

VI. Emergency Deficiencies Correction

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 A.R.S. §41-1033 for a review of the statement.

Per A.R.S. §15-2022, school districts may be eligible for monies from the Emergency Deficiencies Correction Fund (“Emergency Fund”) when the school district can demonstrate that its situation meets the statutory definition of “emergency” which is defined as “a serious need for materials, services or construction or expenses in excess of the districts adopted budget for the current fiscal year and that seriously threaten the functioning of the school district, the preservation or protection of property or public health, welfare or safety.”

A. Applications (Modified February 5, 2014)

If a school district believes its circumstances meet the statutory definition of emergency, it shall submit a request for monies from the Emergency Fund to SFB staff. The request shall be on an application developed by SFB staff (See www.azsfb.gov) that requires at least the following information:

Contact Information

1. District Name
2. Superintendent Name
3. Contact Person
4. Contact Phone Number and Email Address

Justification

5. Description of the problem
6. Any completed professional studies
7. Any citations or reports from government entities
8. Recommended solution
9. Estimated cost including backup documentation

Funding

10. Was money to address this issue included in the district’s adopted budget for the current fiscal year?
11. Current balance of unrestricted capital funds and associated insurance coverage including why insurance cannot cover the expense.

If the school district is unable to provide the required information, the school district may submit an incomplete application and ask SFB staff for assistance in developing the information required.

B. Executive Authority

If the Executive Director determines that the circumstances described by the school district in its application require professional evaluation to determine either the scope of the problem or potential solutions, the Executive Director may authorize expenditures not to exceed \$30,000 for the required evaluation. If the Executive Director authorizes an evaluation, the Executive Director will present the application for approval at the next regularly scheduled Board meeting. If the Board votes to not authorize funding, the Executive Director will not authorize any additional expenditures.

The Board may authorize additional investigation funds as necessary.

If the Executive Director determines that an Emergency Deficiencies Correction request requires immediate action so that the school district can immediately begin to correct the emergency deficiency, the Executive Director may authorize expenditures not to exceed \$50,000 for the required correction. The Executive Director shall notify the Board within two (2) business days of such action and present the district's request for approval at the next regularly scheduled Board meeting. If the Board votes to not authorize funding, the Executive Director will not authorize any additional expenditures.

The Board may authorize additional project funds as necessary.

District expenditures for investigations or corrections completed prior to the application submittal are not eligible for reimbursement from the SFB.

C. Funding (Modified February 5, 2014)

Once the investigation is complete, SFB staff will present a recommended solution and an estimated project cost to the Board for approval.

SFB staff shall establish a project number and account for the project.

The school district shall submit requests for funding with appropriate invoices to receive awarded funds. If there are any unspent funds at the conclusion of the project, these funds shall be remitted to the Emergency Fund.

D. Insufficient Funds (Modified February 5, 2014)

Based on the recommended solution and the estimated project cost, the Board may determine that there are insufficient funds in the Emergency Fund to correct the approved emergency. Under those circumstances, the school district may petition the county school superintendent to correct the emergency pursuant to A.R.S. §15-907.