

## Revisions to Existing Compliance Questionnaire Questions

### BACKGROUND

Arizona Administrative Code R7-5-504(A) requires that the Board make available on its website written requirements regarding the audit each charter school is required to submit annually under A.R.S. §§ 15-183(E)(6) and 15-914. The written requirements, which are also referred to as the audit documents, include the Board's Legal Compliance Questionnaire ("LCQ") and Uniform System of Financial Records for Charter Schools Compliance Questionnaire ("USFRCSCQ").

### PROPOSAL

The table below identifies proposed revisions to certain existing questions in the Board's LCQ and USFRCSCQ. The changes are intended to improve transparency and ensure consistency about what is expected from charter holders and what is reviewed by audit firms, as well as to reflect current statutory requirements. In the table's "Records Management" section, the change is technical. **Board staff proposes implementing the "Proposed Questions" with the fiscal year 2023 audits.**

	EXISTING QUESTIONS	PROPOSED QUESTIONS
<b>FINGERPRINTING</b>	<p>Prior to completing the fingerprinting questions below, please review guidance available on the <a href="#">Board's website</a>.</p> <ol style="list-style-type: none"> <li>Did the school have valid fingerprint clearance cards (FCC) for 100% of the required personnel as of the testing date? <b>A.R.S. §§ 15-183(C)(5) and 15-512(H)</b></li> <li><i>(Questions 2a through 2c only apply to new hires required pursuant to A.R.S. § 15-183(C)(5) to have valid FCCs and do not apply if an individual's FCC has expired.)</i> For each individual referenced in question #1 that did not have a valid FCC, please provide the following information: <b>A.R.S. § 15-183(C)(5)</b> <ol style="list-style-type: none"> <li>Was an application for a FCC on file with the Department of Public Safety (DPS) as of the testing date?</li> <li>Did DPS receive the application prior to the hire date?</li> <li>Prior to placement, did the school do all of the following: <ol style="list-style-type: none"> <li>Document the necessity for hiring/placing the individual prior to receiving a FCC?</li> <li>Obtain statewide criminal history information on the individual?</li> <li>Obtain references from the applicant's current and previous employers?</li> </ol> </li> </ol> </li> <li>Did the charter school maintain up-to-date fingerprints of all Governing Body members as of</li> </ol>	<p>Prior to completing the fingerprinting questions below, please review guidance available on the <a href="#">Board's website</a>.</p> <ol style="list-style-type: none"> <li>For all employees, did the school maintain valid fingerprint clearance cards (FCC) or, if applicable, fingerprint check documentation as of the testing date? <b>A.R.S. §§ 15-183(C)(5), 15-512 and 15-106</b></li> <li>For each new hire identified in Question 1 that did not have a valid FCC, was an application for a FCC on file with the Department of Public Safety as of the testing date, and did the school comply with all requirements found in A.R.S. § 15-183(C)(5)(a)-(f)?</li> <li>For all contractors, subcontractors, vendors and their employees who are contracted to provide services on a regular basis at the school, as of the testing date, did the school maintain valid FCCs, or did the school adhere to its board adopted policy for exempting an individual whose normal duties are not likely to result in independent access to or unsupervised contact with pupils? <b>A.R.S. § 15-512(H)</b></li> <li>Did the school maintain valid FCCs for all charter representatives, charter school governing body members and officers, directors, members and partners of the charter holder? <b>Laws 2022, Ch. 201, which amends A.R.S. § 15-183(C)(5)</b><sup>1</sup></li> <li>For each individual identified in Question 1, Question 3 and/or Question 4 that had an expired FCC, was an affidavit signed by the individual maintained by the school and did the school</li> </ol>

<sup>1</sup> Laws 2022, Ch. 201 takes effect on September 24, 2022. The inclusion of this question for fiscal year 2023 is contingent upon the Department of Public Safety's fingerprint clearance card processes and applications being updated accordingly. If implementation is significantly delayed, the Board will consider removing this question when it approves the audit documents for the fiscal year 2023 audit cycle. Upon the Department of Public Safety's completion of its processes and updates to its applications, all charter representatives, governing body members, officers, directors, members and partners will be required to obtain, and maintain, a valid FCC.

	<p>the testing date? <b>Charter Contract (Citations could not be provided as they vary.)</b></p> <p>4. Were all other personnel fingerprint checked as of the testing date? <b>A.R.S. §§ 15-183(C)(5) and 15-512</b></p>	<p>comply with all requirements found in A.R.S. § 41-1758.08?</p>
<p><b>OPEN MEETING LAW</b> A.R.S. §§ 38-431.01 AND 38-431.02</p>	<ol style="list-style-type: none"> <li>1. Did the school conspicuously post a statement on its website stating where all public notices of its meetings will be posted, including the physical and electronic locations?</li> <li>2. Did the school post all public meeting notices on its website?</li> <li>3. Did the school maintain a record of notices that includes a copy of each notice that was posted and information regarding the date, time and place of posting?</li> <li>4. Were notices and agenda of public meetings posted at least 24 hours before the meeting?</li> <li>5. Were written minutes prepared or a recording made of Governing Body meetings?</li> </ol>	<ol style="list-style-type: none"> <li>1. Did the school conspicuously post a statement on its website stating where all public notices of its Governing Body meetings will be posted, including the physical and electronic locations?</li> <li>2. For all Governing Body meetings held during the audited fiscal year, did the school post all public meeting notices on its website?</li> <li>3. Was evidence maintained to support the school posted the notice and made the agenda available at least 24 hours before each Governing Body meeting held during the audited fiscal year?</li> <li>4. Were written minutes or a recording of the public meetings prepared and made available for public inspection for each Governing Body meeting held during the audited fiscal year?</li> </ol>
<p><b>RECORDS MANAGEMENT</b></p>	<p>Did the school retain records in accordance with the General Retention Schedules for Education – K-12 published by the Arizona State Library, Archives and Public Records (based on the testing conducted during the course of the audit)? (<a href="http://www.azlibrary.gov/arm/retention-schedules">www.azlibrary.gov/arm/retention-schedules</a>)</p>	<p>Did the school retain records in accordance with the General Retention Schedules published by the Arizona State Library, Archives and Public Records (based on the testing conducted during the course of the audit)? (<a href="https://azlibrary.gov/arm/retention-schedules">https://azlibrary.gov/arm/retention-schedules</a>)</p>