



Parent Handbook

Empowerment Scholarship Account

Program School Year

2023-2024

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April 2023

Dear Parents and Students,

Welcome! We are happy to have you as a part of the Empowerment Scholarship Account (ESA) program.

Arizona's ESA program was passed by the state legislature and signed into law in 2011. The Arizona Department of Education ("ADE" or "Department") is responsible for administering the program according to state law and rules. Specific state statutes enacted by the state legislature and administrative rules enacted by the Arizona State Board of Education ("SBE") govern the program. These governing statutes and rules, which the Department is required by law to adhere to, can be found in Appendix A and Appendix B. This ESA Parent Handbook, which contains information related to policies and processes of the ESA program, shall comply with the statutes and the rules adopted by the legislature and SBE [Arizona Revised Statute (A.R.S.) 15-2403(J)]. If there is a conflict between statute and rule, statute supersedes, however, SBE and ADE will seek legal advice from their respective attorneys.

While ADE administers the program and the day-to-day operations of the program, the State Board of Education is charged with the appeals process for ESA administrative decisions. Learn more about the appeals process at [**Empowerment Scholarship Account \(ESA\) Program | Arizona State Board of Education \(az.gov\)**](#).

Please know that we are here to help! The mission of our office is to be a service organization that empowers parents in the education of their children. The goal of this parent handbook is to provide guidance to help navigate this innovative program. In addition to this handbook, we have other resources on our website (azed.gov/esa) that might be helpful. We also try to send out a weekly email blast with the latest news and program tips.

Sincerely,

Christine Accurso
ESA Executive Director

Chapter 1: Introduction

The importance of providing a high-quality education to all Arizona children cannot be overstated or hold more emphasis in our state today. In 2011 and under the direction of the Arizona State Legislature, the ESA Program was developed to continue along the path of innovative education reform.

What is an Empowerment Scholarship Account?

An ESA is an account administered by ADE and funded by state tax dollars to provide options for the education of qualified students in Arizona. ESA funds do not constitute taxable income to the parent of the qualified student.

The ESA program allows parents of qualified students to utilize public monies to purchase educational services from qualified schools, education providers, and/or vendors. Eligible students receive 90% of the State aid¹ that would have gone to the student's school district or charter school had the student been enrolled in the public school system. ESA contracts are offered and signed annually, but funds are dispersed quarterly.

Pursuant to A.R.S.§15-2402(B)(1), an ESA Account Holder must use at least a portion of the funds to provide an education in at least the following subjects: reading, grammar, mathematics, social studies, and science.

Accepting an Empowerment Scholarship Account

By accepting an ESA, the Account Holder enters into a contract with ADE pursuant to A.R.S.§15-2402(B). In exchange for the Account Holder's commitment to the obligations set forth in the ESA contract, ADE creates an ESA for the current school year and agrees to transfer ESA funds on a quarterly basis once the contract is executed by all parties.

Funding varies based on annual legislative state budget allocation and the specific ESA eligibility category. Learn more at [Frequently Asked Questions | Arizona Department of Education \(azed.gov\)](#), under ESA Funding.

The Department reserves the right to terminate an ESA for violations of the contract (*please refer to your contract for all terms and conditions*), applicable policies, rules, or laws. Examples of violations that are likely to result in termination include:

- Enrolling the student in a public district school, charter school, and/or public online schools (including summer public school), without paying the public school
- Accepting any School Tuition Organization (STO) scholarship or tax credit scholarship

¹ This does not include any federal or local funding

while on an ESA contract

- Failing to provide debit card transaction receipts by the quarterly deadlines
- Failing to spend a portion of your student's ESA funds annually in at least the following subjects: reading, grammar, mathematics, social studies, and science.
- Misspending funds or committing fraud

Handbook Purpose

The purpose of the ESA handbook is to provide information concerning the policies, procedures, and implementation of the ESA program.

Handbook Updates

Pursuant to A.A.C. R7-2-1503(1), this handbook is reviewed by ADE under the guidance of the SBE. On or before March 1 of each year, ADE provides SBE with a handbook, developed in consultation with parents of children on the ESA program, that includes information relating to policies and processes of ESA. SBE adopts the handbook on or before May 1st of each year. SBE limits substantive changes to the handbook to once every three years, but policies can and will be added and/or redacted in response to newly enacted legislation, court decisions, rule changes, and/or suggestions for best practices, which may occur more frequently, in which case ESA staff will notify Account Holders of these types of necessary change(s) to the handbook and their effective date(s) via the ESA website and/or through other types of communication.

How to Stay Updated

We encourage ESA Account Holders to visit ADE's ESA website, www.azed.gov/esa, for the most up-to-date information. ADE will communicate with ESA Account Holders regularly by email.

How to Get Assistance

- The ESA Support Team is available by phone (602) 364-1969, Monday through Friday from 8am – 8pm and on Saturdays from 8am-12pm and by email at ESACallcenter@azed.gov, or through the help desk, through the account holder's portal.
- To escalate a concern, reach out at [Submit an ESA Complaint | Arizona Department of Education \(azed.gov\)](#), these are forwarded to the appropriate ADE leadership team member.

NOTE: ESA staff are trained to provide support and offer technical assistance regarding applications, program questions, purchases, and expenses, but staff cannot provide guidance or recommendations to families about schools, vendors, or providers.

Changes Related to Emails, Addresses and Phone Numbers

ESA Account Holders can update an email address, physical address, and/or phone number, by contacting our office. Account Holders must update contact information with the Department within 30 days of the change.²

Arizona Residency Verification

In accordance with A.R.S.§15-2401(5), “[p]arent means a resident of this state who is the parent or legal guardian of a qualified student.” A.R.S.§15-2401(7) defines a qualified student as a resident of this state. Therefore, a parent or legal guardian may be asked to provide proof of Arizona residency at the time of application AND at any time they are enrolled in the ESA program.

Secure Information

Confidentiality

Under state law, including A.R.S.§15-1045, which incorporates the protections of the Family Educational Rights and Privacy Acts (FERPA), the Department has the obligation to ensure all student “education records” are kept confidential and secure. While certain records collected or maintained by ADE or SBE through the ESA program may not fall within FERPA’s definition of “education records,” it is likely that other records that come into possession of ADE or SBE through the ESA program are “education records” for FERPA purposes.³ The Department and ESA staff will not release personally identifiable information regarding your child, including financial information or personal details (this includes your contract information) to private schools, providers, vendors, or stakeholders. Any third-party financial vendor will respect the confidential nature of an Account Holder’s Personal Information and collects only the data required to provide services. They will not share or distribute an Account Holder’s Personal Information except as provided in the applicable Terms of Service and the-Privacy Policy or as may be required by law.

Parent Advisory Committee

The Arizona Department of Education (ADE) developed the Parent Advisory Committee (PAC) as just one of the structured means of getting parent feedback on specific ESA program processes and procedures. The PAC is a group of parents who meet at least three times per academic year with ESA staff to share challenges, give feedback and to discuss ways to improve the program for all ESA families. Information about the is available on our website at [ESA Parent Advisory Committee | Arizona Department of Education \(azed.gov\)](https://www.azed.gov/esa-parent-advisory-committee)

² Arizona Administration Code (A.A.C) R2-71502(D)

³ Information Collected Under A.R.S., Title 15, Chapter 19 and Public Records Requests, Ariz. Attorney General Op. No. I20-010 (Aug. 3, 2020), <https://www.azag.gov/sites/default/files/2020-08/I20-010.pdf>

Advocates

ESA staff also protects ESA students' personally identifiable information by only communicating with ESA Account Holders and Applicants directly. Account Holders and Applicants may have advocates, friends or family members assist in the ESA process/conversations/correspondence regarding the ESA account and/or application, but ADE's expectations are that the Account Holder and/or Applicant takes full responsibility for the ESA, use of funds, and accountability tied to the ESA. While Applicants may use advocates for assistance throughout the ESA application process, ADE's expectation is that an Applicant or Account Holder is always on the call or email when communicating with ADE regarding his/her ESA.

If an Applicant or Account Holder wants to include an advocate in their communications with ADE, then the Applicant or Account Holder must submit a written request to ADE. The Applicant/Account Holder must maintain involvement throughout the ESA process, including asking questions, addressing issues of concern, or otherwise. Consistent involvement in all communication regarding a student's ESA empowers Account Holders and Applicants to get the most from the ESA program.

Advocates may not submit documents to ADE on behalf of the Applicant/Account Holder. The Account Holder/Applicant must submit his/her own documents, but may copy the advocate on an email, or invite them to be on a call.

Securing Your Information

The Department encourages Account Holders to use caution when providing personal information to third parties. To further protect against the possibility of fraud or unauthorized release of personally identifiable information, the Department recommends Account Holders refrain from sharing details of contract or award information to third parties.

Homeschool Affidavits

A.R.S. §15-2402(B)(5) requires that the parent of a qualified student **not** file an affidavit of intent to homeschool. This means that an ESA contract serves as the "affidavit" or proof that the student is receiving an education as required by Arizona law. If there is already a homeschool affidavit on file, please contact the county superintendent's office for withdrawal instructions. ESA recipients may use funds for home education, but the state classification for "homeschool" is a separate designation/classification.

Chapter 2: Spending and Program Requirements

The ESA program is intended to allow Account Holders to make the educational choices that best serve their student's needs. Tasked with administering the ESA program by the Arizona State Legislature, the Department is required by law to follow all ESA statutes and rules. These statutes and rules can be found in Appendix A and Appendix B.? Where?

Important things to keep in mind:

1. The ESA program does not have a list of approved schools, vendors, or providers.⁴
 2. It is at the Account Holder's discretion to choose the provider and ensure that he/she has the proper accreditation prior to receiving a service.
 3. It is the Account Holder's responsibility to follow the law and ESA contract and use ESA funds for items allowed under A.R.S.§15-2402(B)(4). Although ADE cannot provide legal advice, this handbook will provide technical assistance to help determine what items are allowed.
 4. ESA Account Holders may not hire immediate family members. Immediate family members may include an ESA student's parent, sibling, or any other person with whom student resides. See e.g. A.R.S. §38-502(9).
 5. Hiring another ESA student's parent and paying them **directly** with ESA funds is strictly prohibited. However, payment to a student's parent's business or employer for services being provided is allowed. > ! Check
 6. A.R.S.§15-2402(B)(1) requires that a portion of ESA must be used in at least the subjects of reading, grammar, mathematics, social studies, and science.
 7. Account Holders cannot use one student's ESA account to cover another student's educational expenses.
 8. Services must be paid for and provided within the same contract year (July 1-June 30). An exception can be granted for renewals that pre-pay enrollment fees.
 9. Pre-payment of services are allowed only within the same contract year (July 1-June 30). An exception can be granted for renewals that pre-pay enrollment fees.
 10. Account Holders cannot use ESA funds retroactively (to pay for quarters in which the student was not yet eligible for the program).
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**Approved Spending Categories for
ALL
Students**

Approved Spending Categories for ALL Students⁵

All reasonable education-related expenses will be approved. This gives parents the freedom to spend their student’s ESA funds on the items and services that will best fit their educational needs. For supplemental items that are not typically known to be used for education, the parent will submit the following:

1. Proof of registration/enrollment in a class (if a parent is going to teach this class at home, they must submit a note attesting to this, when they submit an order.)
2. Formal Curriculum with a materials list that shows that this item is needed for the class. Formal curriculum must include a scope (overview, objectives, or purpose) and the sequence (plan of instruction). For guidance or clarification parents can contact the ESA service center with their questions.

Approved Spending Categories listed in A.R.S.§15-2402(B)(4)	Description
Tuition or fees at a qualified school and required textbooks at a qualified school	A qualified school is defined as a nongovernmental primary or secondary school or a preschool for pupils with disabilities located in Arizona ⁶ serving PK-12th grades. The school must not discriminate on the basis of race, color, or national origin
Tutoring or teaching services	All services must be provided by an individual or facility accredited by a state, regional or accrediting organization
Curricula and supplementary material	A course of study for content areas or grade levels, including any supplemental education materials required or recommended by the curriculum, approved by the Department ⁸
Fees	Fees to manage the Empowerment Scholarship Account
Tuition or fees for a nonpublic online learning program	Online learning programs or courses
Fees for nationally standardized norm-referenced achievement tests and grade level testing	Advanced Placement exams and/or other exams related to college or university admissions—such as ACT or SAT— prep exams and grade level standardized achievement testing
Tuition or fees at an eligible postsecondary institution and the purchase of required textbooks	Community college, as defined in A.R.S.§15-1401, a university under the under the AZ Board of Regents, or an accredited in-state private postsecondary institution

Account fees	Lost or stolen card fee and expediting service fees only
Services provided by a public school	Including classes and extracurricular programs at a public school
Uniforms	Uniforms must be purchased from or through a qualified school or vendor that the school recommends or requires
Insurance or surety bond payments	Insurance or surety bonds related to an individual Empowerment Scholarship Account, by the account holder and for the signed contract only
Public transportation services	Includes a commuter pass for a qualified student, or transportation network services as defined in section 28-9551 between the qualified student's residence and a qualified school in which the qualified student is enrolled.
Computer hardware and technological devices	Computer hardware and technological devices. Includes calculators, personal computers, laptops, tablet devices, microscopes, telescopes and printers, but does not include entertainment and other primarily noneducational devices, including televisions, telephones, video game consoles and accessories, and home theatre and audio equipment.

⁵ While there are many services and items that can be purchased with ESA funds, there may be cases where reimbursement is the only purchase option.

⁶ A qualified student who resides within the boundaries of an Indian reservation in this state may attend a qualified private school in an adjacent state that is within 2 miles of the border of the state in which the student resides.

⁷ For tutoring and teaching services, an individual billing with an invoice solely under their name will need to provide their high school diploma (or higher degree) from a state, regional or national accrediting organization. A facility that is billing with an invoice under their facility/business name will need to provide an accreditation by a state, regional or national accrediting organization OR the facility can complete an attestation for that attests that each named tutor has a high school diploma (or higher degree) from an accredited state, regional or national accrediting organization.

⁸ Curriculum includes all the resources used for teaching and learning the standards (textbooks, reading material, lesson plans). Pursuant to A.R.S. §15-2401(2), supplemental materials must be required or recommended by the curriculum. Supplemental material means relevant materials directly related to the course of study for which they are being used to introduce content and instructional strategies or that enhance, compliment, enrich, extend, or support the curriculum. A.A.C. R7-2-1501(14). Note: Although an Account Holder may have an item that qualifies as a supplemental material, the item must still be required or recommended by a curriculum pursuant to statute.

Tuition or Fees and Required Textbooks at a Qualified School

As an approved expense, tuition may be paid for the ESA student named on the ESA contract.

Account Holders must submit a complete (detailed) invoice from the school, which they will submit with their payment request. See A.A.C. R7-2-1508(C) and Chapters 3 and 4 for more information.

The invoice for private schools must include ALL of the following:

- Student's name
- Name of the private school
- Transaction date
- Tuition or type of fees charged
- Total amount paid

Failure to submit a complete paid invoice will result in the expense being rejected. For all invoices, any amount requested for payment that is over the amount on the invoice may be rejected.

Approved Qualified School Fees

The following is a list of approved fees that may be charged by a qualified school:

- Application fees
- Computer lab
- Enrollment fees
- Facility Fees
- Lab fees (Science labs, Math labs, etc.)
- Musical instrument fees
- Payment processing fees
- Registration fees
- Required book or textbook fees
- Supply fee
- Tutoring fees
- Uniform fees

Tutoring or Teaching Services

Tutoring or teaching services must be provided by an individual or facility with one of the approved accreditations listed below. Before paying for tutoring services from a provider, please note:

- Hiring immediate family members is prohibited. ESA funds cannot be used to hire immediate family members of the ESA student to provide approved tutoring services. Immediate family

members may include an ESA parent, sibling or any other person with whom the ESA student resides. You may not pay yourself to teach your ESA student. You may not pay immediate family members to teach your student, so you may not pay the following

- Anyone who reside with your student
 - Your student’s parent or guardian
 - Your student’s siblings
- Account Holders must submit the tutor’s accreditation when submitting an expense through the ESA portal.
 - ESA will only accept a copy of the actual valid accreditation. Copies of the accreditation can be in the form of a photograph, scan, print to PDF, etc., but must be the actual valid accreditation, and cannot simply be a screenshot from a website of an

Approved Tutor/ Teaching Services Accreditation for All Subjects¹¹

NOTES:

- Core subjects¹¹ are grammar, mathematics, science, social studies, and reading. ESA only requires ONE of the approved accreditations listed, not all that may be listed
- Pursuant to ARS 1-701 all high school diplomas will be accepted as an accreditation

Tutoring or Teaching Services	Approved Accreditation
Individual Tutor / Teaching Services	High school diploma (or higher degree from a state, regional or national accrediting organization
Facility Tutoring / Teaching Services	Accreditation by a state, regional, or national accrediting organization OR an attestation by the facility/business attesting that each tutor has a high school diploma (or higher degree) from an accredited state, regional or national accrediting organization. Link to attestation: https://www.azed.gov/sites/default/files/2023/02/AD_EFacilityAttestationForm.pdf

⁹ ESA reserves the right to ask Account Holders to resubmit accreditation Altering or manipulating any accreditation may result in termination and/or referral to the SBE, who can refer cases of fraud or misuse of funds to the Attorney General’s Office.

¹⁰ A screenshot, or screen capture, or screen grab, is a digital image that shows the contents of a computer display.

¹¹ Core subjects are those required by A.R.S.§15-2402(B)(1), and include grammar, mathematics, science, social studies, and reading.

Extracurricular Activities, Physical Education & Educational Camps

Extracurricular activities such as chess, horseback riding lessons, home economics, cooking classes, sewing, personal finance, and woodworking classes may be approved if accreditation is provided for the individual or facility providing the service.

Other types of approved activities include those that are **physical education** related, including access to facilities that offer exercise related activities, gyms (including memberships), and sports (i.e., baseball, football, soccer, basketball, track) that are offered through a local league. Other physical education related activities may be approved by the Department if accreditation is provided for the individual or facility providing the service.

- **Sports and educational camps** provided by an accredited individual or facility are approved. Approved under the Tutoring/Teaching Services category.
- **Tickets** for zoos, science or art centers, museums, plays, ballet, orchestra, musicals, etc., are allowed for the individual ESA student; family memberships or tickets for others are not allowed. Approved under the Educational Material category.
- **Gym or physical education facility memberships** are allowed for the individual ESA student; family memberships are not allowed. Approved under the Educational Material category.
- **Uniforms** for these activities cannot be purchased with ESA funds, unless specifically required by the class or program. Approved under the Supplementary Materials Category.

NOTE: Overnight educational camps are *not* approved and cannot be paid for with ESA funds.

Educational Materials

This is a list of approved educational materials is a brief example of items that **do not** require curriculum.

- Atlases
- Board games
- Books (including audio/digital)
- Calculators (e.g., standard, graphing, scientific, etc.)
- Coloring books
- Curriculum
- Dictionaries
- Educational DVDs and CD
- Educational flash cards
- Educational workbooks
- Globes
- Magazines
- Manipulatives: items that help with counting, time, measurement, shapes, addition, etc. (e.g., math cubes, Legos, blocks, shapes, letters, etc.)
- Maps
- Microscopes and slides
- Periodic tables
- Planners
- Prompt cue cards for behavioral/educational support
- Puzzles
- Textbooks (including audio/digital/USB)
- Timers

Questions about making a purchase? Reach out to our team anytime at <http://helpdesk.azed.gov/>

Arizona Revised Statute 15-2401 (2)-define curriculum as a “course of study for content areas or grade levels, including any supplemental material required or recommended by the curriculum, approved by the department.”

Elective Courses Require:

- 1) Proof of class registration or an attestation by a home educator teaching this at home (notify in writing or in notes when sending in the order).
- 2) Formal Curriculum that lists the supplementary materials the account holder wants to purchase. When providing documentation, *please highlight, or otherwise indicate with page numbers, screenshots, or any other method that specifies exactly where the item is:*
 - *required or recommended, or*

- *other language that indicates or conveys that the item is needed or necessary to complete the curriculum.*

Keep in mind, how-to guides, research articles, product instructions and manuals provided by a product manufacturer, etc., will not be considered curriculum.

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Other Items

- Subscriptions for educational kits, boxes, programs, etc. may be purchased for one (1) year from the date of purchase only. Please note that each subscription, educational kit or box must include a curriculum.
 - Kits offering lifetime access are not necessarily prohibited, so long as the lifetime membership grants access to the content purchased within the contract year and does not provide new content beyond the term of the contract year within which the subscription/lifetime access was purchased.
- Science, Technology, Engineering, and Mathematics (STEM) and Science, Technology, Engineering, Art and Mathematics (STEAM) curriculum are approved, this includes items related to coding and robotics.

Tuition or Fees for a Non-Governmental Private Online Learning Program

Some students learn better in the comfort of their home and at their own pace. ESA approves tuition or fees and required textbooks for non-governmental online schools or online learning programs and/or courses.

- ESA funds cannot be used to pay for family memberships or for multiple students, only for an individual student membership for the qualified ESA recipient.
- ESA funds can be used for online programs or online subscriptions for the contract year.

Helpful Hint: When paying for an online program, the Account Holder can make the ESA recipient student the Account Holder and set the billing to either the parent's name OR the parent and student's names.

- Name: Billy Doe (student) / Billing name: John Doe (parent)
- Billing name: John Doe - for Billy Doe

If there are multiple students on the ESA program in the same household, each student's account must be used to purchase their own individual access to online learning program(s).

Services Provided by a Public School

ESA funds may be used to pay for individual classes and/or extracurricular programs provided by a public school, such as drama club, band, cheerleading, sports, art classes, music classes, speech and debate, CTEDs, etc. Uniforms for these activities cannot be purchased with ESA funds unless specifically required by the class or program.

Please keep in mind that public schools have discretion on whether to accept ESA recipients for such activities, even if ESA funds are being used to pay for the classes or extracurricular activities.

If a public school accepts an ESA student, please make sure that the following is done to avoid account suspension:

- Make sure the student is not enrolled in the school as “tuition payer code 1” (public schools understand this terminology). Enrolling in a public school violates the ESA statute and contract. Improper enrollment may result in termination from the ESA program and require a repayment of ESA funds.
- Make sure that the public school provides an itemized and complete paid invoice for all activities and/or classes.

For any questions about paying for services at the public school, please contact the school or district office.

Fees for Achievement Tests, Placement Tests, and College Entry Exams

Pursuant to A.R.S.§15-2402(4)(g), Account Holders can utilize ESA funds to pay for their student to participate in nationally standardized norm-referenced achievement tests. These tests can help determine the student’s ability to show mastery of appropriate grade level material. Funds can also be used for advanced placement exams, or any exams related to college or university admission. Prep courses for these exams are also allowed.

Tuition or Fees and Required Textbooks at an Eligible Postsecondary School

In accordance with A.R.S.§15-2401(4), ESA funds can also be used for an eligible post-secondary institution such as:

- a. An Arizona community college, as defined in A.R.S.§15-1401
- b. A state university that is under the jurisdiction of the AZ Board of Regents
- c. An accredited in-state private university

ESA funds may be used for textbooks required by the university or college classes, but cannot be used for room and board, meals, meal plans, food, transportation, etc.

Dual Enrollment

ESA funds may also be used to pay for dual enrollment at a university or college.

The term dual enrollment refers to students being enrolled in two distinct academic programs or educational institutions at the same time.

The term is most prevalently used in reference to high school students taking college courses while they are still enrolled in a secondary school (i.e., a dual enrollment student), or for programs that allow high school students to take college-level courses (i.e., a dual enrollment program). For this reason, the term early college is a common synonym for dual enrollment.

As a reminder, if a student has not graduated high school or obtained a GED, funds must still be spent on K-12 expenses, even if participating in dual enrollment courses.

Public Transportation Services

In accordance with A.R.S. §15-2402(4), ESA funds can be used for public transportation within the state of Arizona for your ESA student between the student's residence and a qualified school where the student is enrolled.

Public transportation services include:

- Commuter pass
- Transportation network company, such as taxis and ride sharing
- Public bus
- Taxi
- Vanpool service

Computer Hardware and Technological Devices

In accordance with A.R.S. §15-2402(4), ESA funds can be used for computer hardware and technological devices such as:

- Calculators
- Personal computers
- Laptops
- Tablet devices
- Microscopes
- Telescopes
- Printers

You cannot use ESA funds for devices that are primarily for entertainment and other devices whose primary use is noneducational, such as:

- Televisions
- Telephones
- Video game consoles and accessories
- Home theater and audio equipment

NOTE: Audio equipment primarily used for education, such as headphones or earbuds, are an allowable expense.

Approved Spending Categories for Students with a Disability

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Eligible Students

For students who qualify as a child with a disability through a special education evaluation, individualized education program (IEP) or 504 Plan from an Arizona public school district or charter school or an independent education evaluation, as per A.R.S. §15-2403, the qualified student is eligible for additional services, therapies, paraprofessional services, associated goods, assistive technology, and tuition for vocational and life skills as approved by the Department.

Learn more about disability categories at <https://www.azed.gov/specialeducation/disability-categories/>. Account Holders with a student who qualified for the ESA program under a section other than “child with a disability,” but who believe their student may have a disability, should seek an evaluation from their home district or an independent education evaluation, as per A.R.S. §15-2403.

- If a new evaluation from an Arizona public school district is obtained, the Account Holder should send an email to ESACallCenter@AzEd.gov with the new evaluation to update their student’s category
- If an independent education evaluation is obtained, the Account Holder should send an email to ESACallCenter@AzEd.gov with the following information:
 - A full copy of the private independent education evaluation from a Qualified Examiner
 - AND a copy of the Qualified Examiner’s license showing that it was current at the time of the evaluation. This can be a copy from the board of examiner’s website showing the Qualified Examiner’s license number and expiration date.

Associated Goods and Assistive Technology

In accordance with A.R.S. §15-2402(B)(4)(c)(iv), a qualified student with a disability who has an Arizona MET, IEP, or 504 plan or independent education evaluation on file may be able to use ESA funds to purchase associated goods and services, including sensory items, when applicable, along with educational and psychological evaluations, assistive technology rentals, and braille translated goods and services approved by the Department.

A.A.C. R2-7-1505 states that associated goods may include computer hardware or technological devices that assist in accessing educational materials or services that are associated with the qualified student’s needs.

Account Holders who are seeking to use ESA funds for an associated good, assistive technology or service must provide the Department with **ONE** of the following:

- Documentation of the student being enrolled in a special education course of study, service, or other educational need with which the good or service *is associated with*, **OR**
- Provide the most current IEP/MET/504 plan or evaluation which indicates the need for the good or service, **OR**
- Provide a letter from a qualified special education service provider indicating the need for the good or service.

NOTE: While this is not intended to be an exhaustive list, qualified service providers include, but are

not limited to: special education teachers, Physical Therapists, Occupational Therapists, etc.; examples of other qualified special education service providers can be found at <https://bit.ly/3hq242v>

-If the purchase of an “associated good or service” has been disallowed due to the insufficient provision of documentation under A.A.C. R7-2-1505(B)(4), an Account Holder may resubmit the purchase with sufficient documentation to have it approved.

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When submitting any documentation, please highlight, mark the area(s), or use any other method that indicates that the requested items are associated with or needed for the educational need(s) of the student.

Please make all requests for pre-approvals or approvals on sensory items, associated goods or assistive technology using HelpDesk at <http://helpdesk.azed.gov/>. Due to the large volume of requests, please allow the team at least **3-5** business days to review, research, and respond to inquiries.

Educational Therapies and Services

In accordance with A.R.S.§15-2402(B)(4)(c)(i), both in person and virtual educational therapies from a *licensed or accredited* practitioner or provider are approved ESA expenses.

However, to receive approval, the individual providing the therapy or therapeutic service must provide the Account Holder with a copy of their valid license or accreditation.

No screenshots from the accrediting organization will be accepted.

The copy must be:

- Legible
- Not expired
- Issued by an accredited board (must be provided by the therapist/provider, screenshots will not be accepted)

- Fees for late, cancelled, or missed appointments are disallowed
- Pursuant to A.R.S.§15-2402(B)(4)(c) students who are not identified as a student with a disability are not authorized to use ESA funds for therapies. A student must have an evaluation MET, IEP, or 504 plan issued by an Arizona public school or an independent education evaluation by a Qualified Examiner pursuant to A.R.S.§15-2403(J) on file with ESA prior to paying for these services with ESA funds.
- Account Holders may request approval to use a provider whose credential is not listed through the HelpDesk at <http://helpdesk.azed.gov/>.
- Due to the large volume of requests, please allow the team at least **3-5** business days to review, research, and respond to inquiries.

Medical Insurance

Pursuant to A.R.S.§15-2402(B)(4)(c)(i), ESA funding can be utilized along with private medical insurance to pay for educational therapies for qualified students with a disability. Documentation must include a statement or invoice indicating the amount not covered by insurance.

Paraprofessionals or Educational Aides

Paraprofessionals and aides are an approved expense for students with disabilities. Paraprofessionals are not the same as tutors or teachers; these individuals are there to assist the tutor, teacher, or parent with the education of the student. Credential requirements are below:

Approved Paraprofessional or Educational Aide Credentials

Credential	
Associate degree or higher	Copy of degree or complete and full transcripts must be submitted
60 or more college credit hours from an accredited school	Copy of complete and full transcripts must be submitted
Pass 1 of the 3 paraprofessional tests <i>Official scores must be submitted; ESA will not accept proof of passing or unofficial scores</i>	ACT Workkeys ParaEducator Praxis ParaPro

Educational and Psychological Evaluations

When a student is struggling in their educational setting, parents are motivated to understand what underlying factors are contributing to the difficulty that may be limiting their child's progress. A psycho-educational evaluation or assessment is the process through which a psychologist or similar licensed professional observes and evaluates students.

In accordance with A.R.S. §15-2402(B)(4)(c)(iv), students with a disability identified by the public school through a special education multidisciplinary evaluation team (MET) or IEP may use ESA funds to obtain a private psycho-educational evaluation. Documentation must be on file with ESA.

The Department accepts independent education evaluations or private school evaluations for the purpose of updating a child's disability category or funding. See "Change in Disability Category" in Chapter 2 to learn how to update a student's disability category.

Vocational and Life Skills Education for ESA Students with a Disability

Vocational education programs prepare students to work in numerous trade jobs or crafts. Vocational education can also be referred to as "career education" or "technical education" provided by a vocational/trade school or program.

A life skills education program is the building block that allows students to apply knowledge they acquire to real problems and situations. It is a form of education that encourages students to effectively transition into adulthood by helping students to develop sound judgment and good habits for long-term stability, wellness, and success.

Combined, both vocational and life skills education programs are designed to help a student develop skills or interest in technical, trade, or craft-like careers while learning necessary skills such as self-reflection, critical thinking, problem solving, and interpersonal skills. This allows a student to live and work independently.

Pursuant to A.R.S. §15-2402(B)(4)(c)(iii), qualified students with a disability are able to utilize ESA funds for vocational and life skills education, approved by the Department.

ESA funds can be spent on tuition at vocational, trade schools or programs such as but not limited to:

- Career and Technical Education Districts (CTEDs)
- Community colleges Joint Technical Education Districts
- Joint Technical Education Districts (JTEDs)
- Trade schools
- Vocational schools

Additional Information for Parent of a Student with a Disability

It is important to understand that the decision to participate in the ESA program means that a child does not have the same protections under the Individuals with Disabilities Education Act (IDEA) (the federal law governing Special Education) as a publicly enrolled student with a disability. Nevertheless, children with disabilities who attend private schools through the ESA program may still receive certain services from their district of residency, as described below.

Child Find

In Arizona, public districts are responsible for identifying all children with disabilities within their geographic boundaries,¹³ including children with disabilities who are attending private schools and those who are homeschooled. A.A.C. R7-2-401(D)(1). This is known as “Child Find.” 20 U.S.C.§1412(a)(3); 34 C.F.R.§300.111(a).

When an Account Holder enters into a contract with ADE, they agree to release the public school district or public charter school from all obligations to educate the ESA student. However, under the IDEA a public school retains its responsibility to evaluate a student upon receiving a written request from the student’s parent or guardian.

ESA does not require a new special education evaluation if one is already on file. If the parent or guardian of an ESA student believes their child needs to be evaluated, they may refer to the table below to determine which public school district is responsible for performing the evaluation. ESA students without a disability cannot use ESA funds to pay for a private special education evaluation. ESA students who qualified for the ESA program as a student with a disability under A.R.S.§15-2401(7)(a)(i)-(iii), may use ESA funds to pay for a private special education evaluation. See A.R.S.§15-2402(B)(4)(c)(iv).

Child’s Current Placement	Responsible Public School
Homeschooled Student(s)	The school district in which the parent resides. A.A.C. R7-2-401(D)(4)(b); A.R.S.§15-763(C).
Non-Profit Private School	The school district in which the private school is located. A.A.C. R7-2-401(D)(4)(b).
For-Profit Private School	The school district in which the parent resides. Letter to Chapman, 49 IDELR 163 (OSEP 2007).

¹³ Charter schools are responsible for child identification activities for students enrolled in the charter school. A.A.C. 47-2-401(D)(4)(a). Charter schools are not, however, responsible for outreach under the Child Find regulations because they have no specific geographic boundaries.

Other ways you can obtain an evaluation to determine your student's eligibility or change your child's funding category are:

- Contact the Arizona Department of Education's ESA Department for their contracted third-party vendors.
- If ADE's ESA Department has no contracted third-party evaluators, then you can contact your county's school superintendent for their list of approved independent third parties to evaluate ESA students.
- If your county superintendent does not have a list of approved independent third-party evaluators, then you can hire a Qualified Examiner to conduct an independent education evaluation. Qualified Examiner means:
 - Listed physician
 - Licensed psychiatrist
 - Licensed psychologist

Proportionate Shares & Equitable Services

Children with disabilities who attend private schools (with or without an ESA) are considered parentally placed private school children with disabilities. While these students do not have an "individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school,"¹⁴ they might still be entitled to receive some special education and related services provided by the school district under the IDEA's proportionate share provisions.¹⁵

Accordingly, ESA students with disabilities who attend non-profit private schools or who are homeschooled may be eligible for some services through their school district.¹⁶ For information on these services, please **visit the ESS website**. Parents may choose not to participate in proportionate share services offered from a local LEA through the Child Find process but should be aware that this may be an option. Accepting or rejecting this process has no bearing on your ESA contract or eligibility.

Change in Disability Category

A student's ESA contract is renewed on an annual basis, notwithstanding any changes to their evaluation. Therefore, if the student has a special education evaluation currently on file with the ESA program, ADE will not require a new evaluation to remain in the program.

If an Account Holder wishes to have their student re-evaluated to update their current educational needs, they must make a written request to the appropriate public school or district.

By law, the Department cannot accept private evaluations or private school evaluations for the purpose of updating a student's disability category and/or funding.

Some important things to keep in mind:

- a. If a student attends a non-profit private school, the public-school district in which the private school is located is responsible for the evaluation process.
- b. If a student attends a for-profit private school or is homeschooled, the public school district in which the student resides is responsible for the evaluation.
- c. For any questions about who may be responsible for the evaluation of a student, please contact Exceptional Student Services (ESS) at 602-542-4013.

¹⁴ 34 C.F.R. § 300.137(a)

¹⁵ See 34 C.F.R. §§ 300.130 through 300.144.

¹⁶ Federal law does not allow public school districts and charter schools to consider parentally placed private school children with disabilities who attend private schools through a state-funded voucher or scholarship program (such as Arizona's ESA program) differently from other parentally placed private school children with disabilities for the purpose of providing equitable services. 34 C.F.R. § 300.132(a).

Once an updated evaluation has been obtained for an ESA student:

- Please submit a HelpDesk ticket at <http://helpdesk.azed.gov/> along with the new evaluation, requesting an update of the account or application.
- When the request is processed, a new contract is issued. Please be aware, not all reevaluations will increase the award amount. In some cases, based on the new eligibility category, the amount may be reduced.
- Please sign the new contract immediately, notifying ESA staff after signing to avoid funding delays.

As a reminder, only children who are identified as a child with a disability by a public school through an evaluation (or IEP) are entitled to spend ESA funds on educational therapies, paraprofessional services, tuition for vocational and life skills education, educational and psychological evaluations, assistive technology rentals, braille translation, or associated goods. See the "Associated Goods & Assistive Technology" section for more information.

Preschool Severe Delay (P-SD)¹⁷ Funding

Students with a disability in the ESA program under the specific disability category of **Preschool Severe Delay (P-SD)** need to have a re-evaluation done by an Arizona public school or district when they enter their Kindergarten year (age 5 on or before September 1), or their account will be set to 'base level funding'.

A re-evaluation is not a requirement to continue with ESA, but is needed for any changes in funding, as the P-SD category cannot move with a student into kindergarten. Please watch for any correspondence regarding this situation. Account Holders can also contact the ESA Support Line at 602-364-1969 or the HelpDesk at <http://helpdesk.azed.gov/> to learn if a specific account will be affected.

Developmental Delay (DD) Funding

Students with a disability in the ESA program under the specific disability category **Developmental Delay (DD)** need to have a re-evaluation done by an Arizona public school or district prior to turning age 10, or their account will be set to 'base-level funding'. Pursuant to A.R.S.§15-2401(7)(a)(ii) and A.R.S.§15-761(3), this category is only for students between the ages of 3-9.

A re-evaluation is not a requirement to continue with ESA, however the account will be set to 'base level funding'. The ESA team will contact Account Holders when their student is approaching the school year that they will be turning 10. Account Holders can also contact the ESA Support Line at 602-364-1969 or the HelpDesk at <http://helpdesk.azed.gov/> to learn if a specific account will be affected.

Students with a Disability (After 12th grade)

¹⁷ See A.R.S.§15-2401(7)(a)(ii) and A.R.S.§15-761(24)

Pursuant to A.R.S. §15-2402(4)(n), a student with a disability may be entitled to an education until the age of 22 if the student is not ready to graduate high school or obtain their GED.

When a student is identified as being a student with a disability with ESA, and in the spring of their 12th grade cohort year, ESA will notify the Account Holder that action is required.

Upon receipt of this notification, an Account Holder will be prompted to log into the ESA Applicant Portal, select the eligible student, and make the following selection:

- **NO:** By selecting this option, I attest that my child is not scheduled to graduate high school or obtain a GED by the end of this school year. I understand that a renewal contract will still need to be signed to continue to receive any additional support.
- **YES:** By selecting this option, I attest that my child is expected to graduate high school or obtain a GED by the end of this school year. I understand that an exited contract will still need to be signed to continue to access any remaining funds for allowable expenses.

By making this selection, you will verify that you have read and understand the following:

- *You understand that providing false information is considered failure to comply with the terms of the contract or applicable laws and that your account is subject to suspension/termination. See A.R.S. §15-2403(C)*
- *You understand that when your child does graduate from high school or obtains a GED, you must notify ESA immediately.*
- *If changes need to be made, you will need to contact ESA immediately for assistance or submit a HelpDesk ticket at <http://helpdesk.azed.gov/>*

An Account Holder can attest that their student is not yet ready to graduate or obtain their GED until the year the student turns 22, as that will be their final funded year with ESA.

NOTE:

An Account Holder who attests that their student continues to need a K-12 education, must provide their student a K-12 education. An Account Holder found to be providing only a post-secondary education may have their student's account suspended and repayment may be required.

Disallowed Spending Categories

Disallowed Spending Categories

In accordance with A.R.S. §15-2402, the following categories are prohibited, however, please note that some of the items below **may be** approved for qualified students with a disability.

The Department reserves the right under statute to not approve items.

ESA Disallowed Expenses

- Entertainment
- Primarily noneducational devices
- Televisions
- Telephones
- Video game consoles and accessories
- Home theater and audio equipment

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Chapter 3: Expense Submissions

When an Account Holder enters into an ESA contract with the Department, the Account Holder is required to report all expenses made with ESA funds.

To maintain ESA program eligibility the following must be completed:

- Debit card receipts must be submitted in the quarter that the transaction occurred
- Complete invoices or receipts must be included when submitting expenses or making payments
- All required credentials must be included when submitting debit card receipts or reimbursements (even if the provider or vendor is registered)
- If no spending occurs in a particular quarter, Account Holders are required to attest in the ESA portal that no funds were spent¹⁹

Pursuant to A.R.S. 15-2403(B) and A.A.C. R7-2-1508(A), the Department may perform audits to ensure compliance with ESA spending. Such audits may conform to the record retention requirements that were in place at the time the expense was made. The Department may only audit account activity from the last two fiscal years, including the current fiscal year.

Pursuant to A.A.C. R7-2-1508(B), the Department must provide an annual notice to each parent of when and how the Department will conduct reviews of expenses and audits. If the Department chooses to adopt risk-based auditing, the Department must provide formal notice to the Board at a Board Meeting.

In 2020, the State Board of Education, working in collaboration with the Arizona Department of Education and stakeholders, established the rule A.A.C. R7-2-1507(C): The Department shall not request repayment for an expense it has approved for a specific ESA. The Department shall treat similar expenditures by similarly situated account holders in the same manner so long as the account holder provides sufficient documentation to support the expense. This section does not create authorization for an account holder to expend funds in a manner not permitted by statute.

¹⁹ A.A.C. R7-2-1508(J) does not waive the Account Holder's obligation to submit an attestation for "no expense" quarters to the Department, attestation ESA funds were spent during the quarter.

Required Documents for all Expenses

As stated above, all expenses must be accounted for. This includes providing required credentials and complete (detailed) invoices for online programs, curriculum, and supplemental items required or recommended by the curriculum.

Pursuant to A.C.C. R7-2-1508(C-D), private school invoices **MUST** have the following:

1. Student's name
2. Name of the private school
3. Transaction Date
4. What ESA funds are paying for (tuition or fees)
5. Total amount charged to debit card must be reflected on the invoice
6. For reimbursements, proof of method of payment is required (e.g., an invoice showing "paid", a confirmation email showing payment was made/received, PayPal confirmation, etc.)

Invoices for tutors, paraprofessionals, or therapists **MUST** have the following:

1. Student's name
2. Name of provider or facility
3. Transaction Date
4. Rate amounts/type of service(s)
5. Total amount charged to debit card must be reflected on the invoice
6. For reimbursements, proof of method of payment is required (e.g., an invoice showing "paid", a confirmation email showing payment was made/received, PayPal confirmation, etc.)

NOTE:

Handwritten receipts, screenshots of carts, credit card slips, or summary statements from vendors and/or providers will NOT be accepted. It is important to look at the invoice to make sure all the required information is provided before submission.

Expense Categories

All ESA expenses must be categorized. Category selections are listed below:

- Assistive Technology Rentals (special education students only)
- Assistive Technology Purchases (special education students only)
- Associated Good (special education students only)
- Braille Translations (special education students only)
- Curricula
- Educational Materials/Items
- Educational Psychological Evaluations (special education students only)
- Educational Therapies and Services (special education students only)
- Educational/Psychological Evaluation (special education students only)
- Instrument Rental
- National standardized testing
- Online Learning Program
- Paraprofessional (special education students only)
- Post-Secondary (college/university)
- Post-Secondary Expenses
- Reading Books
- Services by a Public School
- Subscription Annual
- Subscription Monthly
- Subscription Quarterly
- Supplemental Material (required or recommended by the curriculum)
- Tuition for Life Skills/Vocational (special education students only)
- Tuition for Qualified Schools
- Tutoring (core subjects: grammar, math, science, social studies, reading)
- Tutoring (specific subjects: PE, music, art, karate, gymnastics, etc.)
- Tutoring (non-academic)
- Uniforms (must be purchased from or through a school or a vendor that the school recommends or requires)

Misspending or Disallowed Expenses

- To protect the ESA program and taxpayer dollars, the Department pursues all misspending and disallowed expenditures. Additionally, the Department has a zero-tolerance policy on substantial misuse of funds with the intent to defraud. These cases are automatically referred

to the State Board to approve a referral to the Attorney General's Fraud Unit.

- Spending any ESA funds in a category disallowed under the ESA contract, state law, administrative rule, program policies, or ESA Parent Handbook may result in account suspension and require repayment.

Suspension of ESA Account

- Pursuant to A.A.C. R7-2-1509, when an account is suspended, the Department will notify the Account Holder via email. The notification will specify the reason for the suspension and allow the Account Holder 15 business days to provide ESA with documentation that shows an error was made **or** to submit repayment of the disallowed/misspent ESA funds.

Termination of ESA Account

- If, within the 15 business days of notification, the Account Holder has not contacted ESA, a termination letter with the right to appeal will be emailed. Additional information on the ESA Appeals Process, as well as how to file an appeal is available at <https://azsbe.az.gov/empowermentscholarship-account-esa-program>.
- The termination letter allows the Account Holder 30 calendar days to appeal the Department's decision. If no appeal is made in writing to SBE the ESA account is closed, and unused funds will be deposited back into the State's general fund. Any disallowed, misspent, or unsubmitted expenses will be sent to the Attorney General's Office for collection, fraud investigation, or both.
- If documentation is provided showing that an error was made or that suffices the purchase or payment, the account will be reactivated.

Repayment Plans

- Pursuant to A.A.C. R7-2-1509(C), if the Department determines the documentation fails to demonstrate that the expense is allowable or that the Account Holder was a victim to identity theft or fraud, the Department shall provide notification to the Account Holder that the amount must be repaid.
- Pursuant to A.A.C. R7-2-1509, if ESA funds need to be repaid on an active account, the Department will offer plans of up to six months. (NOTE: Closed or terminated ESA accounts can coordinate payments with the Attorney General's Collections Office if/when applicable.)
- Once a parent agrees to a gradual repayment plan or repays an amount pursuant to A.A.C. R7-2-1509(A)(2)(b) or A.A.C. R7-2-1509(C), the Department shall lift the temporary suspension, reinstate the account, and make any disbursements that were withheld during the suspension.
- Except in cases which the Attorney General determines that an Account Holder has committed fraud, any expenditure from an Arizona Empowerment Scholarship Account for a purchase that is deemed ineligible pursuant to A.R.S. §15-2402 and that is subsequently repaid by the parent or account holder shall be credited back to the Arizona Empowerment Scholarship Account.
- In 2020, the State Board of Education, working in collaboration with the Arizona Department of Education and stakeholders, established the rule A.A.C. R7-2-1507(C): The Department shall not

request repayment for an expense it has approved for a specific ESA. The Depart shall treat similar expenditures by similarly situated account holders in the same manner so long as the account holder provides sufficient documentation to support the expense. This section does not create authorization for an account holder to expend funds in a manner not permitted by statute.

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Chapter 4: Renewing ESA Contracts

Eligibility for Renewal

To remain eligible to renew an ESA contract, the Account Holder must have:

1. Submitted quarterly ClassWallet debit card receipts (if using the debit card).
2. Spent a portion of the ESA funds in at least the subjects of reading, grammar, mathematics, social studies, and science during the contract year (July 1-June 30)
3. Kept the account in Active Status, meaning it must not be suspended or terminated for contract violations such as:
 - Using ESA funds on disallowed expenses or misuse of ESA funds
 - Enrollment in public school at the same time as under ESA contract
 - Receiving an STO or tax credit scholarship while under ESA contract

Renewal

Existing ESA students are considered “renewing students” and do not need to reapply. Any funds remaining at the end of the school year will roll over, provided the renewal contract is signed.

Contracts will be sent via email through an electronic signing option.

Once the ESA program receives the renewal contract and any required documents, an email confirmation will be sent.

As of the 2022-2023 School Year, any funds that remain in accounts that have been closed for non-renewal, will be held for three academic years. If there is no renewal after three academic years, a notice will be sent. If there is no response within 60-days of this final notice, any remaining monies will be returned to the State.²⁰

If an account is closed due to non-renewal, a new application must be submitted.

²⁰ See A.R.S. §1515-2402(H)

Exited Contracts

Exited Contracts are for Account Holders who have a student who no longer qualifies for a K-12 education, because they have graduated high school or earned a GED, but they still have remaining funds that can be spent towards the student's post-secondary education. Exited students do not receive any additional funding but are eligible to continue to spend funds per their contract and handbook agreement.²¹

Failure to do so can result in suspension and subsequent termination of the ESA account. If the student graduates high school or earns their GED, please notify the ESA team as soon as possible so that an exited contract can be sent.

NOTE:

See **"Students with a Disability (after 12th grade)"** on page 32 if the student is a qualified student with a disability and will not graduate high school or earn their GED at the completion of 12th grade.

Chapter 5: Termination or Closure

Below are some reasons termination or removal from the ESA program may occur.²²

- Enrolling and attending a public-school district, charter, or public online school (this includes summer school)
- Receiving School Tuition Organization (STO) scholarships OR tax credit scholarships while on ESA
- Misspending ESA funds
- Failure to submit receipts for debit card transactions each quarter
- Fraudulent activity
- Loss of custody
- Providing false information or falsifying documents
- Not spending a portion of ESA funds during the contract year (July 1 through June 30)

Attending a Public School, Charter School, or Public Online School

While a student is on an ESA contract and pursuant to A.R.S.§15-2402(H), the Account Holder agrees not to enroll the student in a public school district, charter school, or public online school; this includes summer school, any services such as speech services, or extra-curricular activities.

Receiving an STO or Tax Credit Scholarship

Pursuant to A.R.S.§15-2402(A)(3), the Account Holder agrees not to receive any STOs or tax credit scholarships concurrently with an ESA.

If your student's ESA funds do not cover the full cost of the qualified school and you are unsure how the remainder is being paid, please contact your qualified school to make sure you are not receiving an STO or tax credit scholarship. If you believe you may have received an STO or tax credit scholarship, please contact ESA staff immediately.

²² This not an exhaustive list, just examples of reasons that accounts have been closed or terminated

Chapter 6: Leaving the ESA Program

A student leaves the ESA program one of four ways:

1. Withdrawal: Account Holder requests that the student's ESA contract be closed.
2. Non-renewal: Account Holder chooses not to sign the student's renewal contract.
3. Completing the ESA program: Student exits the program upon completion of their 12th grade cohort year or receives a GED. Qualifying students with a disability may be eligible to continue, see page 32, Students with a Disability (After 12th grade).
4. Removal/Termination: ESA terminates the contract for failure to abide by program rules, program policies, ESA Parent Handbook and/or state law.

Withdrawal

An Account Holder can withdraw their student from the ESA program at any time. To close a student's account, the account holder can do so within the ESA Portal. Account Holders can also submit a HelpDesk ticket requesting account closure.

The student's account will be reviewed, and any outstanding debit card receipts or invoices will need to be submitted. The Account Holder will receive email confirmation when the account has been closed. Once closed, any remaining funds will be returned to the State's general fund.

Pursuant to A.A.C. R7-2-1509, if an account is not closed in good standing, the Department will refer to the SBE. The Board may refer the case to the Attorney General's office for collections.

Non-Renewal

Renewal contracts are sent to current Account Holders at the end of each school year. Pursuant to A.R.S. §15-2402(H), if an Account Holder chooses not to renew or does not sign a renewal contract, ESA will automatically close the account and any remaining funds will be held for a period of 3 academic years.

Completing the ESA Program

When a student enters the ESA program, they continue to progress one grade level each year. This means that if the student enters the ESA program in 3rd grade, the following year the student will move to 4th grade, even if the qualified school or the parent decides to retain the student.

At the completion of 12th grade, ESA students who have graduated high school or received a GED will receive an Exited Contract. Once exited from the ESA program, the student will have four years to use any remaining funds in the account.²³ All policies and laws regarding the ESA program must still be followed.

²³ See A.R.S. §15-2402(4)

Removal

The Department may remove a parent and/or student from the ESA program for a variety of reasons as discussed in Chapter 6. Upon removal, the parent may appeal the Department's decision. However, if a parent is removed due to committing fraud, the parent and the student may not reapply for the ESA program in the future.

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Chapter 7: Quick Reference

ESA Department Contact Information:

The ESA Support Team is available Monday – Friday from 8am-8pm and Saturday from 8am - 12pm at **602-364-1969**. You can contact our team any time by emailing ESACallCenter@AzEd.gov

- For preapprovals or questions about purchasing specific items, please contact the ESA office
- A vendor stating that they accept ESA funds does not mean they are approved or that the service is allowed for all students. Account holders are responsible for verifying that a purchase is permissible
- It is the Account Holder's responsibility to follow the law and ESA contract and use ESA funds only for items allowed under A.R.S.§15-2402(B)(4). ADE can only provide technical assistance and not legal advice
- The Department does not regulate qualified schools or vendors, even if they are in the third-party vendor. Our team cannot recommend schools or providers. Please research and exercise caution when contracting with a school or vendor
- All purchases and/or payments require a corresponding receipt or detailed invoice
- Valid credentials are required for all teachers, instructors, tutors, providers and/or facilities
- Services offered in private or public schools by tutors, teachers or therapists do not require credentials, *if paid through the school*
- Account holders must spend a portion of the ESA funds annually, in at least the following subjects: reading, grammar, math, social studies, and science

Chapter 8: HelpDesk Guidance

Need to Submit a HelpDesk Request for ESA?

HelpDesk requests are assigned every morning and are a team priority!

Request approval, submit documents, ask questions and more! This is the best, most efficient way to communicate with any member of the ESA team.

NOTE:

HelpDesk can be accessed at <http://helpdesk.azed.gov/>, as well as in the ESA Applicant Portal.

How to submit a HelpDesk ticket:

- After logging into the ESA Portal, create a Help Desk request by clicking on the link located on the right-hand upper corner **Submit a Help Desk Request**.
- Click on **Request a Service** link shown at the top right. To go back to the previous screen (landing page), click on the “X” icon at the top of the window. Please DO NOT click the browser back button.
- There are multiple program areas and departments in the system. However, to contact ESA directly, select either **ESA Purchasing** or **ESA Enrollment**.
 - Select **ESA Enrollment** if the request is about an application, ESA contract, program withdrawal, personal information update or a general program question
- To change the template, click on the **Change Template** link at the top
- All the required fields with an asterisk “*” next to the field name must be completed
- Select the appropriate “Subcategory” value which will give multiple options in the item drop down (*Please note that there are different item lists for different subcategory selections*)
- Documents can be attached within the HelpDesk request
- Click on the **Requests** menu to view all requests and the status
- In the notes section please include phone number, Application ID number, the email that you registered with, screen shot of error message, and let us know if you have ever used the HelpDesk.

Updating an Existing HelpDesk Request:

1. Click on the **Conversations** tab to view all the email conversations or notes. Add comments or notes by clicking the “Reply” button.
2. The request cannot be edited once it has been submitted, but you will be able to add to the conversation.
3. Once the initial request is satisfied, the team will ~~close~~ resolve the ticket. You will have 5

days to reopen the ticket if it is not resolved. After that, you will need to submit a new ticket. **If there is an additional request, please submit a new HelpDesk ticket.**



Empowerment Scholarship Account Program School Year 2022-2023

www.azed.gov/esa

Common Acronyms

Acronym	Meaning
504	Section 504 of the Rehabilitation Act
AAC	Augmented Communication
A.A.C.	Arizona Administrative Code or Rules
ABA	Applied Behavioral Analysis
ADA	Americans with Disabilities Act
ADD	Attention Deficit Disorder
ADE	Arizona Department of Education
ADHD	Attention Deficit Hyperactivity Disorder
APE	Adaptive Physical Education
A.R.S.	Arizona Revised Statutes
ASD	Autism Spectrum Disorders
ASL	American Sign Language
AT	Assistive Technology
BD	Behavioral Disorder
CBA	Curriculum Based Assessment
CD	Cognitive Delay
COTA	Certified Occupational Therapist Assistant
CP	Cerebral Palsy
DB	Deaf-Blind
DD	Developmental Delay
DIS	Designated Instruction and Services
DS	Down Syndrome
ED	Emotional Disturbance
ESA	Empowerment Scholarship Account
FAPE	Free and Appropriate Public Education
FERPA	Family Educational Rights and Privacy Act
HH	Hard of Hearing
IDEA	Individuals with Disabilities Education Act
IEE	Independent Educational Evaluation
IEP	Individualized Educational Program
IPP	Individual Program Plan
LEA	Local Education Agency
LRE	Least Restrictive Environment
MET	Multidisciplinary Evaluation Team
O & M	Orientation and Mobility

Acronym	Meaning
OHI	Other Health Impairment
OT	Occupational Therapy
P-SD	Preschool Severe Delay
PAC	Parent Advisory Committee
PEI	<u>Plan Educativo Individualizado</u> (Spanish Acronym for <u>IDEA</u>)
PLAAFP	Present Levels of Academic Achievement and Functional Performance
PLOP	Present Levels of Performance
PT	Physical Therapy or Physical Therapist
SAS	Supplementary Aids and Services
SB	Spina Bifida
SBE	<u>Arizona State Board of Education</u>
SD	School District
SDI	Specially Designed Instruction
SI	Sensory Integration
SLD	Specific Learning Disability
SLI	Speech/Language Impairment
SPED	Special Education
STEAM	Science, Technology, Engineering, and Math
STEM	Science, Technology, Engineering, Arts, and Math
STO	School Tuition Organization
TBI	Traumatic Brain Injury
TDD	Telecommunication Devices for the Deaf
TS	Tourette Syndrome
VI	Visual Impairment

Appendix A: ESA Statutes

LINK: <https://www.azleg.gov/arsDetail/?title=15>

Arizona Revised Statutes: Title 15, Chapter 19, Article 1 sections 15-2041 through 15-2405

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Appendix B: ESA Rules

LINK: [Arizona Administrative Code](#)

When the new rules (adopted on January 23, 2023) appear in the Arizona Administrative Code, we will add them here before the handbook is distributed.

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ESA Party Roles

<p>Arizona Department of Education 1535 W. Jefferson Street, Bin # 41 Phoenix, AZ 85007 ESACallcenter@azed.gov (602) 364 - 1969 Website</p>	<ul style="list-style-type: none"> • Administers and manages the daily operations of the ESA program: determining eligibility, determining allowed vs. disallowed expenses, and determination of ESA account termination. Issues administrative decisions related these decisions. • Processes applications and issues contracts. • Answers questions from stakeholders about the ESA program. Troubleshoots roadblocks that account holders experience when trying to get into the program, experience when accessing the program, or when trying to leave the program. • Establishes standardized program protocols and processes that are consistent with Arizona State Statute (law) and Arizona Administrative Code (Rule). Seeks clarification from ADE legal counsel regarding any instances regarding potentially problematic Statutes and Rules that are considered contradictory, inconsistent, etc. • Seeks and applies allowable program feedback from stakeholders to updates and changes in Statute, Rule, Handbook, and parties with which the program contracts, etc. • Submits to the Board: quarterly reports, updates on the program, and accounts being referred to the Auditor General Collections and/or Fraud Department.
<p>Office of the Arizona State Treasurer Website</p>	<ul style="list-style-type: none"> • As Arizona’s banker, completes requests from the Department to fund and unload each individual ESA account. • Collaborates with the Department regarding third-party contracts with vendors that service the ESA program.
<p>Arizona State Board of Education 1700 W. Washington Street Executive Tower, Suite 300 Phoenix, AZ 85007 (602) 542 – 5057 Website Email: esafeedback@azsbe.az.gov</p>	<ul style="list-style-type: none"> • Receives and processes ESA Appeals of Department administrative decisions. • Approves, writes and updates the ESA Rules by collaborating with the Department and stakeholders as changes to ESA laws are passed by the state Legislature, to include adoption of updates made to the ESA Parent Handbook due to Rule and Law changes. • Provides the Department with clarifications regarding any Rule intent inquiries. • Evaluates ESA account holder referrals made by the Department and sends referrals to the Attorney General’s Office of Collections and/or Fraud.

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