

## **ESA ARIZONA ADMINISTRATIVE CODE**

*Opened September 26, 2022*

*Changes Approved - January 23, 2023*

### **R7-2-1503. Department Responsibilities**

The Department shall:

1. On or before March 1 of each year, provide the Board with a handbook, developed in consultation with parents of children on the Program, that includes information relating to policies and processes of ESAs and complies with A.R.S. § 15-2401 et seq and this Article. The Board shall adopt the handbook on or before May 1 of each year. The Board shall limit substantive changes to the handbook to once every three years. The Board may approve changes to the handbook more frequently than every three years to conform and comply with changes to statute or this Article or at the Board's discretion. The handbook shall be posted on the Department's website and distributed to parents and shall clearly identify changes from the prior version, and include the date and time the new handbook was changed;
  - a. the yearly handbook, when adopted, shall become effective July 1st of each fiscal year.
  - b. If the yearly handbook is adopted after July 1st, the newly adopted handbook would become effective immediately following adoption.
2. Establish a dedicated call center for exclusive use for the ESA Program that works in conjunction with the Exceptional Student Services division of the Department or its successor division. Subject to review and approval by the Board, the Department may contract with a third party to operate the call center;
3. Implement customer service performance management policies, procedures, and metrics;
4. Provide training to parents who use the private financial management firm contracted to assist with financial management of the program;
5. Provide a quarterly report to the Board on the ESA Program, including:
  - a. The number of students in the program disaggregated by eligibility, grade level and the school district or charter school associated with each student;
    - i. The total number of special needs students by grade level,
    - ii. The number of special needs students by disability category, and
  - b. The annual award amount associated with each student;
  - c. The number of ESA applications received, approved and denied in the preceding quarter, including the justification for the denied applications;
  - d. The number of applications processed within 30 days of receipt and the number of administratively incomplete applications. Provide the reasons the administratively incomplete applications were not approved,
  - e. A summary of any parent input or feedback collected pursuant to R7-2-1503(6) and how the Department is responding to concerns submitted as part of the process;
  - f. Information on the private financial management firm contracted to assist with financial management of the Program, including:
    - i. The number and eligibility type of accounts utilizing the firm,
    - ii. The number of providers and vendors on the firm's platform,

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- iii. Communications and training provided to parents,
- iv. Concerns from parents submitted to the Department, the Treasurer and the private financial management firm and how the Department, Treasurer and private financial management firm are addressing the concerns, and
- g. Information regarding appeals filed with the Board that were resolved prior to a hearing;
- h. Information related to the audits completed, including:
  - i. scope of the audit(s),
  - ii. data and narratives on audit findings from the Quarter,
  - iii. data and narratives of finding outcomes from the Quarter, and
- i. Summary of all outages within the Department, private financial management firm, Department of Treasury, GAO, ADOA, etc. that cause a delay of the ESA program s
- j. Information related to MCC Codes, including:
  - i. Cumulative list of all MCC code expansions requested and specific reason for each denial,
  - ii. Cumulative list of all MCC code expansions and exceptions granted by the Department, and
- k. Data related reimbursement submissions, including:
  - i. The average number of days it takes a reimbursement submission to be assigned to a Department staffer,
  - ii. The average number of days it takes a reimbursement submission to be reviewed by a Department staffer,
  - iii. The average number of days it takes a reimbursements submission to be approved by a Department staffer, and
- l. Provide data related to Help Desk Tickets, including:
  - i. The quantity of help desk tickets not responded to within three business days,
  - ii. The quantity of help desk tickets prematurely closed and reopened, and
- m. Provide data related to the escalation of Help Desk Tickets, including:
  - i. The quantity of escalated helpdesk tickets by category type,
  - ii. The average number of days to resolution,
  - iii. A summary of resolutions, and
- n. Provide updates on the bidding process for all eligible Department contracts, including:
  - i. A.R.S. §15-2403(A): The treasurer may contract with private financial management firms to manage Arizona empowerment scholarship accounts,
  - ii. A.R.S. §15-2403(B): The Department shall conduct or contract for annual audits of Arizona empowerment scholarship accounts to ensure compliance with section § 15-2402, subsection B, paragraph 4,
  - iii. A.R.S. §15-2403(B): The Department shall also conduct or contract for random, quarterly and annual audits of Arizona empowerment scholarship accounts as

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- needed to ensure compliance with section § 15-2402, subsection B, paragraph 4,
- iv. A.R.S. §15-2403(J): The Department shall contract with an independent third party for the purposes of determining whether a qualified student is eligible to receive educational therapies or services pursuant to section § 15-2402, subsection B, paragraph 4, subdivision (c),
  - v. R7-2-1503(2): Subject to review and approval by the Board, the Department may contract with a third party to operate the call center,
  - vi. Any other eligible Department contracts, and
  - o. The date of the most recent update to the online database of approved expenses and disallowed expenses. A summarization of the changes made;
  - p. An approximation of the most common award amount. Provide the method(s) and formula(s) utilized to calculate award amounts; and
  - q. Any other information the Board requests.
6. Establish and provide to the Board a process to collect parent input and feedback regarding the Program.