5, that

1       is located in this state, that offers cosmetology programs approved by the  
2       board of cosmetology and that is accredited by a national accreditation  
3       agency approved by the United States department of education.

4           6. One member who holds a senior executive or managerial position in  
5       an institution that is licensed under title 32, chapter 23 or under the  
6       provisions of 14 Code of Federal Regulations part 147, that offers vocational  
7       education programs at the postsecondary level, that is located in this state  
8       and that is not an institution that is qualified under any other category.

9           7. One member who has held a senior executive or managerial level  
10      position in commerce or industry in this state for at least three years  
11      before the member's appointment and who is not qualified to serve under any  
12      other category.

13           8. Two members who hold senior executive or managerial positions in  
14      the high school education system in this state.

15           9. One member who is an owner, operator or administrator of a charter  
16      school in this state.

17           D. Members of the commission appointed pursuant to subsection C,  
18      paragraphs 1 through 9 of this section shall serve four year terms. Appointed  
19      members of the commission shall be residents of this state. Appointed members  
20      of the commission at all times during their terms shall continue to be  
21      eligible for appointment under the category that they were appointed to  
22      represent. Terms of appointed members of the commission begin on the third  
23      Monday in January. No appointed member of the commission may serve more than  
24      two consecutive terms.

25           E. The executive director of the Arizona board of regents and the  
26      executive director of the state board for private postsecondary education  
27      serve as members of the commission during their respective terms of office  
28      and are not eligible to vote with respect to the commission's review of any  
29      postsecondary institution.

30           F. Members appointed pursuant to subsection C, paragraphs 1 through 9  
31      of this section are eligible to receive compensation pursuant to section  
32      38-611 for each day spent in the performance of commission duties and may be

1       reimbursed for expenses properly incurred in connection with the attendance  
2       at meetings or hearings of the commission.

3           G. The governor shall appoint a chairman from among the members of the  
4       commission who shall serve a one year term that begins on the third Monday in  
5       January.

6           H. A majority of the members of the commission constitutes a quorum  
7       for the transaction of commission business. The vote of a majority of the  
8       quorum constitutes authority for the commission to act.

9           I. Members of the commission are immune from personal liability with  
10      respect to all actions that are taken in good faith and within the scope of  
11      the commission's authority.

12          J. For the purposes of this section, "community college district"  
13      means a community college district that is established pursuant to sections  
14      15-1402 and 15-1403 and that is a political subdivision of this state.

15           Sec. 6. Effective date

16          Sections 15-1781, 15-1782, 15-1783, 15-1784 and 15-1851, Arizona  
17      Revised Statutes, as amended by this act, are effective from and after  
18      June 30, 2010."

19      Amend title to conform

6/9/09  
3:10 PM  
S: SM/jas