

Procurement Laws Exception Amendment Request

Purpose

The *Procurement Laws Exception Amendment Request* is used by the Board to grant, as permitted by A.R.S. §§15-183(E)(6) and 15-189.02, a charter holder an exception from the state procurement requirements identified in A.R.S. §§15-213 and 15-189.02. If granted, this exception applies to purchases made using non-federal funds. As a condition of the receipt of certain federal funds, federal procurement requirements still apply.

Before submitting this request ensure the charter holder is in compliance per the Board's [policy](#). If a charter holder is not in compliance, the request may be deemed incomplete and the non-compliance may be recorded on the charter holder's operational dashboard.

Determining Eligibility

Any charter holder is eligible to submit a *Procurement Laws Exception Amendment Request*.

Board Consideration

A substantively complete amendment request submitted by a charter holder may be considered for approval by the Executive Director, or placed on the agenda of a regular Board meeting. A finding that the Charter Holder is not in compliance in one or more areas (see The Guide) may result in a delay in consideration of the request.

Instructions for the Request

Work through the form in ASBCS Online, completing all required uploads (denoted by "*"). Follow the instructions for each upload field. Be sure to save your work, even if you aren't prepared to submit your form, so that you do not lose your data.

Attachments

For further information regarding specific documentation requirements, see The Guide (*Attachment Guidelines*) and the administrative and substantive completeness requirements listed in these instructions.

Board Minutes or Board Resolutions*

Policy for Procuring Goods and Services*

Upload a PDF version of the Charter Holder's Policy for Procuring Goods and Services. For further information regarding this attachment, see The Guide and the substantive completeness requirements following this section. Additionally, a Sample Procurement Policy can be found in The Guide or can be downloaded from the Board's website.

Administrative Completeness Review

An administratively complete request includes the following:

- Board Minutes or Board Resolutions that provide evidence that the:
 - Proposed change has been approved or addressed by the charter holder (approving board);
 - Approving board aligns with what is currently on file with ASBCS; and
 - Board minutes comply with Open Meeting Law (if applicable); or
 - Board resolution if the approving board is not subject to Open Meeting Law.
- Complete Policy for Procuring Goods and Services.

Substantive Completeness Review

The following checklist will be used to determine substantive completeness for this request. Each criterion (if applicable) will either be deemed acceptable or not acceptable.

Review	Criteria
Board Minutes	Board Minutes that: <ul style="list-style-type: none"> <input type="checkbox"/> Indicate that the request has been approved and is consistent with the submitted form.
Policy for Procuring Goods and Services	Policy for Procuring Goods and Services that indicates minimally: <ul style="list-style-type: none"> <input type="checkbox"/> The Charter Holder/Charter School will follow accounting policies and procedures that comply with Generally Accepted Accounting Principles (GAAP); <input type="checkbox"/> The process used, including the specific factors (e.g. price) that will be considered, to ensure any procurement of goods and services made by the authorized individual(s) (e.g. procurement officer) is in the best interest of the school; <input type="checkbox"/> The circumstances under which goods or services could be procured from a member of the governing board or an immediate family member of a governing board member, or from an entity in which a governing board member or an immediate family member of a governing board member may benefit; <input type="checkbox"/> The Charter Holder/Charter School understands that its Policy for Procuring Goods and Services applies to purchases made using non-federal funds; and <input type="checkbox"/> The Charter Holder/Charter School understands that as a condition of the receipt of certain federal funds, federal procurement requirements still apply.