

II. Policy Development

Per A.R.S. §41-1091(B): This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes §41-1033 for a review of the statement.

Note: The Arizona School Facilities Oversight Board developed policies to facilitate full compliance with Arizona Statutes in the operations of the Board. References to the Statutes in this manual are for information only. Statutes may only be amended by the legislature.

The School Facilities Oversight Board (“Board”) is entrusted with the authority to establish policies and to review policies established by the School Facilities Division (Division) to administer the Student’s FIRST statutes (A.R.S. Title 41, Chapter 56). Board policy establishes the procedures and guidelines for Board members, committees, management and staff to conduct the business of the Board. The Division may draft Board policies. The Board establishes policies for the eligibility of monies from the New School Facilities fund, as well as review policies developed by the Division for other programs, including the Emergency Deficiencies Correction fund and the Building Renewal Grant fund.

The purposes of the SFOB policies are to:

- Inform the public of the Board’s operational goals and processes.
- Establish clear communications between the Board, and the public.
- Ensure consistency of Board action.
- Ensure ongoing, consistent, proactive policy making.
- Provide clear direction from the Board to the Division.

A. Policy Adoption (Standard Practice Summer 2001, Modified September 6, 2007, February 2, 2022, June 7, 2023)

All policy decisions for programs determining the eligibility of monies from the New School Facilities fund will be made by majority vote of the Board. Before adopting any policy, all Board members will receive a copy of the proposed policy for discussion at a Board meeting prior to the meeting at which the vote is to be taken.

Once the Board officially adopts a new Board policy, that policy is the standard for dealing with the subject matter covered by the policy.

The Division provides its policies to the Board for review as an agenda item at a Board meeting.

B. Source of Policies (Modified February 2, 2022)

Policies may be recommended to the Board by committees of the Board, individual Board members or the Division. All proposed policies will be researched to ensure that they are legal, and do not contradict already established statutes, rules or policies. All policies proposed to the Board should be tested to consider if the proposed policy is consistent with current policies, can equitably be applied to all school districts, clarifies an issue of the law, and does not create additional expenditures for which the Board has no authority. If approved by the Board, policies will be written, coded, dated at time of approval and posted in the SFOB Policy Book on the website.

C. Distribution of Policy Book (Modified May 7, 2014, February 2, 2022)

The SFOB Policy Book is posted on the SFOB website.

D. Amendment or Suspension of Policy (Modified May 7, 2014)

All policies will be reviewed every four years by the Board or a committee of the Board for accuracy and appropriateness, and recommendations may be made to the Board for amendment, addition or elimination. Except as otherwise provided by law, any policy of the Board may be suspended, repealed, amended, or waived by a majority vote of the Board, provided that at least two regularly scheduled Board meetings advance notice has been given of the intention to consider revocation, repeal, waiver, or amendment. Proposed revocation, repeal, waiver, or amendment of policy will be posted on the SFOB website for public comment for the duration between the two regularly scheduled Board meetings.

E. Exceptions to Policies (Modified June 7, 2023)

If an exception to a Board policy is deemed advisable and/or necessary by the Assistant Director of the Division or Chairperson of the Board, such exception(s) shall be reported to the Board at its next scheduled meeting. Ratification of such action shall be requested.