

	I am most excited about this change from House Bill 2898 due to:
1	The process was confusing and a bit scary for prents.
2	Right now the appeals process is being used as a weapon against parents. More often than not the item is allowed , it is sent for appeals and then approved. The change will allow for more educational review.
3	ADE pushing appeals with a very confusing process. And ADE allowed to have 3+ Attorneys while parents weren't allowed an attorney or advocate.
4	E. the approval process for curricula and supplementary materials needs to be streamlined and improved. The approvals are capricious and inconsistent. Some parents must provide far more documentation than others putting an extreme burden on the parent. Information on what is acceptable documentation for the approval of supplemental items is extremely vague. Even after a 30 minute town hall presentation, the parents had no clear answers as to what needed to be submitted for supplemental item approval. The majority of students are special education students, so perhaps a protocol for illustrating what's needed for approval would be appropriate for this category of student and another set of protocols for students who do not have special education needs. Additionally, the timeliness of approvals is less than satisfactory. Approvals are taking months without communication from the ESA approvals team. (Please ask for examples if you wish to have this illustrated clearly it is a problem that directly negatively impacts our children and their education.)
5	empowering those who need it easier
6	I think it's a positive change.
7	I want to find out more about this
8	shortening the days that a child would need to stay in a school placement that is not serving them best
9	My [redacted] being denied ESA due to missing the 100 day mark by one week. So now [redacted] is forced to do another 100 days in school that cannot meet [redacted] needs. [redacted] is [redacted].
10	This makes more sense than the 100 day previously required
11	A friend who homeschools and [redacted] has [redacted] and [redacted] didn't learn about the program until [redacted] was out of public school for too long to get enrolled.
12	More helpful
13	Children really needing support will get it
14	Our family has lived in Arizona over 10 years but since my child didn't attend public school, we could not qualify for ESA without the 100 days requirement. The 100 days was cumbersome.
15	It opens the ESA up to more people.
16	it will make the program more accessible to Arizona families
17	Makes ESA more accessible to families and students that are not thriving in the public school setting.
18	.
19	Helping others if needed
20	Tie between 45 day eligibility change & insurance. The 45 day change gives parents options faster instead of feeling stuck in a bad educational environment..
21	It is difficult to plan ahead without knowing t
22	The delay in processing my application last year caused me to start school in October & November after finally being funded and after waiting on backordered materials. This delayed our finishing of last year's curriculum until the end of August and caused my eldest who started in November to have to double up on lessons in order to finish in time for a scheduled trip. I had applied in MAY which should have been PLENTY of time for the application to be approved and funded before the end of July for a reasonable start in August.
23	Speeding up the process
24	not required to send quarterly reports
25	Being able to use insurance for [redacted] for my [redacted]. Right now almost all of [redacted] ESA money goes towards [redacted]. If I can use insurance, I might have extra for other activities.
26	I have to limit [redacted] right now because I can't afford the copay for [redacted] to go every week.
27	It saves us money. About \$13 each visit so we can stretch the money further.
28	This enables me to save ESA money when paying for [redacted]. I'll actually spend less of my children's ESA funds for their [redacted]. So I can spend more money on additional types of education.
29	We have great insurance and it's be so great to use that and my [redacted] funds so [redacted] can receive even more help.
30	Opportunity to provide greater support to my child
31	This will allow our children to attend [redacted] and reduce our out of pocket expenses. Our insurance covers much of the expense for [redacted] [redacted], but without insurance, [redacted] [redacted] would surpass the amount of the ESA scholarship completely. With this rule change, our children will greatly benefit from [redacted] and curriculum previously restricted due to family budget
32	The others don't really affect me
33	My [redacted] being in multiple [redacted] that we can use ESA funds for.
34	Collaboration of everyone.
35	Allowing more [redacted]
36	None

37	Ex: Sensory items are not covered than I can purchase said item or other items not covered by ESA.
38	The financial burdens of [REDACTED]
39	The ability to use the funds more efficiently when combined with insurance. Our children will be able to get more of the services they need.
40	NA
41	Being able to cover [REDACTED] from all fronts.
42	Possibility of [REDACTED] coverage.
43	This will allow me to get my child the services they truly need by combining our insurance and ESA.
44	The never ending fees associated with all kinds of [REDACTED] families must fund!!
45	It was not fair to not be able to use insurance that we pay a lot for in addition to ESA funds. Thank you for this change.
46	It allows students to maximize their educational funds.
47	No longer requiring quarterly expense reports
48	k
49	Am hoping the changes to eligibility (45 day requirement) eventually becomes 0 day requirement allowing parents to really choose and not put the burden on our children to change out schools/routines (public school) so we can send them to a school of our choice (with our tax dollars).
50	See below in comments and feedback for more change I am hopeful you will implement:
51	The FERPA part of the HB 2898 offers an opportunity to respect the privacy of ESA students.
52	Hopefully the ESA program will establish protocols for approving spending MUCH QUICKER. Is that possible please?
53	They do not apply to me.
54	I can't be excited without being informed
55	Nothing
56	Typically won't apply to us
57	As mentioned, none of these really affect us.
58	.
59	The changes seem appropriate and well thought out.
60	N/A
61	I am NOT excited
62	Need to make sure that there is equity for expense item approvals
63	ADE misinterpreting the rule to require extensive documentation that was not previously required
64	Right now the current director's interpretation of most educational hands on items as "toys" is causing undue burden on parents to justify everything- including magnetic letters, board games and other previously approved items. It doesn't add to the program but creates busywork on both sides bc parents must resubmit after staff reject items for documentation. The current backlog on approvals is likely attributed to this busy work and delays education.
65	Esa fund to pay educational [REDACTED]
66	Because it is the departments responsibility to keep an organized system, they should be uploading the documents a creating files with similar purchases or [REDACTED] that the Dept should always have to reference before asking an ESA family to provide, again. That is what the allowable list was used for a great reference for all. Once approved, it should go on the list. So staff and parents are on the same page. Lately working with ESA staff, this year at least, has felt like a non paid part time job, that is for just submitting orders and the process. Cutting this out would save a lot of time for everyone and ESA staff would be using their time appropriately.
67	Approvals shouldnt be arbitrarily rejected. If it has been approved once for anyone, it should be approved. Period.
68	IF the change will be open to interpretation which ESA has done with other situations. This could be seen as we have have to provide documentation for a required similar item in order to get our preferred brand. The spirit of the law is wonderful, but must be written so that there is no way personal interpretation can challenge and pervert it.
69	It takes a lot of time and isnt user friendly plus breaks copy right laws to upload pages and pages of curriculum for things that are clearly educational.
70	Less paperwork needs and more time being able to focus on my children's education instead of wasting more time on repetitive paperwork
71	The amount of documentation needed to get an item approved is ridiculous and it takes away from the parents time tracking their children. A parent should be able to explain how the item is going to be used in an educational contact and that should be documentation enough.
72	Expanded accessibility to educational tools and supplies.
73	Unfairness of approvals
74	To much confusion and things not the same across the board
75	a reduction in steps

76	"Documentation" was being interpreted in the most ridiculous ways by ESA staff.
77	the difficulty with ordering routine items that my son needs for his [REDACTED]. For example, [REDACTED] should not be a huge deal to order, or [REDACTED], etc. for students who need them.
78	Being able to not have to justify items that are obviously educational.
79	Children with like diagnosis (special education or typical children who are enrolled as siblings) should be allowed to purchase the same items as others in their category if it has been approved. Approved for one, approved for all with similar needs!
80	Due to inconsistencies and having to spend excessive time justifying items that are obviously educational.
81	Extended and unnesecery time to substantiate low risk transaction.
82	Hopefully it will reduce the amount of work on the parent to prove an item is allowable.
83	ok
84	misinterpretation of the intent of this rule by the current administration
85	The ability to get what I need for my child and his schooling without having the issues
86	It reduces delays and denials of educational items for ESA students.
87	The documentation is provided once and doesn't need to be provided every time as it is just a huge waste of time for parents.
88	Being trusted to properly educate my child.
89	feeling like there are inconsistencies in what different staff members approve. On more than one occasion I have had a friend have an amazing educational item approved for her child that was not approved for my child, despite me utilizing similar documentation. I eventually received the items, however it was a lot of extra legwork and time spent on my part. With a high-needs, special-learning child, I need as much time freed up to help her as possible!
90	Removal of red tape that ESA seems to like.
91	This is a very hard process and it needs to be easier
92	The amount of unnecessary time it takes to compile this information that takes away from my child's education
93	Removing the excessive documentation requirement for similarly situated students is paramount to providing students with educational access. In many cases, the expenditure approval process could be streamlined and automated. Repeatedly requiring excessive documentation delays student education and creates unnecessary work for both parents and ADE. I would like to see further clarification regarding documentation requirements for supplemental expenditures.
94	My "student" has [REDACTED], [REDACTED] and [REDACTED] needs. It would be nice to be able to submit documentation, only once, in order to get the things I need for [REDACTED] sessions.
95	Removing the excessive documentation requirement for similarly situated students is paramount to providing students with educational access. In many cases, the expenditure approval process could be streamlined and automated. Repeatedly requiring excessive documentation delays student education and creates unnecessary work for both parents and ADE. I would like to see further clarification regarding documentation requirements for supplemental expenditures.
96	This is crucial to providing students with educational access. In many cases, the expenditure approval process could be streamlined and automated. Repeatedly requiring excessive documentation delays student education and creates unnecessary work for both parents and ADE. Further clarification regarding documentation requirements for supplemental expenditures is needed. In addition, ADE should be required to add items to the allowed list that are approved so account holders for similar students know what items have been allowed. Currently, ADE has been removing items from the allowed list.
97	The documentation and proof of supplemental educational value is quite frustrating and cumbersome.
98	1. Reducing the days from 100 to 45 would make it a lot easier for the parents who move from other states. 2. Also removing the requirements for similar situated expense would make a lot efficient for parents and ESA
99	The inconsistencies currently
100	Less busy work from parents for no reason except delay of what we need for our kids
101	The new director has twisted the existing rules and documentation requirements to create undue burden on parents.
102	Simplification. Takes away unnecessary restrictions.
103	I've had to personally battle with ESA staff to have educational items needed for my children because of this rule. I purchased items on one of my childs accounts with the items I needed to enhance a unit study we are doing. Everything was approved with no issue at all. Then I purchased the items needed for my other child (very similar items) and they were denied. I was forced to jump through so many hoops to try and get those items approved. I was told I needed to provide a certain item, I provided and then it was denied again, multiple times. I finally gave up... ESA staff, in recent months, has made it terribly difficult for parents to purchase items needed to best educate our students. I've provided further info below in the extra comment section.
104	The department has not been interpreting this as intended. ADE is requiring extensive documentation for all purchases as if they were accommodations rather than supplemental or curriculum. They do not seem to be honoring the purpose of the approved item list for everyone.
105	Reduce fraud

	A 'stay' will ensure billing for services rendered before an ADE decision with negative impact to the account holder won't become frozen such that services already rendered cannot be correctly paid.
106	Responsibly managing payment to vendors is an important element to ensuring continuity of the child's education. Nothing should stand in the way of accomplishing that important goal.
107	The student still needs to learn and should not be punished during an appeals process. The student still needs to learn
108	I don't think peoples accounts should be suspended as the first immediate step. I think parents should be given time to rectify mistakes without their account and their childs education being jeopardized.

	I am most concerned about this change from House Bill 2898 due to:
1	Will we have any meaningful recourse when the department fails on their end? Ever since [redacted] has been hired, the office has been a crapshoot. Unannounced changes, no responses, funding issues, termination issues. Who do we turn to when a program meant to enhance our children's education is used against us by powers with no educational expertise or understanding?
2	I feel the Department of Education needs to be held accountable for appeals and that by going outside of ADE for court proceedings sure to the appeal process is actually a good thing as it gets an extra set of eyes on the issue rather than internalizing the process which gives way for stricter policies on item purchases that can make it harder for our kiddos to get the items they need to assist them in having the best education possible based on their specific needs.
3	transparency
4	Concern for the mishandling of appeals
5	I'm thinking that ADE needs accountability from an outside source to ensure the rules are followed
6	Lack of accountability
7	I am not clear if this will harm us by not giving us the attention needed to address concerns.
8	It is not right to exempt kids from eligibility simply because their parents can afford to feed them. This is a form of discrimination. Academic needs trump this requirement. If the public system cannot meet the needs of the student, the student should be eligible to apply.
9	Is it based on a disability or low income?
10	None
11	I am pleased that the applications day requirement has been reduced. I think this will allow more families to have access to educational opportunities that meet their student's needs. My concern is the language regarding the revised hours for kindergarten. It is confusing and could be easily misunderstood. Rule and language clarity is essential to insure that student education is not delayed or denied based upon misinterpretation.
12	They may end up rejecting applications for easily resolvable issues rather than risk not meeting their deadlines.
13	Im not sure the deadlines will be met.
14	I have been using ESA for [redacted]. Our student has [redacted]. Does this change anything?
15	I am concerned there is going to be issues and your staff won't approve invoices with insurance on it. There has been too many issues with your staff deciding one minute what is approved and what isn't. It changes from family to family and I'm concerned I will have to deal with the stress of if you will approve my [redacted] or not.
16	I am afraid they will not cover [redacted] in the medical setting because of an invoice issue, inconsistency with staff, or because they do not approve the debit card transactions, they will deny or suspend my account and make me payback. I was hoping this rule would allow us to pay a co-pay for [redacted] or [redacted]. I am fearful the Dept will not approve a co-pay(which was my hope to be able to pay anything that a insurance company does not pay, or whatever the amount the patient is responsible for. Rule needs to state the patient responsibility is what the Dept is responsible for paying with our ESA funds. A co-pay for [redacted] could be 10-100\$ a visit. We need the rules to state copays are allowed, and instead of saying or maybe in addition, it is added that students with special needs enrolled in the program can use the funds to cover all family responsibility side of fees with ESA funds. If the Dept removes the document responsibility portion, it needs to say, repayment will not be required once already run through the Class Wallet ordering platform. Essentially once an order get submitted, it is sent to ESA staff to approve or deny. So repayment should not be required or allowed and they needs to be stated.
17	I don't feel like there is any guidance or regulation on this rule change. It will be a mess to deal with - and I am not confident that private healthcare information will be handled properly (not that it's even needed).

18	<p>For parents raising a child/children with special needs their access to 'educational [REDACTED]' MUST NOT be tied to whatever an insurance company may be paying for. These 'services' provided as [REDACTED] to the student take on a different role in the educational setting. Take for example the [REDACTED] role in providing a student education focused [REDACTED]. This [REDACTED] may be supporting the student in [REDACTED]. A [REDACTED] may be working on [REDACTED] so that the student can [REDACTED] important to [REDACTED]. These [REDACTED] focused on educational needs facilitate and ensure student progress. To tie it to "an amount not covered by insurance" entirely misses the point. When children receive [REDACTED] in a brick and mortar school they are 'lucky' if they get 20 minutes a week. Reflect on this for a moment. If we as an adult are trying to learn something new will 20 minutes a week anchor that skill. The [REDACTED] working on educational goals must remain separate from insurances. Insurances have a litany of guidelines and often rules allowing and disallowing certain provisions. Provisions to the child that facilitate their progress must remain not in the hands of an administrator or an insurance company but squarely in the hands of the parent who is seeking the best interests of the child and intimately sees the value in services they engage for the in behalf of their student. School settings rarely receive adequate time for meaningful progress. Twenty minutes covered by [REDACTED] falls woefully short of the actual need a child who is struggling to learn to write, or to engage in expressive and/or receptive [REDACTED] so that there is conveyance of critically important exchange of information from the student. This element of changes to the laws governing ESA is NOT in the best interest of the student and entirely appears to be driven by a control of how to control costs of the state. The parent/caregiver is the best judge of ESA educational [REDACTED] provisions. It should NOT be tied to what they may have covered by insurance. I disagree with this provision and modification of the ESA rules.</p>
19	I'm afraid ADE won't know how to decipher what is educational and what is medical and forcing parents to pay out of pocket for items that are approved by Statute.
20	I have a general concern that ADE will create cumbersome policies to regulate some of these changes. I'm also concerned the difference between 45 in-person days and online instruction hours will create application confusion for parents. It should all be consistently equal to 45 days.
21	making unnecessary changes to limit our use of these funds
22	NA
23	No concerns
24	NA
25	.
26	I am concerned about the ESA administration not following the rule set by SBE.
27	Too easy for parents to commit fraud
28	ADE has been onerous about purchasing supplemental items, from requiring extensive documentation to omitting the word "enhances" from the definition of supplemental materials. How will the SBE rules support the access of ESA students to supplemental items?
29	I am concerned that rules were put into place to allow parents advocacy and continuation of educational services for students between each year and instead the new esa staff comes in and chooses to deny prior approved items, not follow the rules in place, not communicating with parents, not providing communication options for blind parents which is a qualification for esa bracket, the new esa staff is removing parents from PAC, they are trying to have special needs kids fit into a box of public school traditional curriculum when they are twice exceptional or have diverse learning needs and parents of kids with special needs on esa know best how to meet those needs. Also why are class wallet giving parents contact information to third party companies we are being contacted by outside advertising due to class wallet , CW needs to be removed and replaced completely.
30	I am concerned about "Corrective Action" A-3: the time for parents to take corrective action on a violation being reduced from 30 to 10 days. My emails from ESA FREQUENTLY end up in my junk folder even though I try to stay on top of adding the email addresses to my "safe senders" list. I try to check regularly, but a 10-dday window seems very short.
31	I am pleased that the application day requirement has been reduced. I think this will allow more families to have access to educational opportunities that meet their student's needs. My concern is the language regarding the revised hours for kindergarten. It is confusing and could be easily misunderstood. Rule and language clarity is essential to insure that student education is not delayed or denied based upon misinterpretation.

32	N/A
33	I am concerned because no matter what new rules and fixes SBE makes, ESA department head/staff still does whatever they want, and there are no consequences for them.
34	I am most concerned about parents being shut out and cut off. The ADE has become more dismissive of parents in the past few months. We had such high hopes when the SBE became involved in the ESA program, but the problems with parental input have recently gotten worse. Approvals are extremely slow. Class Wallet is a MESS. I'd like to provide more detail I'm not sure how to do that here with the limited space provided.
35	all kinds of spending and approval challenges
36	N/A
37	In regards to Definitions the following needs to be defines and communicated, during the 1st Quarter of 2021-2022, ESA Program staf have created a new expense category of 'Educational Materials/Item' with no communication to the 9000+ receiptents as to what this is or covers in regards to purchases - example from online ESA Allowable List is Planners https://www.azed.gov/planners . Regarding change in R7-2-1510(A)(3) decrease in number of days that parent have to correct the record for a specific expense from 30 days down to 10 days when direction from ESA Program staff on what doumentation is approved is unclear, confusing and often arbitrary. It takes parents some time to find that doumentation to justify the purchase that was made in good faith.
38	none
39	None
40	NA
41	None
42	Less obstruction from ESA employees is always good.
43	Not concerned
44	N/A
45	Na
46	I'm not
47	None
48	I am not concerned
49	I am not concerned.
50	I am not concerned about the other changes
51	N/A
52	Na
53	n/a
54	Na
55	***No answer at this time.
56	Not concerned.
57	No concerns
58	n/a
59	I think all of the changes are a step in the right direction.
60	Na
61	Did not know about the free or reduced lunch. Not that my son would eat it.
62	No concern
63	I'm not concerned about these changes.
64	None

65	Na
66	Good stuff
67	I am not concerned
68	ok
69	k
70	N/A
71	n/a
72	I am not concerned about any of these changes.
73	N/A
74	N/A
75	N/A
76	N/a
77	These are things that have been fought for and will be an improvement to the program.
78	N/A
79	N/a
80	None
81	None
82	i have no concerns
83	NA
84	Na
85	n/a
86	I am not concerned about any of these above changes
87	I think the changes are positive ones.
88	NA
89	NA
90	Not applicable
91	None
92	I am more concerned with how the people are educated that approve expenses
93	I am not concerned with the changes per-say, they are all beneficial and positive. I am however, concerned with the way some of them are interpreted. Please see additional comments for my explanations. And, thank you for the changes being made thus far!
94	n/a
95	Inconsistent approval process, rejection of legos,
96	This is addressed in the comment above.
97	Proper credentials should always be required
98	Listening to recorded OAH hearings, it is apparent that "similarly situated" needs to be defined. In a very recent hearing, AG attorneys took advantage of "similarly situated" not being defined. They had their own interpretation which was opposite of the intended meaning of similarly situated. So, I would like to see this definition added to elevate confusion and/or misinterpretation.
99	.
100	I feel the current ESA administration is misusing this wording to deny educational items and services. It needs defined without room for them to reinterpret.
101	I'm concerned that ADE isn't able to keep my family's personal data safe.

102	There has been too many privacy violations.
103	There has been way too many privacy leaks of personal information from RSA families. Please look into this and provide safeguards that this information should remain private.
104	Those items are already in file so why should we need to provide it.
105	Privacy issues
106	Privacy.
107	All of it. I have not felt fully informed or supported
108	See below for further suggestion to this rule / my central concern.

ESA SURVEY FREE RESPONSES

R7-2-1507. Use of Funds Section B: "and publish the process online" should specify where it should be published online. On the ADE page, on ADE's ESA page, on the ESA online portal, or only through email "online"?

In the ESA handbook, ADE state that they are obligated to follow FERPA law. If they are obligated to follow FERPA law, parents should be receiving FERPA law info every year. This has not happened yet. I ask that SBE add FERPA verbiage as per HB2898 to ESA rules as well. The only Arizona students that are excluded from FERPA are homeschooled students that have an Affidavit of Intent to Homeschool attached to their name. ESA students are specifically asked not to sign the Affidavit because they do not fall into this category. Therefore FERPA should cover ESA students as well.

Also, in regards to FERPA, I ask that SBE add in rules an ESA Parent Directory that parents are able to opt out of.

Sweeping changes as of late have often given the impression that many people in power would like to have ESA be discontinued in AZ. It would be ideal if instead, everyone would focus on empowering ESA parents to spearhead their children's education, and believe that parents know what their children need. ESA exists to educate students, and that goal must remain foremost.

In terms of areas for improvement:

Communication:

Provide policies in writing:

Provide new policies in writing to all ESA account holders (aka parents) by Email ideally, all communications should come from one ESA email account, in order to prevent lost conversations due to the fact that some emails end up in spam.

In the email, please address how these new procedures & policies empower the education of ESA students.

Post new policies in written format on the ADE ESA website.

R7-2-1502.D Decisions with appealable actions need to be mailed certified mail. ADE uses a variety of email addresses and so their emails often go to spam and parents do not receive notification that their account was suspended. Accounts have been suspended for weeks or even more than a month due to a lack of communication from ADE to the ESA account holder. Suspending a student's education should be a serious step that is communicated in a reliable manner.

R7-2-1510.A2 10 days is very fast. Given that ADE suspends accounts without communicating

ESA SURVEY FREE RESPONSES

clearly to parents, notification of this needs to occur through certified mail for the same reasons mentioned above.

Parent input Town Halls and the PAC:

Regarding the Parent Town Halls held in September:

â€”> These have actually been done in a webinar/lecture format, with very little back and forth true communication.

â€”> If you DO hold town hall meetings, PLEASE:

Increase the allotted time to at least 60 minutes.

Offer 2 time slots at different times of day to enable more parents to attend.

Provide parents the opportunity to interact verbally as well as in written format.

Post the slides and videos afterwards, along with ALL of the questions people listed in the chat boxes” PROVIDE ALL INFO IN BOTH SPANISH AND ENGLISH PLEASE.

R7-201503.6 ADE has changed their ways of collecting parent input. ADE abruptly changed the charter of the parent advisory council (PAC) to eliminate the chair position and eliminate the opportunity for ESA parents to speak at the public meetings. Even the current PAC charter requires ADE to give 10 business days notice of the agenda, yet ADE has not published the agenda for the meeting they are supposedly having in September, so ADE is limiting parent input there too. Why??

Allowable items list:

R7-2-1507.A ADE has been removing items from the allowed list. Could ADE be required to add items to the allowed list that are approved so account holders for similar students know what items have been allowed?

COMPLETE its repair and UPDATE it.

Include clickable descriptions of what is acceptable documentation or proof for supplementary items & associated goods.

Establish a process to regularly add items to this list.

R7-2-1501.3 and R7-2-1501.14 define curriculum and supplemental items, respectively, while R7.2.1507.C requires similar expenses to be approved for similar students. ****I implore ADE to abide by these rules and to do so as efficiently as possible, since ESA parents worked with SBE in the summer of 2020 (OVER A YEAR AGO) to develop these rules and that statute to put these rules in place.****

ESA SURVEY FREE RESPONSES

ESA members have experienced inconsistent approvals for similar items for similar students, so please share (IN WRITING):

What is being done to ensure consistency among ESA staff members?

How will ADE staff be trained to improve consistency?

What is the timeline for this training?

Class Wallet:

Email all ESA parents to explain that missing debit cards can be requested by chatting on cw. If parents don't know how to get their card, this will delay their student's education.

The current order process is inefficient and redundant, so please share (IN WRITING):

How many interactions between ESA staff and ESA members (per transaction) is a reasonable expectation for an efficient process from your viewpoint?

How and when do you plan to streamline the approval and order process?

What is your timeline for streamlining this process?

Provide a timeline and process for approving cw debit card transactions.

Funding issues:

R7-2-1504.C SBE should be aware that ADE considers a student enrolled once they have signed an ESA contract and does not consider funding the account as part of being enrolled. While the statute obligates the ESA account holder to use ESA funds to educate the student, ADE does not consider funding the ESA account as necessary for a student to be considered enrolled. So could the rule state that enrolled means funded? ESA account holders are required to remove their students from publicly funded schools and to educate their students, and they need access to the funds of the student's ESA account to meet that requirement.

R7-2-1507.B This is a good change to make the expense review process public.

R7-2-1507C. What will ADE do about supplemental items? This change is excellent for similar expenditures, but will ADE continue to require extensive documentation for supplemental items? That recent requirement has been onerous and communication about it has been extremely lacking. ESA account holders (aka parents) need a clear and consistent process surrounding the purchase of supplemental items.

Miscellaneous:

ESA SURVEY FREE RESPONSES

R7-2-1503.5.g and h are excellent additions.

R7-2-1505.3 Please note that standard ESA funding levels are based on one of the lowest per student expenditure rates in the US (yes, Arizona ranks 48th out of 50 states). Thus, the portion of the per pupil expenditure that goes to fund the average ESA (non-SPED student) is really at the lowest of the low amounts even considered minimally useful enough to educate children in this country. Due to this fact, it would be incredibly helpful for ESA students to be able to also utilize funds from STOs, in order to access the kinds of education that Arizona will likely prefer for its citizens to have benefited from in the coming years.

R7-2-1505.6 A Again, how can students of today (ie, Arizona's taxpayers of tomorrow) expect to access a quality education in this day and age without access to a computer? Especially in light of all the forms of remote learning and working people are doing worldwide in this covid era it's not a luxury, it's a necessity. And having funds available for computer access is a no-brainer.

R7-2-1505.6 B Finally, public transportation options for students in Arizona are spotty at best, rather frightening at worst, and are not currently available to many children around the state, due to geographic limitations and/or costs involved. The quality of an ESA student's education (yes, those future Arizona taxpayers, again) can be greatly enhanced by access to safe transportation services to quality schools. This will also become more salient as we are able to move away from our pandemic lifestyles. It seems like it's time to let parents utilize a portion of their children's ESA funds to help offset the costs associated with transportation services. As I said at the beginning, ESA exists to educate students, and that goal must remain foremost in our minds. Please, believe that parents know what their children need, and trust us to make the right decisions for them. Thank you for your consideration of all the comments I submitted today.

1) Why is CW not accountable for our children's funds to the penny, like we are??.

1a) refunds - Many parents have had to fight to get the refunds back into their child's accounts. If they had not, CW would still be holding onto their money.

1b) CW when they had finally refunded money will not refund the tax. Apparently CW does not pay taxes on purchased and therefore we have had to fight to get it back into our child's accounts.

1c) They DO NOT give us with an statement showing account balance of every transaction. We need a statement similar to a bank statement showing money in and money out and balances.

2) IS CW paying tax on our children's accounts when we pay through the CW platform?

2a) IF NOT what are they doing with the tax, because they do collect it from our child's account.

3) Double charges are being charged to our children's accounts, we can not verify that the money is being deposited back to the child's accounts once they show the credit.

4) Many vendors receive money from our child's CW account with no information about the actual order. We (THE PARENTS) have to follow up and give them the information.

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5) On our child's ESA page, CW transactions are not integrated in. WHAT will happen when/if ESA chooses to use a different platform. Will we have access to CW for past years once ESA is no longer a consumer???????

15-1043 Student level data; allowable disclosure: policies

â€¢ Students in the ESA program need enhanced protections under FERPA. They are using public monies for their education and their personally identifiable information and confidential medical information should be kept confidential. These students deserve the same protections as any other student in the state. The parents of these students need to have a policy pertaining to Ade Directory information and how it is released without additional parental permissions as well as a clear option for record confidentiality as provided for at all other public school students in the state. I see under other changes that FERPA rules are being beefed up. ESA students and their parents, who are contracted with the State, must get those same protections.

I am especially concerned with the way ADE and Class Wallet have violated the privacy of parents and students. We should not have to share specific individual lesson plans, IEPs or letters from therapists (special education students) as this is a significant privacy violation. These privacy violations should be addressed in the SBE rules for ESA around privacy and FERPA.

15-2402 Arizona Empowerment Scholarship accounts: funds

â€¢ 4.C.1. allowing allocations to be used for educational therapies. This has long been needed. I believe it is an appropriate and justified change.

â€¢ 4.C.111. There are countless and ongoing difficulties in getting programs and expenses approved. The approval process for vocational and life skills programs must be streamlined. The department must be clear in defining what is required for approval. Department approvals have been capricious and inconsistent. Additionally, it is impossible to submit an online curriculum especially given copyright law. Isn't a receipt for purchase of the curriculum enough proof along with written documents from the provider that explain that something is needed as a supplemental item (even if the exact word supplemental is not used how about, you will need this to do this work-type document.

â€¢ 4.C.IV. The approval process for associated goods and services that include educational and psychological evaluations, assistive technology rentals and braille translation goods and services must be improved. The approval process is capricious and inconsistent. Doesn't an MET/IEP or memo from a current therapist suffice? The evaluations have already been done and the need documented by a professional.

The approval process for expenditures is dreadfully long and painful, despite what productivity numbers the SBE may be receiving in a report from the ADE. There are no clear requirements and documentation that is requested differs from family to family despite them having the same type of student, wanting to use the same or similar curriculum or supplemental item. We used to

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have a comprehensive list of approved items, but that has dwindled down to barely anything and what's on the list is not appropriate to my student.

4.E. the approval process for curricula and supplementary materials needs to be streamlined and improved. The approvals are capricious and inconsistent. Some parents must provide far more documentation than others putting an extreme burden on the parent. Information on what is acceptable documentation for the approval of supplemental items is extremely vague. Even after a 30 minute parent town halls presentation, the parents had no clear answers as to what needed to be submitted for supplemental item approval. The majority of students are special education students, so perhaps a protocol for illustrating what's needed for approval would be appropriate for this category of student and another set of protocols for students who do not have special education needs.

Additionally, the timeliness of approvals is less than satisfactory. Approvals are taking months without communication from the ESA approvals team. (Please ask for examples if you wish to have this illustrated clearly as “ it is a problem that negatively impacts our children and their education.)

4.K. Please define clearly if services provided by a public school, including individual classes and extracurricular programs includes vocational programs at technical schools.

15-2403 Arizona empowerment scholarship accounts; administration; appeals; audit; rules; policy handbook.

A. Those financial management firms must comply with the rules of the program protecting student information and contractual agreements between the state and the parent.

Preference/priority should be given to Arizona based companies for the management of ESA funds.

D. Please clarify notify the parent in writing is this certified mail? I don't think an email is sufficient for such a serious issue.

PROPOSED IDEA: AN INTERIM "ISSUE REVIEW" STEP PRIOR TO A FORMAL APPEAL

Moving from any type of spending question or issue directly to a formal appeal process is an extreme step “ in fact, too big of a jump given the issues that are often at hand. If ESA staff doesn't want to approve something for some unjustified reason, parents should have a place to go for an objective review. If an expense is questioned, parents should have an interim review process rather than shooting the issue straight up to a formal appeals board. This all or nothing extreme approach that is currently in place is used as a power play against parents. An interim review process would not only be more efficient, it would provide an opportunity to clarify considerations and nuances that may have been missed in an approval request or purchase. If the SBE would consider convening a panel of ESA parents and ADE staff to review and reconsider a misspending concern it would hopefully clear the matter “ and any misunderstandings “ from the docket much quicker, allow families to focus on education, and lighten the workload for ADE and appeal personnel.

I. The department shall contract with an independent third party for the purposes of determine

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whether a qualified student is eligible to receive educational therapies or services pursuant to section 15-2402, subsection B, paragraph 4 subdivision C. An MET, IEP or current therapist should be able to justify the need for therapies without the added burden or expense of employing yet another qualified individual to provide an evaluation. This is a duplication of expenses and is often difficult on a student who has already been through a series of evaluations.

Additional thoughts:

The voice of the parents has been taken away. Decisions to prevent both parent input and transparency are being made with no notice to parents. Changes to procedures are made and there is no communication. The staff member appointed to work with the parent advisory council removed the parent-selected chair from the council for no announced reason after the chair shared information as she was charged in her position. This is an egregious move to stifle communication and transparency. Additionally, the Parent Advisory Council charter was changed without notice and parents are not allowed to attend nor speak at the council's public meetings. When we were offered a Town hall to discuss a topic, we instead discovered that there would be no questions, no exchange of ideas, no opportunity for parent input at all. The town hall notices make claims about we're happy to help or answer questions but the reality of that is just the opposite No questions are allowed and no answers are given.

There is no current meeting schedule on the ESA website and no agenda with items to be discussed. Even if an agenda would be posted, we have not been informed how we can provide input and how it will be documented as part of the meeting minutes. We should be given the opportunity to speak, especially when most all other meetings are being held via technology platforms.

When calling Class Wallet customer service, we are sent to a call center outside of the U.S. It is especially concerning that we are working with people who don't understand the ESA program, who don't have authority to actually do anything, who, often times, barely speak English, and who simply tell us to call back because management is never available. They may document that you call, but there is no service in this customer service call center.

Thank you for requesting input from parents. We want the ESA program to run smoothly. We appreciate the opportunity that it provides for our children to succeed academically. It would be helpful if the ADE would support us in our work to provide the education our children deserve.

After reading through the changes on article 15 I can not seem to find the following Removing the requirement to provide sufficient documentation to support a similarly situated expense

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Am hoping the changes to eligibility (45 day requirement) eventually becomes 0 day requirement. By having any requirement, the burden/hardship is put on our children to change out schools/routines (public school) so we can send them to a school of our choice (with our tax dollars).

Can an ESA student use funds to pay for college while attending high school?

Concerned that advocate was removed from Parent advisory council with no reason or notice.

ESA has improved life for my child and our family for which we are grateful for. By allowing my son to get an education in way that he learns has helped his [REDACTED], his [REDACTED], and being in a safe learning environment. In the long run its helping him be more independent. Isn't that what we as parents as society want, for kids to grow up and be independent? School is not a one size fits all for our kids. Learning to read is not a one size fits all. Teaching is practicing what what they were taught. Just like doctors. Our experience in the public school left alot to be desired. If you have [REDACTED] its considered a learning disability, there was no teaching him how work with it, only modification's to school work, homework, etc. Where does one learn to read and spends over 6 hours of their day at? At school. And yes, at home. But this was beyond our capabilities. How does ones [REDACTED] not taking a beating when others are reading great or others are struggling but are getting there. Yet my child could not process any of it. [REDACTED] [REDACTED]. But he could tell you about dinosaurs he learned about when we read to him or watched a show. Once we began utilizing ESA and working with tutors, my then 9 yr old child finally learned his ABC's and his numbers. Yes I do understand special needs children are developmental delayed. But [REDACTED] is a specialized field that not everyone has training in and you add [REDACTED], [REDACTED] and its even more challenging. Medical insurance does recognize [REDACTED] therefore they do not cover [REDACTED] for it. I am happy to report that he is now 11 and is reading! He enjoys reading and loves math. And if you ever talk to him he would say he loves his teacher! Thank you ESA.

ESA PAC should be able to help craft the PAC handbook

I am concerned that so many people may be accepted for ESA funding that it may affect our child's funding.

I am currently concerned about the reimbursement process from Class Wallet. For expenses that one has to pay out of pocket, Class Wallet requires that the parent links their bank account. This is highly, highly concerning, given all of the data breaches, and inconsistency with refunds being posted to one's account. (Side note: I have refunds that are supposed to come back to my son's

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account for returns that were made, but these refunds have disappeared. It is unbelievable how poorly this system works). Plus, this does not take into consideration parents who do not have bank accounts. Before the July 1st Class Wallet transition for all, some previous Class Wallet parents were able to get a check mailed to them. However, I have been trying to do the same, but both Class Wallet and ESA are saying I can't. No one is getting back to me and I have about \$250 of out of pocket expenses that I need reimbursed for the month of July when we had no access to funds. Please, can someone please help me?

I am having so much trouble paying for my children's private school tuition using Class Wallet. Please allow the schools to accept the CW debit card to pay for tuition. Our school uses the FACTS system which does not allow the payments to be processed correctly when sent from Class Wallet using the direct vendor pay. It's a nightmare trying to reorganize the money and ensuring correct funding to each child after the payment has been sent. Also, FACTS AND Class Wallet take out a fee, so I am spending at least 300 dollars extra in fees for each child out of pocket.

I am one of many concerned and fed-up parents, because AZDOE keeps breaking technically our students FERPA rights, that are thinking that our students in ESA need to be protected by FERPA law and it needs to be in writing.

Under no circumstance should the Dept just shrug their shoulders and act like it's no big deal, that for a third those law was broken.

However, currently there is no rule written to protect ESA students & contract holders.

We need a rule written that requires ESA staff to be trained and follow all FERPA and special education laws, when it comes to students private and sensitive information.

IEPs and METs should not just be sent over emails. Districts are required to send them encrypted or through a secure server.

Currently ESA requires IEPs being sent over and over, a ridiculous amount of documentation and most the time that information is getting sent to vendors, Class Wallet, or others. Also, we as parents are breaking copyright laws because of the documentation being sent.

Point is, we ESA contract holders, need support, we need protection, rules and statue overrule policies or handbooks. We need a written rule addressing Privacy protection or write it in that FERPA rules apply yo ESA contract holders and their families.

students information, parents information, disability category and everything else should be protected.

Just a simple google search of

AZ ESA data breech and read what comes up. It's awful! Please help the children is this program and get them protected.

ESA has never asked me if they can publish my information or my students information. If anything they have an ethical responsibility, that they chose to ignore and deflect, and play the blame game. I feel like it's a slap in the face to children that have already been handed a hard card and failed by Arizona public schools.

The least the department could do is treat the families and students with a bit more respect.

Please accept my letter as an understanding that I am advocating for thousands of students in

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Arizona, not just my child. Please know, I am not bullying like referred to in one of the meetings recently. Advocating is not bullying.

FERPA for ALL!!!

I am so grateful for this service. I wish I would have known about it sooner. My son has so much available at his disposal now and a wonderful [REDACTED].

I am very concerned about the data breaches that have occurred which included student names and parent email addresses on ClassWallet. In some instances, Amazon's breach, home addresses were accessed in the data breach. I absolutely disagree with ADE as I know these were FERPA violations. ADE has another perspective. However, the U.S. Department of Education states that FERPA allows schools to publish directory information that includes a student's name, what grade they are in, what school they attend, and contact information such as home address and phone number. If a school is going to publish directory information then the school must notify parents and students who are 18 or older, and the school must provide an option to "opt out" for each student's information being published in "directory information". These data breaches would seem to be considered directory information. ADE has not offered ESA parents a directory of ESA students nor an option to opt out of such a directory. H.B. 2898 (pdf pages 121-122 or document p119-120) in 15-1043.C requires ADE to adopt policies regarding FERPA. While homeschool students with an affidavit on file are specifically excluded (15-1403.E), ESA students are specifically told to NOT file a homeschool affidavit because ESA students are NOT considered homeschool students. Therefore, the new state FERPA policy should apply to ESA students. These students and their families have suffered repeated breaches of privacy through ADE and the ClassWallet platform.

I pleading that SBE add rules about following FERPA and protecting ESA student privacy to their ESA rules.

If ADE considers the sharing of directory information of ESA students to NOT be a violation of FERPA, then ADE needs to offer a directory of ESA students so ESA parents can more easily communicate with each other. Such a directory, per FERPA, must include an opt out option. Such a rule should also address the sharing of personally identifiable information with ClassWallet and vendors using that platform. Good data security requires that only the minimum necessary information be shared, yet vendors have reported receiving much more than the invoice from orders submitted through ClassWallet. Parents are concerned that ClassWallet employees and ClassWallets international freelance hires are seeing much more data about ESA students than is necessary. For instance, Parents have been told to upload supporting documentation on ClassWallet along with their invoice, and this information seems to reach the vendors through the pay vendor system. At least one case of this has been well documented. This information can include specific lesson plans, and it can even include disability information (IEPs, letters from therapists) for purchases of assistive technology. Sharing specific individual lesson plans and sharing IEPs or letters from therapists for special education students is a gross violation of privacy. These privacy violations need to be addressed in the SBE rules for ESA

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around privacy and FERPA.
Thank you for all that you do!

I am very excited to be a part of ESA in this insane world that we find ourselves in post covid tyranny. My [REDACTED] son was treated so badly by the public school system i will never go back and i am so thankful for he opportunity to have my kids with ESA and that they fulfill their truancy requirements. I am looking forward to navigating the ESA system as it is a bit confusing as new parent. Thank you

I apologize ahead of time for the lengthy response. I know some of these cannot be enforced or changed by SBE, but just to know that you are aware and will make sure the right person is informed of the concern is why it is included here.

- 1) Changes to be included in ESA Handbook, whether due to House Bill 2898 or not
 - a. Any changes made by House Bill 2898 should be included in an updated version of the ESA Handbook as soon as possible, much earlier than the 3 year update.
 - b. Address the 45 day change, and note whether or not the online hours will be updated to reflect this change. Categorize what online hours pertains to, whether it be an online school platform, public school district the is available online due to the pandemic, ect.
 - b. Furthermore, I would like to suggest a "Data Dictionary" be added just like it was address in the last SBE meeting in the section titled A-F State Accountability- 2020 business rules. This addition could help with preventing any skewed personal interpretations vs. the spirit of the rule/law.
 - c. Another addition that would be helpful is who to contact and when, meaning which department or agency to contact when you have a question or concern, definition of which department does what as to limit the amount of run around time to get the answers to questions or address concerns.
 - d. Finally, add in a section on the appeals process, whether it be a flowchart or outline. Include the option of an informal settlement conference and any changes made with House Bill 2898, which circumvents the need to go before OAH.
 - e. How to get started or a link provided on ESA's website on how to operate the Class Wallet platform. New parents are lost enough when they enroll, this will aid in retention of new families and make their transition easier. Include what is necessary when submitting for approval, how to place an order, ect. this will not only help the new parents, but also ESA's workload if ALL parents have written requirements for what to include when asking for approval.
 - f. Include a timeline on how long from when a Help Desk ticket is submitted how long until a resolution may be given.

- 2) Concerns that may or may not be in SBE's realm
 - a. Have captions on future meetings to help those that are Deaf or hard of hearing to participate.
 - b. When a Help Desk ticket is submitted to ESA, develop some way to keep the tickets open until BOTH parties are satisfied with the transaction. Having to open a new ticket after a worker closes it without a response after waiting 3 weeks for any interaction is unacceptable, especially when certain items are time sensitive.

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c. Due to changes of pre-approved items, because of personal interpretations, in the middle of a quarter, many parents, myself included, are scared to use the Class Wallet debit card. We are not in the financial bracket to be able to pay back an allowed expense if it is changed to disallowed at any point. We plan our lessons in advance to plan our expenses throughout the year and these changes are disruptive and unprofessional. I plan my lessons to adapt to my special needs child and consult with friends and family who work in the public school as Sped department. I make sure my requests and needs to ensure these lessons have the most impact for my student and that they are not outrageous requests. They shouldn't be acceptable at one point and unacceptable the next. The consequences for ESA changes should not be retroactive to include the current quarter if they make changes a month in, especially without informing parents- which they still haven't done in written form.

Thank you for your time, energy, and understanding.

I appreciate all that the board does for us.

I believe one of the biggest challenges are the rejections & approvals for purchases not being uniform across ESA staff

I fear that ESA is being denied to the children it was designed to help. It needs to be more accessible.

I hope you and your staff are all on the same page now and there won't be any issues with these new changes. I am hopeful but considering all the issues your staff put parents through in July and August, I doubt this will be something that is run smoothly.

I kindly ask, that when you write these rules that they are written for the children to benefit in their education. I ask that personal feelings get put to the side and that rather than looking at this as a state run public handout program, or a voucher program, because it is not either of those. It is meant to Empower Students, to afford them the best possible education. These students are the ones that are typically forgotten about or have been failed miserably by the public system. That's what why we are here and enrolled in the program. It's about the children and students in Arizona.

No because of a mask, or some silly willy reason that we want ESA. Many times this is our last choice, the ESA,, but ESA is allowing our special needs kids a chance at a future. Please rewrite these rules with the best interest of the students and not towards an office internal policy, or reorganization, or in favor for the Dept and the people in charge. Remember how hard we have all worked to get where it was, all to be thrown to the side because someone new comes in to show off their really cool skills, and does the ultimate slap in the face to all, and totally misinterpreted rules and policies and called parents who have learned and been taught to advocate bullies. It is hurtful and all it does it harms the children and their education.

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I had hope the new director of ESA was going to help the internal issues first and not do what [REDACTED] did.

Thank you for your time and the respect, kindness, and grace you have shown to parents in the ESA program and their students.

I submitted my comments to SBE about their new rules for ESA. I'm pasting mine below in case anyone wants to use my ideas. Noon Wednesday is the deadline to submit comments. Survey is here: <https://forms.gle/4bb8B32gWLtT1GVf6>

Draft rules here:

https://azsbe.az.gov/sites/default/files/media/Article%2015_ESAs_September%209.pdf

My comments:

R7-2-1502.D Decisions with appealable actions need to be mailed certified mail. ADE uses a variety of email addresses and so their emails often go to spam and parents do not receive notification that their account was suspended. Accounts have been suspended for weeks or even more than a month due to a lack of communication from ADE to the ESA account holder.

R7-2-1503.5.g and h are excellent additions.

R7-201503.6 ADE has recently been reworking their ways of collecting parent input. ADE abruptly changed the charter of the parent advisory council to eliminate the chair position and eliminate the opportunity for ESA parents to speak at the public meetings. Even the current PAC charter requires ADE to give 10 business days notice of the agenda, yet ADE has not published the agenda for the meeting they are supposedly having in September, so ADE is limiting parent input there too. ADE has changed their town hall meetings into a webinar format so no verbal comments are accepted, and many questions submitted in the webinars chat are ignored. ADE is avoiding parent input.

R7-2-1504.C SBE should be aware that ADE considers a student enrolled once they have signed an ESA contract and does not consider funding the account as part of being enrolled. While the statute obligates the ESA account holder to use ESA funds to educate the student, ADE does not consider funding the ESA account as necessary for a student to be considered enrolled. So could the rule state that enrolled means funded? ESA account holders are required to remove their students from publicly funded schools and to educate their students, and they need access to the funds of the student's ESA account to meet that requirement.

R7-2-1507.A ADE has been removing items from the allowed list. Could ADE be required to add items to the allowed list that are approved so account holders for similar students know what items have been allowed?

R7-2-1507.B This is a good change to make the expense review process public.

R7-2-1507C. What will ADE do with supplemental items? This change is excellent for similar

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expenditures, but will ADE continue to require extensive documentation for supplemental items? That recent requirement has been onerous and communication about it has been extremely lacking. ESA account holders (aka parents) need a clear and consistent process to purchase supplemental items.

R7-2-1510.A2 10 days is very fast. Given that ADE suspends accounts without communicating clearly to parents, notification of this needs to occur through certified mail.

I think I'm the future, the limitations on educational toys and electronics need to be allowed. Every classroom in America has newer technologies showing up daily. And kids also learn best via play. Especially for those students that conventional learning has not succeeded in furthering their education. I also would like to see some things added such as certain supplies, even if there is a dollar amount limited per year. The idea that we are required to have a curriculum box that includes everything needed for arts and craft, or home economics or woodworking and so many other things is pretty ridiculous. These things are in everyday classrooms and we shouldn't have to use our funds for overpriced packages in order to teach them these things. Thank you for your time.

I think they should consider expanding eligibility. This is a phenomenal program that could help more.

I understand that the State Board does not provide administrative oversight (only policy) but it is exceptionally frustrating that the people making decisions about the curriculum and lessons of sped students do not have a background in sped. I am special education director (my husband homeschools our sons 1 with [REDACTED] and [REDACTED]) and I know what I order routinely for my students. I try to order similar and relevant things and I have a terrible time getting simple stuff ordered for my kid on ESA without the time and expense of going to a professional each time. I really feel that policy should be changed to clarify who and/or how these decisions are made. I can write my own lesson plans (I have been in education for 15 years) and unit plans and, in fact, choose curriculum and supporting materials for my whole district. I have 2 master's degrees (1 in Sped and 1 in Ed Leadership). I am literally an expert in sped and to have someone with no background in sped tell me nonsense answers like "FAPE doesn't apply" (supremely not relevant to what I'm asking for) and "it isn't in [REDACTED]" (the [REDACTED] that is out of date and does not have to be updated per policy - yes, he was in kinder at that time and is now in 3rd grade. Of course his needs change.) It is incredibly frustrating because there is no consistency and follow through. It is jumping through extra hoops that detracts from my boys' education. Thankfully, I can navigate this but parents who do not have the background I do often give up and I worry what happens to their children at that time.

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I would like for ESA to implement the supplemental rule definition that states an item that enhances, supplements or enriches the curriculum or course of study. They have been ignoring this rule and making the process of purchasing supplemental items more and more difficult since the beginning of this school year.

I would like to express concern over R7-2-1507, A, as items on the "Allowable Items" list at the beginning of this quarter have since been removed. Is there a way to lock the "Allowable Items" list in place for each school year, only allowing additions? It is very stressful and time consuming as a parent having to guess whether something allowed last month will be disallowed this month.

R7-2-1507, B & C - I love the idea of making the review process public, thank you for that! Are we still going to need to provide multiple documentations to prove to ESA staff members why supplemental items are useful for my child's education? Will there be any checks and balances on the documentation required? I have had one staff member deny something, citing the need for additional documentation, only to have a different staff member approve the same item with the same documentation! It is quite maddening to feel like decisions are being made inconsistently, with little reason behind them.

I know there are few proposed changes to R7-2-1503, but I think there needs to be something put in place to encourage ADE to be accountable when they not listening to parents, or for not providing us with ways to give our feedback. No communication was given when they eliminated the chair position of the Parent Advisory Committee. ESA parents have not been given the opportunity to speak at meetings, while questions typed in the chat box were outright ignored. How do we actually get ADE on board to work with parents? This is an amazing program, but the parents are being shut out and need the opportunities to speak up and tell ADE what is working for our kids and what isn't.

So many other good changes in blue on this, especially reducing required days (is it possible for online hours to adjust, too?), and the ability to combine insurance with ESA - what an amazing gift that will be! Thank you for your consideration of these comments!

I'm concerned as appeals might be weighted depending on if parents can afford an attorney or an advocate. Is there another way considering the inequity this creates for students education?

Is there a way to make approvals an equal opportunity for students with similar needs? It seems some are approved and some are denied even though they both have documentation showing the same or a similar need. It feels like they are picking a choosing who they say yes and who they say no to on approvals and denials based on their personal preferences. We need clear concrete explicit consistent and equitable opportunities for approvals.

Is there a way to receive clarification on what constitutes documentation and curriculum? There seems to be a misunderstanding and inconsistencies on what these are. Parents are having to

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justify educational materials that are clearly used for education. It can be very time consuming and difficult due to finding curriculum based on diverse to severe needs, and ADE can be very particular, to the point that they have even stated that lesson plans are not enough and deny based accordingly. Even teachers are granted items with lesson plans.

I've heard that ESA field trips are limited to Museums and Zoos with curriculum or a class? Is there a way to expand this for other educational field trip experiences (such as: planetariums, science centers, art performances, national parks, aquariums etc.) that our public schools have access to?

Is there a way to address funding and allocate more funds for students who are in the SLD category and also for students who have more needs listed? Students under the SLD category often have multiple disabilities but the schools typically only list one that they qualify for. Even if the needs state more categories or the needs fall under the same price point (ex: [REDACTED] and [REDACTED]) it is my understanding that the only category they use to decide funding is the 1st primary category, or they may add a little more if there is more needs listed but its often not enough funding to address all of the students needs and general education needs as well. As an example, [REDACTED] tutoring, especially [REDACTED] tutoring can consume a large portion, if not almost all of a students total funds allocated for this category, leaving very little for their general education needs.

On IEPs in schools the child's parents or team can request trainings for staff that work with the child. Is there a way for parents to request trainings for understanding of diverse learning and needs, as well as laws, and policies for ADE staff who are making decisions about their child's education?

Please find a way to have ADE add all of the items that they removed randomly without warning from the approved list. Parents have worked hard to get these educational items approved. New staff interpretations should not die away with these items, as its show a lack of depth and understand for children who have diverse learning needs and severe needs. Please provide training so that they can have a better understanding of how these items are used in Special Education and for students who have varying needs.

Please let parents chose their representatives on the Parent Advisory Committee.

Thank you for listening and for the measures you have taken to help ESA students.

I'm concerned as appeals might be weighted depending on if parents can afford an attorney or an advocate. Is there another way considering the inequity this creates for students education?

Is there a way to make approvals equal opportunities for students with similar needs? It seems some are approved and some are denied even though they both have extensive documentation

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showing a need. An example of what I am requesting is if one student used curriculum to purchase an item and it was approved, another student using ESA who provides a similar or the same curriculum be granted approval for the same item. There is a lot of objective approvals where students who have similar or the same needs are being denied while others are being approved.

Please request ADE reinstate all of the items they silently removed from the approved list recently. It shows a lack of transparency and creates distrust when someone new comes in and uses their own interpretation to undo a lot of hard work and advocacy to get these items approved. It's sad when it boils down to a lack of training that clearly shows that they don't understand the needs of diverse learners. It's boarder line discrimination to automatically assume power and remove the items children with severe needs rely on for an appropriate education.

Is there a way to receive clarification on what constitutes documentation and curriculum? There seems to be a misunderstanding and inconsistency on what these are. Parents are having to waste a large amount of time advocating for and tediously justifying obvious educational materials, even if they are clearly used for education.

Are field trips exclusive to Museums and Zoos? Is there a way to expand this for other educational field trip experiences? Public schools have a variety of educational choice such as musical theater, science centers, aquariums, planetariums, pioneer villages, farms, etc. Please find a way to give ESA students the same opportunities as public school students.

Is there a way to address and add funding for [REDACTED] students? Students under the [REDACTED] category often have multiple disabilities but the schools typically only list one that they qualify under. Even if the needs state more categories or the needs fall under the same price point (ex: [REDACTED] and [REDACTED]), it is my understanding that the only category they use to decide funding is the 1st primary category, or they may add a little more if there is more needs listed but its often not enough funding to address all of the students needs and general education needs as well. [REDACTED] tutoring, especially [REDACTED] tutoring can easily consume a large portion, if not most, of the total funds allocated for this category. May parents of students who have [REDACTED] don't use ESA due to the high cost of tutoring and not having enough to cover basic education needs as well as other needs the child may have.

On IEPs in schools the child's parents or team can request trainings for staff that work with the child. Is there a way for parents to request trainings for understanding of diverse learning and needs, as well as laws, and policies for ADE staff who are making decisions about their child's education?

Are the parents allowed to chose their representatives on the Parent Advisory Committee?

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I'd like to say that I am very grateful to the ESA program, for all that it has done for us. However, there are a couple of things that I'd like to address:

I would ask that you consider to re-write any changes or updates, in the parents handbook. If any changes do take place within the ESA program, those changes need to be written down in the handbook. If they aren't typed out for everyone to see, it's not rule.

I also want to speak on the importance of purchases: If these ESA funds are to be used in similarity as public schools, we should be able to purchase any item that a public school does. (I.E. - pencils, pens, papers, printers, copiers, sports equipment, playground equipment, therapy equipment, gym equipment, school vehicles, etc.)

By bringing these two things into rule, you would be eliminating any gray areas or questions, regarding any and all purchases and changes.

Thank you for reading and for your consideration.

If an ESA account is in question or default, phone calls, a certified email (if that exists), or certified paper letter ought to be sent to inform parents (or preferably all 3). It is horrifying to suddenly learn that your account has been in default for so long that your account was cancelled when you have no evidence that can be found of the automated email that is supposedly sent to the parents in either in the main email file or the spam / junk email file. ESA needs to ensure that this type of important message always get through without relying on automated messages that show no evidence of if it or when they were received and opened. Parents should not be held accountable for an account that is terminated after being told that they were sent an automated message that they never received and that no one from ESA can regenerate.

In regards to online hours, I ask that the State Board of Education consider changing the online hours to coincide with the 45 day requirement vs the 100 day requirement.

In section L of the proposed new rules, Informal Settlement Conference -- "A parent may request an informal settlement conference be held with the Department. The request shall be in writing and shall be filed with the Department, and a copy provided to the Board, no later than 10 days after the Board provides notice that the appeal is complete.

Would this be with an impartial mediator? This makes it sound like it would be just the parent and a rep from ADE, but if it's gone to appeals already that means we've tried to work with ADE and been ignored or denied already.

There is very little information currently for parents about ISC's. They aren't mentioned at all in the Handbook, and on the SBE website there is just a link to a document, that makes it look like it would just be ADE and the parent (parents have already tried that and it didn't work, hence the

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appeal), and it's really unclear if there would be still be an appeal hearing or not.

"Anything said at the ISC cannot be repeated at the hearing" but also "The parent would be agreeing with ADE on certain terms that would result in withdrawing the appeal." But no other mention of "the Board" anywhere. Is this going before the full SBE member board?

This infographic makes it look like by asking for an ISC, the parent would be meeting with or one of the ESA Account Managers on a 1:1 basis, be giving up any right to appeal, and the ESA rep would be deciding the case plus nothing said at the ISC could be repeated outside of it. What's the advantage of an ISC then? At least with an appeal there's an impartial officer rather than just an ADE/ESA rep deciding it.

Inconsistent of approval of items, rejection of legos,

It is my belief that the PAC should be made up of parents that are voted in by other parents and be overseen by ADE. However, PAC members should also have a say in the charter, in making rules. Power shouldn't be given to one entity. No one will fight more for a child than their own parents and the students are what this program is all about, bettering their education the best we can. The entire purpose of the PAC is for parents to speak up for their students, to put their best interest first and to fight for that. It should not be silenced or shut out by ADE but instead the two should be working together in conjunction to give our students the best education possible.

It is my belief that all SBE rules and the State Statutes should be noted in the handbook that is provided for parents, including definitions. There is no reason why any rules and guidelines should be omitted from the handbook. It just makes sense for them to all be there. In many cases, ESA staff is using parts of rules or old rules that no longer apply and holding our students' education hostage based on these rules that are only listed in the handbook. For example, the handbook says no toys are allowed. The problem with this rule is that many toys are educational. Many manipulatives are considered toys. There is so much a child can learn from an item that some may see as simply a toy. On that same note, the handbook says that electronics are not allowed as well. This is an outdated rule that doesn't make any sense being that a huge amount of educational items are electronic themselves. I beg of you to re-evaluate the rules stating what items are allowed and what items are disallowed. If these rules were all in the handbook we would not have to fight back so hard. ESA uses the handbook when giving us approvals/denials and if everything (definitions included) was in the handbook, we would have that as a tool to show ESA what truly should be approved and what is truly educational. On top of that, there may be parents who don't have regular access to the internet giving them the ability to be constantly checking the SBE website for the rules. One example is Putting all rules and statutes in the handbook will ensure that parents have access to the rules they need in order to educate their students to the best of their abilities. In contrast, not having them there could cause parents to not have easy access to the information they need to best educate their students. Lack of knowledge of what is allowed, what is not allowed and what parents can be doing is crippling. Having that access is empowering!

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Having debit cards is a major advantage and I am very grateful that we have this opportunity. However, we have been notified that ESA still has no method for reviewing these purchases. We are being held to the strict rules of submitting them in a timely manner as well as not going over 20 purchases without uploading our receipts. On the other hand, they aren't even being reviewed. This makes me incredibly nervous. If I continue to spend our funds with the card on curriculum, supplemental items, tutoring and such, and ESA staff decides to change what they will approve and what they will not approve, I could potentially be left in thousands of dollars in debt to the program as well as risking having my account suspended. This would put myself (and many other parents) in an impossible situation. I personally would struggle putting food on the table for my children if I was suddenly owed thousands of dollars that I never should have owed in the first place. ESA needs a timely process for reviewing and processing these expenses and it should be put in writing along with a timeline of when they will be processed. The quicker they are processed the better.

R7-2-1507.A While I appreciate this rule and believe it to be in the best interest of everyone, it is not being followed. Towards the beginning of the 2121-2122 school year, ESA removed a huge amount of items off the approved list. No parents were notified. Things we had gotten approvals on (for the 21-22 school year) were suddenly gone and being denied even though parents had been given approval letters to purchase these items for this school year. On the other hand, many items are being approved for parents and never being added to the database. It is causing parents to have to waste time seeking out other parents or obtaining their own approvals. Keeping this list, and following it would cut out so much work for both parents and ESA staff. If approved items were added to the list, it would eliminate the need for countless request approvals that the department has to sift through. It would be beneficial to have a timeline for items to be added/removed so that it cuts down on unnecessary work as well as keeping ESA accountable for acceptable items.

R7-2-1507.C I am thrilled that SBE is removing the verbiage documentation from this rule. My concern is that this will still not be enough to help us parents in getting educational items approved for our students. As of now, ESA is requiring parents jump through hoops to approve supplemental items. We are being asked to prove that curriculum states items are needed, when that is not a rule. We are also being asked to show proof of purchase for curriculum we have that we will be using the supplemental items for. This can be a problem because not everyone has purchase proof of their curriculum. Many parents are gifted curriculum by others who are not longer using it. Many of the resources we use are also free, in which case there would be no proof of purchase to provide. Lastly, we cannot provide proof by sending in the curriculum PDF files because this is flat out illegal. It goes against copywrite laws to share these curriculums with anyone, for any purpose. Rules regarding what needs to be submitted to ESA for supplemental items seems to change regularly, even from the same staff members. ESA staff members appear to be completely omitting the definition of supplemental from R7-2-1501.14 that states these items can enhance, complement, enrich, extend or support the curriculum. Many times, we do not use a curriculum spine either. We gather a ton of resources from many different places and create our own studies that fall within the state standards. It would be extremely helpful if this rule could be further explained within the documentation so that parents/educators are not being

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delayed in educating their students because we are constantly fighting unnecessary battles with ESA staff. Can the definition of supplemental items being items that enhance, complement, enrich, extend or support curriculum without being specifically required by the curriculum be added to this rule?

Thank you so much for your time, and thank you for the support that you are giving to parents in attempting to make this program a better, efficient use. Our students' educations are what's most important/valuable and it is greatly appreciated to feel like we have a team of people willing to stand up for our students and offer them the type of education they need/deserve.

It would be nice to make a portion of the funds available for supplies like paper, writing supplies, printer ink, etc.

It would be very helpful if we could have MORE information on WHY we were denied an expense rather than being told to submit an appeal. Also, if we could've been told to go through the informal conference rather than a huge appeal right at the beginning, there would have been SO much saved time and decreased stress. Furthermore, we are a military family who homeschool and stream our classes online. It is necessary for us to have a computer to complete schooling. Military families should have access to Computer Hardware and Technological Devices, perhaps with stipulations (proof of online schooling, one computer per student every three years, etc.) . I understand there is an issue with a rule versus a statute by the state, or something. However, I don't know what course to take to change a rule. MUCH more information on disallowed items needs to be given to parents along with ALL the possible outcomes or courses of action INSTEAD OF just "file an appeal".

most private schools pay is more than the funds. Essentially not able to use for anything else. Please consider increasing the funding per student per year. thank you

My son has [REDACTED]. His [REDACTED] requested he get a [REDACTED] to help him when he's doing [REDACTED], but the request was denied because it was considered furniture. This makes no logical sense to me.

My son's funds have been inaccessible for over 13 weeks - in one week, that will mean we have not had access to his educational funds for the entire quarter, through no fault of our own. He has not been able to finish his high school assignments from the summer or enroll in any classes this fall.

I'm hoping someone at the SBE finds this unacceptable, and can understand our great frustration and desire to remedy the situation, because I can't get the attention of anyone at ESA or Class

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Wallet to help.

In summary, we were instructed to request a CW debit card through the parent portal. I did so on June 29, 2021. We were told the cards would be in our hands by the second week of July at the latest. In mid July when I hadn't received the card, I asked an ESA representative how much longer it would be. He said he didn't know.

After several emails and phone calls, to both ESA and CW, and representatives from each blaming the other for the "problems," I finally got through to [redacted] at ESA the third week of August. She said she'd help me and made a personal call to CW to get the card. It finally arrived on August 28.

However, upon inspection of the card and the informational sheet enclosed, there were several problems. [redacted] referred me to [redacted] at CW. I raised several questions on September 3rd as activation was not explained in the card insert:

September 3, 2021

"

Thank you for the information needed to activate the CW debit card. I will attempt this process and report any challenges back to you. I would suggest that this information be provided to all parents who request the card upon distribution so as to avoid confusion and frustration. The information sent out with the card does not comport with what you have provided so I'm sure I'm not the only parent facing this most frustrating situation.

My other questions pertain to terms outlined on the informational insert mailed with the CW debit card, from Akimbo / FiCentive:

1. The card itself is placed in my son's name as "primary" account holder and I am a "secondary" owner of the card. However, the ESA contract I signed is between the Arizona Department of Education and me, as the parent. I am the one who is responsible for the compliant and responsible spending and I am the one who testifies to such each time I submit an expense report. It is my responsibility to make sure funds are managed according to the rules of the program. Therefore, while the card is linked to the funds solely designated for the benefit of my son's education, I am the responsible party. I am also the court-appointed legal guardian of my son; he is a special education student. This is known to the ADE and ESA.

A. My son is not legally permitted to enter into financial contracts under the terms of guardianship in the state of Arizona. I am the responsible party as his guardian and I must provide financial oversight, management, and protections. This card violates the terms of guardianship. My son cannot be "an unlimited guarantor for all activities on the card." See: Primary and Secondary cards. The previous bank card provided by ESA was issued to me, as the contract holder, for the benefit of my son under the terms of the ESA program.

B. The terms of the CW debit card state that the primary owner will have all privileges and have access to all information and the secondary holder will have limited access. While I

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understand that I can create an online account for my son and act in my son's name, it seems rather fraudulent to ask me to do so. It is more appropriate for me to create an account for myself for the benefit of my son. See: Managing Your Card Account and Primary and Secondary cards. "Secondary cards will have reduced access."

C. Additionally, if I ever have to call in to Akimbo / FiCentive it would appear that they would only provide complete access to my son as the primary card holder. How would I be able to ask questions and get complete information I may be seeking? This is a situation I run into when unsuspecting third parties do not understand the dynamics of guardianship and/or the ESA program.

D. I expect potential difficulty using the CW debit card at places that may require my son to be present if I attempt to use the card on his behalf. (such as registering for a community college class and paying fees in person at the cashier's office)

2. The link you provided for card registration shows that I am charged a \$10 fee for obtaining the CW debit card. This was never disclosed to me. I would recommend that ESA and CW provide full transparency and explain this to parents (the contract holders) who request the card. Additionally, all fees associated with using the card need to be disclosed to parents.

3. I would like to obtain a full list of "fees" associated with using the CW debit card. The disclosure information provided with the card refers to "applicable fees" several times, but does not break them down. The only table of fees provided does not pertain to how we, as ESA parents, would be using the cards, i.e., international charges, cash withdrawals, ATM balance inquiries, etc.)

4. Under the terms of "Activating Your Card," it states that "although no credit history is required to open a Card Account, you authorize us to obtain information about you from time to time from credit reporting agencies, your employers and other third parties for our internal processes." I cannot agree to this as it violates the confidentiality terms under which my son's personal information is protected under FERPA.

Additional privacy concerns are raised under "Information Given to Third Parties." "We may disclose information (including personally identifiable information) to third parties about any Cardholder, Card, Card Account and the transactions related to a Card or Card Account." While I have no issue with reporting any expenses to the ESA program, I do take issue with the potential to release such information to any person or entity other than a legal representative of the ESA program. Again, this has the potential to violate the protections my son is granted under FERPA.

While I don't agree to the collection of information regarding my son or myself, issuing the card to me, as the legally contracted responsible party with the ADE, could potentially address the FERPA violations CW, Akimbo/FiCentive are creating by issuing the card in the student's name.

5. As parents contracted with the ADE under the ESA program, we are all very cognizant of and sensitive to, the potential for fraudulent activity. The terms under which we must notify Akimbo

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/ FiCentive of any potential fraudulent activity to qualify for liability provisions, do not grant us enough reaction time. I may not know about any fraudulent activity within 2 days of the electronic statement. I do not believe this is sufficient time to review activity on the statement.

Additionally, the terms state that "the card servicer, as the third party that administers the Card program, is responsible for customer service and for resolving any errors in transactions made with your card." If I can't get Akimbo representatives to call me back after leaving several messages, as has been my experience so far this past week, no one would be able to meet the 2 day response to any unauthorized charges.

Please understand the gravity of the concerns I have raised with the terms of the card and how the card is issued. I do understand that ESA and CW are working out the terms of this new partnership, but it is important that these details be addressed and fully vetted so that the program can work legally, successfully and for the full benefit of the students for which it was designed.

I look forward to receiving the information requested and answers to how the program will deal with the challenges presented.

Sincerely,

[REDACTED]
Parent of [REDACTED]
phone: [REDACTED]

September 8, 2021 - to both me and

"Hello Chris,

My apologies for the delay in getting back to you on this. I wanted to take the appropriate time to respond and confirm the information I have. I will provide a response by tomorrow afternoon. I apologize for the delay.

Thank you,

September 9, 2021 - to both [REDACTED] and [REDACTED]

" [REDACTED] ,

As you are working on addressing the questions I raised with the CW debit card, several new questions have come up.

First, the links you provided to activate the card did explain how to activate the card through the CW account. Thank you for that - I'm wondering why didn't we get that information with the card itself and instead get sent in a completely different direction? (another time waster)

After reading the disclosures associated with the Sunrise Bank (new institution) account and Akimbo - as a requirement to activate the CW debit card - I have great concerns about privacy and the collection and use of information on my son and myself. The funds in these accounts are not considered income, I am not applying for credit, nor am I (or my son) taking a loan. Why is

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this information being collected and shared? Our information is private as agreed to in the contract I have with the Arizona Department of Education and under federal law.

We did not have to agree to these types of terms when we had the BofA debit cards.

Now, my son's funds are inaccessible if I don't agree to these terms which violate our privacy rights and his federal protections under FERPA.

As an Arizona taxpayer, I'm also wondering why we are using a Minnesota bank for Arizona educational funds, especially when there is such great sensitivity regarding using our student's educational funds out of state. All our "business" is being funneled to companies in Minnesota and Florida - just seems like a contradiction to the rules by which we must abide. If you are not able to get me answers to this issue, do you know who can explain this to me?

I remain frustrated and concerned with the way my son's educational funds are frozen (in Minnesota?) if I don't agree to terms that I find unacceptable for ethical and legal reasons.

I look forward to resolving all of these issues as soon as possible.

Sincerely,

[REDACTED]

----- Here: Time spent trying to get a supplemental item approved through ESA -----

September 20, 2021 - To
inbox@azsbe.az.gov, esafeedback@azsbe.az.gov

"Dear

It has now been 13 weeks since I requested a CW debit card for my son as part of the ESA program in Arizona. We still don't have access to his funds, nor have the many questions and issues I raised about the debit card and the program been addressed.

While the CW debit card finally arrived after nearly nine weeks of waiting and repeated requests, (note that it took a phone call to you from [REDACTED] to even get me the card because when I finally got through to someone at Class Wallet they blamed ESA for the delay and basically shrugged their shoulders), when I went to activate the card, the instructions enclosed made no sense whatsoever and no one answers the phone number we were directed to use on the card paperwork insert, nor do they return any messages... so I contacted [REDACTED] again for help.

On September 2nd, [REDACTED] referred me to you for questions I have regarding the CW debit card. On September 3rd, you sent me an activation link, I thanked you and later responded with details on my questions. On September 8th, you responded that you were sorry for the delay but promised to get back with me the next day. I followed up in the evening (the morning of September 9) with a few more questions that came up as I was attempting to activate the CW debit card.

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It is now the evening of Monday, September 20 and I have yet to hear back from you with answers to any of the questions I asked and issues I raised.

I still can't activate my card because of the legal and ethical concerns I have explained and the failure of you or anyone representing CW to respond means that Class Wallet continues to cause delays in my son's education. I have not had access to my son's funds since the end of June 2021. I owe a therapist. I need to enroll him in a course. (He missed the start of several due to this fiasco with even getting the card.) I need to get the supplemental materials he needs to finish his high school vocational program (and I'm still waiting on approval from . on that, which I submitted at the beginning of August because I was tired of waiting for the card and tried to keep things moving forward). My son still has to finish high school work because of CW and ESA dragging their feet even though I signed a contract to stop getting new funds due to graduation completion. I operated in good faith that ESA would uphold its end of the contract.

I need the card issued in my name, not my son's name (and I don't want to be charged yet another hidden fee for this). The ESA contract is between the State of Arizona/ADE/ESA and me. I am my son's legal court-appointed guardian. It is my legal responsibility to protect him from being entered into any legally binding contract, especially one that has fiscal ramifications. CW is a third party company. Additionally, I want to exercise my rights under FERPA, to keep confidential ALL information about my son and my activity with the card on his behalf. I have explained this. Please reference the detailed emails I have sent you.

I need someone at CW and ESA to follow through.

I think I've been more than patient. I hope you can understand the gravity of this situation. This failure to act on the part of CW and ESA is causing additional stress to my son who is already suffering a number of medical conditions.

I need a response ASAP and I need resolution to ALL of the issues I have raised. If you do not have the knowledge or authority to provide answers, please connect me with the individual who does immediately.

Respectfully,

████████████████████

Wednesday, September 22, 2021 - to
inbox@azsbe.az.gov, esafeedback@azsbe.az.gov

"Dear and
In my previous email, I sent the background for my request.

To make it simple, I need the following completed.

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(1) Please reissue my CW debit card in the correct name (at no charge, given this is a system error).

(2) Please reply to this email with confirmation of this action.

(1) Please provide me a contact name and phone number for the Arizona Department of Educations head of contracts in legal.

I need these items completed by Wednesday, September 29th.

If these items are not completed by Wednesday, September 29th, I will be contacting legal representation.

Respectfully,



I'm concerned about the lack of accountability and responsibility on the part of both Class Wallet and ESA. Does anyone at the State Board of Education find this situation troubling?

On the large amount of appeals - when an expense is denied by ADE and the parent asks why, we are often not given clarification but just told that if we don't agree with the decision we can appeal. I have not heard of anyone being offered the option of Informal Settlement, and it's not in the handbook so I don't think most ESA parents even know about it. I didn't.

Please take out the sentences on expense reports. Many new people who do read the rules or the handbook that mentions it, are confused because they don't understand that CW and Bank of America are different, and they get stressed trying to figure out how to file an expense report with CW. It is a very common question on the Facebook support group.

Please provide clarification in the rules what "similarly situated" means.

Removing items from the Allowed List (required by SBE rules) after the year started turned parent's plans upside down. Many of us are now afraid to use the Debit Card or Reimbursement option because we don't know if the items that are approved today will be approved tomorrow. Is there a way to put in the rules that approved items can't be un-approved after the fiscal year has begun, or year to year?

Please add data and privacy protections to the rules - Class Wallet does not seem to be able to keep our information private. Any attachments to support our expenses for our kids with disabilities are also available to the vendor to view.

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Can we get a Parent Advocate or Ombudsman in the department so when we hit roadblocks we have a point of contact? Everything from Help Tickets not being assigned for weeks to funding issues.

One of my biggest concerns are of privacy. I am in need of getting accommodations for my child but do not feel comfortable providing the department, especially CW with the 32 page evaluation for it. They should not need his entire medical record and they have proven that they are not discreet in keeping them protected. CW is sending the records to the vendors! I refuse to link my personal Amazon account as they were listing all addresses previously and I don't know what else they have access to - my payment methods, my personal purchases, etc. I appreciate all that ESA makes available for me to provide my child with a truly individualized education and ensuring he is actually educated and not simply passed onto the next grade.

Please help us, SBE. We need you. You seemed like you'd help with all the problems with ESA but now it seems like it's been bounced back a lot to ADE when we cite concerns. We need a logical and rational resource for help with issues - especially special needs parents need some simplification. We do not have the time to fight every little thing that isn't even controversial. Obvious things that should be allowed now are huge issues to overcome. Please help to simplify things and be parent and child centric. We don't need more bureaucracy. Thank you.

Please provide some logical and rational oversight into what is going on with the ESA program. It has gotten much worse instead of better with the new administration coming in. The communication has been horrible and the staff is not accurately interpreting rules or responding in timely and appropriate ways. This program should not be about denying us the funds we need for our children. Many of us are paying things out of pocket that should be covered by ESA because it has become such a problem in the last few months in particular to get things. And we need them now. So we have no choice but to pay ourselves. That is not ok. The purpose should not be to wear us down and to make our lives even more hard than they already are with special needs kids. If you want to put more rules in, then please leave the special needs families alone. Give us some grace and less restrictions. Our lives are a challenge every day and making this harder for us to use our ESA funds is not something you do to families already overwhelmed. Put your rules on the families with neurotypical kids if you need to - that's not fair either but we were here first and maybe they don't have as much as we do to tend to every day with Medical and therapy appointments. But it is too much for us. It is not fair to make it worse for us when we have already given up so much for our children. Help us instead of hinder us please.

Private schools should be monitored or regulated and required to refund a specific percentage of tuition if student is withdrawn. Especially if withdrawn before school even starts

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R7-2-1501(3): Add further clarification of what is allowable as curriculum, which looks different for many of the unique learners in ESA.

1504(C-D): "Enroll" needs to be defined. In public school, this means the child is immediately eligible to attend on the next scheduled school day of instruction and begin learning. It should be the same for an ESA student. The ESA contract states it is entered in on the day following it is signed. The student may no longer be enrolled at a public school at that time. Ideally, this should mean students have access to their ESA funding within 30 days so learning isn't delayed any further. At the very least, part D should be edited or removed. Allowing an additional 30 days for ADE to issue a contract means they will have up to 60 days to "enroll" the student. This violates statute and delays learning.

1507(A): Please give parameters for the approved expenses database such as how often it should be updated, when things may be removed, and how parents are made aware of removed items.

Fix erroneous information in the handbook that has not been department practice or is not supported by statute such as (and not limited to) disallowing sports "camps," martial arts belt testing, and toys, gardens, art supplies (as supplemental materials to a curriculum or tutoring), gym equipment, electronics, etc as they relate to curriculum or supplemental materials.

R7-2-1501.3 As ADE is requiring curriculum documentation for many things, it would be helpful to note WHAT is considered to be curriculum (lesson plans, learning guides, internet reference, etc.)

R7-2-1501.12.b.i/v The language regarding kindergarten attendance should be more clearly defined to say for 1st grade enrollment or something similar, as incoming kindergarten does not have required hours/days.

R7-2-1502.D All decisions with appealable actions need to be mailed via certified mail. ADE uses a variety of email addresses and so often their emails go to SPAM and parents do not receive notification that their account was suspended, etc. Accounts have been suspended for weeks, or even more than a month, due to a lack of appropriate communication from ADE to the ESA account holder.

R7-2-1503.1 as there has been substantive change to the procedures currently used to govern the program (BOA transition to CW, new administration over the program, etc) I believe a revision of the handbook to align with the rules, and governance should be considered immediately.

R7-2-1503.5. g and h are excellent additions.

R7-2-1503.6 Many parents have submitted written comments and spoken at SBE meetings. Parents are consistently seeking an avenue to provide feedback and receive communication.

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ADE has changed the manner in which they collect parent input. ADE has held two 30 minute webinars (called town halls) where parents were unable to interact (other than the zoom chat feature). Questions submitted prior to the webinar were not answered. Those questions were asked again by parents in the chat during the webinar and similarly ignored. ADE has recently been reworking their ways of collecting parent input. ADE abruptly changed the charter of the parent advisory council to eliminate the parent chair position and eliminate the opportunity for ESA parents to speak at the public meetings. Even the current PAC charter requires ADE to give 10 business days notice of the agenda, yet ADE has not published the agenda for the meeting they are supposedly having in September, so ADE is limiting parent input there too. Also, the revised PAC charter requires ADE to provide a complete agenda and meeting materials to PAC members 10 business days in advance of the meeting, but nothing has been distributed or posted as of today's date (9/21/21). In order to increase and respond to parent feedback PAC should be further defined. PAC should be chosen by ESA families and members should have a say in their charter. PAC should collaborate with ADE to set the agenda. Meetings (PAC and town halls) should be interactive and include feedback from all ESA families. ADE has changed their town hall meetings into a webinar format so no verbal comments are accepted, and many questions submitted in the webinars chat are ignored. ADE seems to be avoiding parent input.

R7-2-1504.C ADE has noted that a student is enrolled once they have signed an ESA contract. ADE does not include funding the account as part of being enrolled. ESA families are required by statute to use ESA funds to educate their student. Yet, ADE does not consider funding to equate enrollment. Students must be removed from public schools prior to signing the ESA contract. Without funding, parents cannot meet the statute requirement to educate their student(s). Can the rule be revised to state that enrolled means funded?

R7-2-1506.A.1, 2 Needs to be reworded to fit the functionality of ClassWallet. Quarterly expense reports are no longer used.

R7-2-1507.A After the beginning of the first quarter of 2021-2022, ADE removed and recategorized many items from the allowed list. ADE did not communicate these changes to all ESA families. Is there a way that the list can be maintained and updated by adding approved items for similarly situated students? Could these updates be regularly communicated to all account holders?

R7-2-1507.B Making the expense review process public is a good change.

R7-2-1507.C This change is excellent for similar expenditures. However what will occur with supplemental items? ADE currently requires extensive documentation (which has not been fully defined) for supplemental items, or they will be denied. The R7-2-1501.14 definition of supplemental items is not consistently followed. In particular, the idea that supplemental items can enhance, complement, enrich, extend or support the curriculum is summarily ignored. ADE's documentation requirements for supplemental materials often include that the curriculum must specifically mention the exact supplemental item. Additionally, ADE's revised documentation requirements have not been communicated to all account holders. Could this rule be further defined to include supplemental expenditures? In order to avoid educational delays, parents need

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clearly defined and communicated processes.

R7-2-1508.C, et al. Language regarding expense reports needs to be rewritten for the functionality of payment methods within ClassWallet.

R7-2-1508.E. While parents no longer have to submit quarterly expense reports, expenditures should be reviewed by ADE in a timely fashion. This would prevent any delays in funding. Parents have had Class Wallet debit cards since July. Purchases made with the debit cards have not yet been reviewed by ADE staff. ADE employees have shared with parents that they do not know when these expenses will be reviewed and training on how to review the expenses has not occurred. This is very concerning, as it may interfere with student's educational funding. Clearly defining the expense review process, including the definition of a risk-based approach would ensure smooth reviews and funding.

R7-2-1510.A2 Given the brief timeline and chance that parents will miss email notifications, parents should be notified via certified mail, and the dates to rectify need for be adjusted for postal speed, or signature confirmation when notification is received.

R7-2-1511.B This is an excellent rule change. This can prevent delays and allows the student to continue receiving their education.

Additional considerations: ESA account holders have experienced numerous data and privacy breaches. During the 8/27/2021 SBE board meeting, ESA director stated that recent data breaches were not FERPA violations. The U.S. Department of Education indicates that FERPA allows schools to publish a directory including a students name, grade, what school they attend, and contact information such as address and phone number (<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>). Schools must inform parents and eligible students (those over 18) annually of their rights under FERPA. The school must provide reasonable time for parents and eligible students to opt out of having a students directory information disclosed.

As previously mentioned, ADE has stated that the ESA data breaches do not violate FERPA. However, the student information within these data breaches is equivalent to directory information. ESA families have not received a FERPA notice, a directory of ESA students or an option to opt out of a directory.

H.B. 2898 (p119-120) under 15-1043.C requires ADE to adopt policies regarding FERPA. This section specifically excludes homeschool students with an affidavit on file (15-1403.E). Under R7-2-1505.A5 ESA students shall not file a homeschool affidavit pursuant to A.R.S 15-802(B)(2) or (3). ESA students are not considered as homeschool students. Thus, FERPA policies and procedures should apply to all ESA students.

I request that SBE add rules about following FERPA to their ESA rules. In the event that ADE determines the sharing of ESA student directory information is not a violation of FERPA, then ADE should provide a directory of ESA students. ESA parents would then be able to collaborate and communicate with each other. Per FERPA, this directory must include an opt out.

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This rule should be broadened and further defined to include ESA students, which would provide much needed data security and privacy. The rule should address the sharing of student and parent's personal information with Class Wallet and vendors that use their platform. Parent and student data should be protected and secure. In fact, only the minimum necessary information should be shared. Identifiable and confidential information such as IEPs, should be safe guarded. Please address these concerns in the SBE rules for ESA privacy and FERPA.

R7-2-1502.D Decisions with appealable actions need to be mailed certified mail. ADE uses a variety of email addresses and so their emails often go to spam and parents do not receive notification that their account was suspended. Accounts have been suspended for weeks or even more than a month due to a lack of communication from ADE to the ESA account holder.

R7-2-1503.5.g and h are excellent additions.

R7-201503.6 ADE has recently been reworking their ways of collecting parent input. ADE abruptly changed the charter of the parent advisory council to eliminate the chair position and eliminate the opportunity for ESA parents to speak at the public meetings. Even the current PAC charter requires ADE to give 10 business days notice of the agenda, yet ADE has not published the agenda for the meeting they are supposedly having in September, so ADE is limiting parent input there too. ADE has changed their town hall meetings into a webinar format so no verbal comments are accepted, and many questions submitted in the webinar's chat are ignored. ADE is avoiding parent input.

R7-2-1504.C SBE should be aware that ADE considers a student enrolled once they have signed an ESA contract and does not consider funding the account as part of being enrolled. While the statute obligates the ESA account holder to use ESA funds to educate the student, ADE does not consider funding the ESA account as necessary for a student to be considered enrolled. So could the rule state that enrolled means funded? ESA account holders are required to remove their students from publicly funded schools and to educate their students, and they need access to the funds of the student's ESA account to meet that requirement.

R7-2-1507.A ADE has been removing items from the allowed list. Could ADE be required to add items to the allowed list that are approved so account holders for similar students know what items have been allowed?

R7-2-1507.B This is a good change to make the expense review process public.

R7-2-1507C. What will ADE do with supplemental items? This change is excellent for similar expenditures, but will ADE continue to require extensive documentation for supplemental items? That recent requirement has been onerous and communication about it has been extremely lacking. ESA account holders (aka parents) need a clear and consistent process to purchase supplemental items.

R7-2-1510.A2 10 days is very fast. Given that ADE suspends accounts without communicating clearly to parents, notification of this needs to occur through certified mail.

R7-2-1502.D Decisions with appealable actions need to be mailed USPS certified mail. Accounts have been suspended for weeks or even more than a month due to a lack of communication from ADE to the ESA account holder. This provides proper documentation of notification to the student.

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R7-2-1503.5. g and h very grateful to see these additions.

R7-201503.6 ADE has recently changed communications regarding collecting parent input. ADE abruptly changed the charter of the parent advisory council (PAC) to eliminate the chair position and eliminate the opportunity for ESA parents to speak at the public meetings. Even the current PAC charter requires ADE to give 10 business days' notice of the agenda, yet ADE has not published the agenda for the meeting they intend to have this month, September. I eagerly wait for any information regarding PAC September meeting. Therefore, ADE has and continues to limit parent input. Some options to allow parent feedback to define PAC further. ESA families and members should have a say in their charter and select members. PAC collaborate with ADE to set the agenda, meetings, and town halls should be interactive and include feedback from all ESA families. Now, regarding current meetings/townhalls, ADE has changed the format to their town hall meetings into a webinar format so no verbal comments are accepted, and many questions submitted in the webinar's chat have been ignored. I am still waiting for responses to two (2) emails submitted in advance to _____ per her request in the town hall invitation. It is clear ADE is avoiding parent input.

R7-2-1504.C Per ADE a student is enrolled once they have signed an ESA contract and does not consider funding the account as part of being enrolled. Can the rule state that enrolled means funded?

R7-2-1507.A ADE continues to remove items from the "allowed list" since Q1 21-22. They do not communicate these changes to the parents. Is there a way for ADE to be required to keep a maintained and updated "allowed list" by adding approved items for similarly situated students? And can ADE be required that these updates be regularly communicated to all account holders?

R7-2-1507.B This is a great to see the expense review process published online. Is this accessible to the public?

R7-2-1507C. This one is of concern due to the ADE's recent interpretation for 21-22. It's a good change for similar expenditures. What will ADE do about supplemental items? ADE continuously requiring extensive documentation for supplemental items needs to stop since such items are being denied. Also, R7-2-1501.14 definition of supplemental items is not consistently followed. In particular, the idea that supplemental items can enhance, complement, enrich, extend or support the curriculum is consistently ignored. ADE's documentation requirements for supplemental materials often include that the curriculum must specifically mention the exact supplemental item. ADE's revised documentation requirements have not been communicated to all account holders. Could this rule be further defined to include supplemental expenditures? In order to avoid educational delays, parents need clearly defined and communicated processes. SBE needs to clarify as ADE and Parents have different interpretations.

R7-2-1508.E. While parents no longer have to submit quarterly expense reports, expenditures should be reviewed by ADE in a timely manner. This would prevent any delays in funding. Parents have had ClassWallet debit cards since July 2021. Purchases made with the debit cards have not yet been reviewed by ADE staff. This is utterly concerning. I have written SBE about this very issue. _____ reply was

"In January 2021, ADE provided a presentation regarding their internal processes. I have attached the document ADE presented to the public and the Board. The processes begin on page 31." I emailed _____ back indicating that ADE did not even have ClassWallet debit card as an offering in Jan 2021 so that it is not included in the document she sent to me. ADE employees

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have shared with parents that they do not know when these expenses will be reviewed. This is extremely concerning, as it can interfere with students' educational funding. Being transparent, stating expectations, clearly defining the expense review process by including the definition of a risk-based approach would insure smooth reviews and funding are absolute "musts". Each family signed a contract with ADE. Therefore, each family needs to make an informed decision when the terms of contract have changed yet have not been documented appropriately to the individuals who signed the contract.

R7-2-1510.A2 10 days is quick. Given that ADE suspends accounts without communicating clearly to parents, notification of this needs to occur through USPS certified mail.

R7-2-1511.B This is a great rule change. This can prevent delays and allows the student to continue receiving their education.

Thank you for your continued support and guidance!

R7-2-1503.5. g and h are great additions.

R7-2-1503.6 Many parents have submitted written comments and spoken at SBE meetings. Parents are consistently seeking an avenue to provide feedback and receive communication. ADE has changed the manner in which they collect parent input. ADE has held two 30 minute webinars where parents were unable to interact (other than the zoom chat feature). Questions submitted prior to the webinar were not answered. Those questions were asked again by parents in the chat during the webinar and similarly ignored. ADE revised the charter of the parent advisory council (PAC) and eliminated the chair position as well as the opportunity for ESA parents to speak at the public meetings. Also, the revised PAC charter requires ADE to provide a complete agenda and meeting materials to PAC members 10 business days in advance of the meeting. The meeting notice for all ESA parents is supposed to be posted 10 days in advance. The PAC meeting has been scheduled for September, but nothing has been distributed or posted. In order to increase and respond to parent feedback PAC should be further defined. PAC should be chosen by ESA families and members should have a say in their charter. PAC should collaborate with ADE to set the agenda. Meetings (PAC and town halls) should be interactive and include feedback from all ESA families.

R7-2-1504.C ADE has noted that a student is enrolled once they have signed an ESA contract. ADE does not include funding the account as part of being enrolled. ESA families are required by statute to use ESA funds to educate their student. Yet, ADE does not consider funding to equate enrollment. Students must be removed from public schools prior to signing the ESA contract. Without funding, parents cannot meet the statute requirement to educate their student(s). Can the rule be revised to state that enrolled means funded?

R7-2-1507.A At the beginning of the first quarter of 2021-2022, ADE removed many items from the allowed list. ADE did not communicate these changes to all ESA families. Is there a way that the list can be maintained and updated by adding approved items for similarly situated students? Could these updates be regularly communicated to all account holders?

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Additional considerations: ESA account holders have experienced numerous data and privacy breaches. During the 8/27/2021 SBE board meeting, ESA director _____ stated that recent data breaches were not FERPA violations. The U.S. Department of Education indicates that FERPA allows schools to publish a directory including a student's name, grade, what school they attend, and contact information such as address and phone number (<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>). Schools must inform parents and eligible students (those over 18) annually of their rights under FERPA. The school must provide reasonable time for parents and eligible students to opt out of having a student's directory information disclosed.

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policies and procedures should apply to all ESA students.

I request that SBE add rules about following FERPA to their ESA rules. In the event that ADE determines the sharing of ESA student directory information is not a violation of FERPA, then ADE should provide a directory of ESA students. ESA parents would then be able to collaborate and communicate with each other. Per FERPA, this directory must include an opt out.

This rule should be broadened and further defined to include ESA students, which would provide much needed data security and privacy. The rule should address the sharing of student and parent's personal information with Class Wallet and vendors that use their platform. Parent and student data should be protected and secure. In fact, only the minimum necessary information should be shared. Identifiable and confidential information such as IEPs, should be safe guarded. Please address these concerns in the SBE rules for ESA privacy and FERPA.

Thank you.

Regarding all of the entries that have been changed from 30 days to 10 days this is a poorly thought out change. Parents caring for special needs children are juggling many hats and VERY busy. Ten days can come and go in what seem sometimes like two blinks of the eye. With managing schedules, therapies, establishing classes curriculum for subjects, participating in online sessions in order to help the student navigate and participate, time is quickly consumed. Ten days is NOT enough time for these busy parents to even get the email or a registered/certified letter and have time to correctly and adequately respond. I am adamantly opposed to changing to a 10 day deadline to respond to correspondence and/or decisions made by the Department, a Hearing Officer, etc.

Additionally, I do not see any provisions in this change to the laws governing the ESA program that ensures a "Hearing Officer" will be unbiased in their analysis of appeals that come before them. I believe an Administrative Law Judge is better equipped for this important role. Therefore, I am not convinced the changes moving away from a 'Judge' to a Hearing Officer will afford parents who may seek to appeal decisions the assurance of a fair and equitable hearing. If this path is going to be anchored then I strongly recommend provisions be made delineating the parameters by which a Hearing Officer serves in the capacity as an unbiased entity to look at the facts presented with no predisposition, unbiased in their analysis. Something should be added to law ensuring protection for both the Hearing Officer rendering decisions AND the parents who necessarily want to have fair hearings.

Rule regarding the maintenance of the online ESA Allowable List needs to be more clearly defined not only are the following details true but items approved so far in the 2021-2022 1st Quarter have not been consistently uploaded to the list for reference by parents. This List was intended to aid parents in purchasing and instead is being used against parents in bad faith.

1. Why has there been no mass communication with the 9000+ recipients/parent advocates regarding changes in category designation for 50+ existing items on the online ESA Allowable List (curricula to supplemental) or reason for loss of 189 items from the same list after the start of this school year. When I brought this to the attention of _____ - _____ &

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they feigned surprise and said they were working on it. would later state in her presentation to SBE on August 27th and in some emails to a few parents that this was based on ■■■ decision and patently false accusation that parents had 'bullied' ESA staff in the past and were falsely/ illegally granted approval for items in previous years. Again, I request that the evidence be explained and provided as I am one of those parents who purchased some of those items in the past to support the education, growth and development of my student and as one who intended to purchase some of those items again along with others that were lost in the subjects of STEM, Art, the Sciences, Math and other subjects. On the date this survey was completed, my concerns have been relayed to "upper management" with no further response since Sept 13th, 2021.

There needs be an avenue, not as high as appeals but something else where parents can get traction on having Rules enforced and ESA Staff/Upper Administration held to account for not fulfilling their contractual responsibilities to parents/account holders/ESA student recipients.

2. Why are ESA staff not honoring the approved for one approved for all intention for curricula & supplemental items, ... of course, parents would need to provide documentation ... when they do submit this documentation often very similar or the same for a similarly situated student some are receiving approvals and some are receiving denials which for curricula & supplemental items which I understand is against ESA rules and statute. Again, where is the mass communication to explain a) why this is happening or b) what steps are being taken to communicate with parent advocates and train Accounts staff so that this does not happen as often as it is thus creating education delays for ESA students. On the date this survey was completed, my concerns have been relayed to "upper management" with no further response since Sept 13th, 2021.

3. Why are parents being asked to provide curricula to support the purchase of curricula? Yes, that is happening along with all the difficulty to get supplemental items approved even when documentation relating the item to and explaining how that item does support, expand or enhance the curricula or course of study as required by statute & rules, often copious amounts of documentation have been provided by parents. On the date this survey was completed, my concerns have been relayed to "upper management" with no further response since Sept 13th, 2021.

4. Where is the mass communication to the 9000+ recipients/parent advocates regarding the new expense category designation of "educational materials/item" that purchased items are being categorized under. This is not a category mentioned in the Handbook, if it is please let me know the section and page number so that I can familiarize myself with it. It is however a category designation on the online ESA Allowable List under the item search of Planners as an example. On the date this survey was completed, my concerns have been relayed to "upper management" with no further response since Sept 13th, 2021.

5. Where is the mass communication to the 9000+ recipients/parent advocates regarding data breaches and the compromising of personal information. I received 1 notice on August 27th, but there have been at least 3 instances that have been reported where personal identifying information including names, addresses, student names have been have been viewable through the ClassWallet platform to other parent recipients or vendors along with concerns over fraud after the closure of Bank of America card accounts. IF these instances are not violations of

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FERPA as stated by [redacted] in the same SBE meeting mention above, then where is the mass communication to recipients/parent advocates explaining why and what steps exactly have been taken to secure electronic data both at ESA and on the ClassWallet platform. On the date this survey was completed, my concerns have been relayed to "upper management" with no further response since Sept 13th, 2021. STEPS NEED TO BE TAKEN TO PROTECT THE PRIVACY OF PARENTS AND STUDENT RECIPIENTS especially in regards to electronic data/platforms.

6. [redacted] seems to communicate regularly with the AG's Office and the Treasurer's office as per [redacted] statement in the same SBE meeting mentioned above but where is the mass communication to the 9000+ recipients/parent advocates regarding the steps [redacted] will take to a) fix the dysfunction in the approvals process, b) create & communicate policy for ClassWallet debit card purchases regarding approvals of expense after parents upload receipts, invoices and credentials - many parents myself included hesitate to opt in or use their card for fear that ESA will later reject the expenses already made but not yet approved, c) communicate clearly the steps [redacted] is taking to "get to yes" as [redacted] is fond of saying to SBE and in the 2nd Townhall but not to the whole of the 9000+ recipients/parent advocates d) if the communication is not coming from [redacted] then why is it not coming from [redacted] instead whose job title is Director of Communications & Engagement and is herself and ESA parent as [redacted] and [redacted] are so fond of using as a calling card. On the date this survey was completed, my concerns have been relayed to "upper management" with no further response since Sept 13th, 2021.

7. Where was/is the mass communication regarding the delays in transition and funding for the 1st quarter of 2021-2022 to explain a) why this time the transition was such a fiasco and b) what steps should be taken and who parents should contact specifically if they are still experiencing issues with funding, and c) what assurance can be given that there will be no delays to funding Oct 15-30 for 2nd quarter. This was not the first transition to ClassWallet the ESA program and/or Treasurer's office had made. On the date this survey was completed, my concerns have been relayed to "upper management" with no further response since Sept 13th, 2021.

In summary, parents - myself included feel left out of the communication loop regarding the ESA Program of which we and our students are the biggest stakeholders and that because of being left out of the communication our students are suffering delays in their education. I/we have been communicating our ongoing concerns with ESA staff utilizing the HelpDesk system, option to submit complaints, the ESA Feedback email address as well as sending emails directly to [redacted] and [redacted] - [redacted] as they have requested, as well as to [redacted] ... as far as I know these individuals including yourself make-up the upper management at ESA. The lack of mass communication from ESA upper management along with the often contradictory information, approvals/denials from the 4 Accounts Specialist and often even [redacted] as the Lead Accounts Specialist are creating the difficult and toxic environment that parents are currently trying to navigate and that makes some hesitate to fully utilize their ESA program funds, again myself included, because the interpretation and implementation of program rules seem to change day by day, from ESA staff member to ESA staff member. On the date this survey was completed, my concerns have been relayed to "upper management" with no further response since Sept 13th, 2021.

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I am asking for explanation that the outlook for the program is not as bleak as I am being led to believe by the lack of clear, detailed communication and that the intentions of ESA upper management staff are not to undermine the program and system of policies or procedures that are meant to provide aid to the complex and varied educational needs of the student recipients who are supposed to be supported by the ESA Program and who are currently experiencing delays in their education not to mention the frustration and fear of reprisals felt by parent advocates. On the date this survey was completed, my concerns have been relayed to "upper management" with no further response since Sept 13th, 2021.

Seriously, the constant changes in what's approved vs what's not approved is detrimental to my children's education. It's nearly impossible to plan out their education in advance because what's approved this year may not be approved next year, and what is approved today may change tomorrow. There has to be an end to this ever-changing approved list. It's bordering on harassment of parents and denial of educational opportunities for students. Once something is approved, it must remain approved. LEGOS, no LEGOS, educational LEGOS, all LEGOS, LEGOS only as a supplement. That's just an example. It's not right that a new director undo the decisions of past directors in this arena. Once an approval is in place, it needs to stay in place. I'd like to be able to plan for the future educational needs of my children, not just a couple of weeks or months in advance. Thank you.

Thank you for all your hard work

Thank you for making these changes. And especially for adding in the SBE support and the appeals support

Thank you for the clarification and changes above.

I am concerned about my child's personal information being shared/disclosed without my permission or knowledge by Class Wallet to vendors, violating HIPAA standards. Parents comments and attached documents to receive approval from ADE- ESA program to purchase items should not be shared with vendors.

Thank you.

Thank you.

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The AG's office has no idea what "similarly situated" ESA's mean. They are using the vagueness of this phrase against parents who know exactly what that is intended to mean. It needs to be spelled out.

The amount of bureaucratic hoops that we are being required to do now since [redacted] took over is absurd and needs to change. It is blocking access to services our kids need.

The approved list really needs to be updated and honored. Things that were approved for the beginning of this school year need to be added back for the duration on the year. This is very confusing for parents to never know one day from another if something is approved or not. Transparency would be amazing with these changes and updates. I also feel that technology should be allowed for all students. Not just those with IEPs that mention it. Every student in every school in Arizona has daily access to computers, why are ESA students being held to a different standard? Many educational programs, classes, and resources are now online and it would definitely help enhance education for all ESA students.

The director needs to stop referring to hands on educational materials as "toys". This is very condescending and as someone who has been an educator I find it unprofessional. Also communication needs to be improved greatly. Please streamline approvals. The back and forth and constant changes isn't good for anyone. Also hire people with educational knowledge to serve ESA. Everyone making the approvals have no idea- they likely have never taught a lesson in their life. Really unfair.

The handbook desperately needs to be updated. It is more restrictive than statute and does not have updated information about the CW debit card. The handbook must include where to find information from SBE, such as the rules developed last year, as well as clear contact information for various departments and issues. The handbook is being used to deny things as "toys," despite their educational value. Gardens have been allowed, yet the handbook says they are not. Parents submitted a list of needed changes to SBE in the spring, but the handbook was approved without any of those changes, and now it is being used against us by ESA staff. Please help with the goal of "finding a way to say 'yes'" by updating the handbook.

We need a clear outline of how CW debit card purchases will be reviewed, including a timeline. As soon as a purchase going through on the card, it shows as "approved" in CW, which is very misleading. Once receipts are uploaded, that section shows it as "completed." However, those reports are neither completed or approved since no one has looked at them yet. I asked ESA administration in July what the timeline was for them to be reviewed and how we would know. It's now two months later, and I have yet to get an answer.

R7-2-1502.D Decisions with appealable actions need to be mailed certified mail. ADE uses a variety of email addresses, so their emails often go to spam. I keep adding ESA/ADE email

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addresses to my email, yet they keep using new ones, and those go to spam. As a result, parents do not receive notification that their account was suspended. Accounts have been suspended for weeks or even more than a month due to a lack of communication from ADE to the ESA account holder.

R7-2-1503.5.g and h are excellent additions.

R7-201503.6 ADE has recently been reworking their ways of collecting parent input. ADE abruptly changed the charter of the parent advisory council to eliminate the chair position and eliminate the opportunity for ESA parents to speak at the public meetings. Even the current PAC charter requires ADE to give 10 business days notice of the agenda, yet ADE has not published the agenda for the meeting they are supposedly having in September, so ADE is limiting parent input there too. ADE has changed their town hall meetings into a webinar format so no verbal comments are accepted, and many questions submitted in the webinar's chat are ignored. I sent questions in before the meeting (as directed) and asked them again during the meeting through the chat. They were not answered despite being on the exact topic of the meeting. At the end, [redacted] said to email her if we had further questions, and I sent them to her (for a third time). She did not respond. I attended both meetings, asked questions both times, and I got no answers. ADE seems to just be doing these events for show but clearly doesn't want our input or to answer our questions.

R7-2-1504.C SBE should be aware that ADE considers a student enrolled once they have signed an ESA contract and does not consider funding the account as part of being enrolled. While the statute obligates the ESA account holder to use ESA funds to educate the student, ADE does not consider funding the ESA account as necessary for a student to be considered enrolled. So could the rule state that enrolled means funded? ESA account holders are required to remove their students from publicly funded schools and to educate their students, and they need access to the funds of the student's ESA account to meet that requirement.

R7-2-1507.A ADE has been removing items from the allowed list. We need to be notified immediately if something is deleted/no longer approved. We also need a timeline for things to be added. I have yet to see anything I have had approved added to the list, which makes it very incomplete. An updated list (that isn't deleted from without proper notice) will help parents buy what they need without worrying that ESA would turn around and deny the purchases. It will also lessen help desk ticket times/accuracy if staff is utilizing it for requests that come in there. As it is now, we wait weeks for answers and often get ones that contradict what they say to other parents.

R7-2-1507.B This is a good change to make the expense review process public.

R7-2-1507C. What will ADE do with supplemental items? This change is excellent for similar expenditures, but will ADE continue to require extensive documentation for supplemental items? That recent requirement has been onerous and communication about it has been extremely lacking. ESA account holders (aka parents) need a clear and consistent process to purchase supplemental items. ESA is also ignoring the SBE rule that supplemental items can

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enhance/enrich a study. I have asked multiple times why this is being ignored, and they do not respond. This needs to be clearly laid out that purchases related to a study are approved, not just ones that are specifically mentioned by name in a curriculum. That was the intent of the rule last year when we worked with SBE to develop it. Yet ESA staff is completely ignoring the rule, and new families don't even know that it exists. This is also why it needs to be added to the handbook. I feel that this rule is the most crucial since it impacts those of us who educate at home so significantly. Many of us are educating children with a wide variety of needs, and we need to be able to meet their educational needs by purchasing items to go with our studies. I cannot tell you how much stress we have experienced as a result of changed ESA administration made based on a deliberate misinterpretation of supplemental items in the last eight weeks. We need to know that the intent of the rule is clearly articulated and followed, without any loopholes. I do not feel confident in the wording of this change because I know that it will be used against us somehow. Please make it explicitly clear what the intent is when writing this rule.

R7-2-1510.A2 10 days is very fast. Given that ADE suspends accounts without communicating clearly to parents, notification of this needs to occur through certified mail.

Thank you for taking the time to meet with us last week and for allowing us to give input on these changes since it will directly impact our children's education.

The intent was good, but it has created a system where parents abuse school districts to "shop" for highest paying special education eligibilities. Parents openly discuss this and report fraudulent attendance.

The U.S Department of Education states that FERPA allows schools to publish directory information that includes a student's name, what grade they are in, what school they attend, and contact information such as home address and phone number (<https://www.youtube.com/watch?v=nhIDkS8hvMU>). If a school is going publish directory information then the school must notify parents and students who are 18 or older, and the school must provide an opt out of having a student's directory information published.

ADE has stated that their data breaches, which have recently included student names and parent emails on Class Wallet, plus home addresses on Amazon, have not violated FERPA. These data breaches would seem to be considered directory information. ADE has not offered ESA parents a directory of ESA students nor an option to opt out of such a directory.

H.B. 2898 (pdf pages 121-122 or document p119-120) in 15-1043.C requires ADE to adopt policies regarding FERPA. While homeschool students with an affidavit on file are specifically excluded (15-1403.E), ESA students are specifically told to NOT file a homeschool affidavit because ESA students are NOT considered homeschool students. Therefore, the new state FERPA policy should apply to ESA students. These students and their families have suffered repeated breaches of privacy through ADE and the Class Wallet system.

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I request that SBE add rules about following FERPA and protecting ESA student privacy to their ESA rules.

If ADE considers the sharing of directory information of ESA students to be NOT a violation of FERPA, then ADE needs to offer a directory of ESA students so ESA parents can more easily communicate with each other. Such a directory, per FERPA, must include an opt out. Such a rule should also address the sharing of personally identifiable information with Class Wallet and vendors using that platform. Good data security requires that only the minimum necessary information be shared, yet vendors have reported receiving much more than the invoice from orders submitted through Class Wallet. Parents are concerned that Class Wallet employees and Class Wallet's international freelance hires are seeing much more data about ESA students than is necessary.

Parents have been told to upload supporting documentation on Class Wallet along with their invoice, and this information seems to reach the vendors through the pay vendor system. At least one case of this has been well documented. This information can include specific lesson plans, and it can even include disability information (IEPs, letters from therapists) for purchases of assistive technology. Sharing specific individual lesson plans and sharing IEPs or letters from therapists for special education students is a gross violation of privacy. These privacy violations should be addressed in the SBE rules for ESA around privacy and FERPA.

Those employees take so much abuse they should get raises

To Whom It May Concern:

I am writing because I am a low income parent trying to purchase pre-approved items for my sons educational needs and I am unable to do so. Unfortunately, we as a family cannot afford to go the reimbursement route and due to MCC restrictions on the Classwallet Debit Card we are unable to make many necessary purchases.

Last year, there was a concierge service offered through classwallet that helped families to avoid this problem and I am asking on behalf of families that can not afford the reimbursement option that the concierge service be reinstated so that we may continue to make the necessary purchases to provide a quality education for our children.

Please get back to me letting me know what options are available, (aside from the classwallet card which is very restrictive) for those of us who can not use the reimbursement option to purchase the educational items our children so desperately need.

As it currently stands, the program is set up in a way that is discriminatory towards low income families and only those whose income threshold allow for reimbursement are able to purchase the full spectrum of educational resources that are approved for their children and this is not fair and should be considered a discriminatory practice.

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Thank You.



We need rules added that hold ESA staff accountable for deadlines and communication. We are all very understanding about changes, reviews and that things can hit all at once. However, there are MANY instances where help desk tickets are not being worked at all, for longer than 50 days at times. Complaints are filed, inquiries are sent to no avail. There is no one to reach out to for review. Help desk tickets or unresolved complaints have no timeline for review or outlet for escalation if not worked. We also need a rule that ESA staff need to communicate to EVERY family changes, handbook reviews, processes, delays in funding. There as been far too much grapevine communication. Town Halls are great but not everyone can attend and they are not sent to all families to review at a later time. We live in a world where guardians of children on the ESA program have parents who work in front line jobs that require all shifts. Some families are in internet dead zones, some are dealing with children with complex medical issues. Are those families not entitled to the same awareness as those who are privileged enough to attend those town halls?

WHEN will ESA review our CW debit card transaction so that we will know that they are approved..

Many parents have commented that when they place an order on the CW platform they are normally approved in 24 hours. But if they place that some approval request through the help desk, so they can purchase it using an different format it can take up to 2 week..... ????

WHY....

While I like the idea of a 45 day AND reduced lunch requirement, I do not believe it should replace the 100 day requirement. The students who do not qualify for reduced lunch may very well need ESA. Please allow them to work hard to show their need by making the rule 45 days AND reduced/free lunch requirement OR 100 day requirement. This allows the kids in the lower financial bracket to get the help they need quicker while not discriminating against those who do not meet that requirement but also cannot afford private education.

You're doing a good job!
