

Hearing Officer FAQ Sheet

1. How do I address the Hearing Officer?

“Hearing Officer {insert their last name}”.

2. Where will the hearing take place?

All hearings will take place virtually. A phone-in option will also be available.

3. How do I provide the Hearing Officer with my motion, exhibits, and list of witnesses?

Provide all motions, numbered exhibits, witness lists, etc. to the State Board of Education (SBE) ESA Project Director at esafeedback@azsbe.az.gov.

4. I submitted all my documentation when I applied for the ESA appeal. Do I still need to submit a numbered list of Exhibits and Witnesses?

Yes. The numbered list of Exhibits and Witnesses is for the Hearing Officer.

5. What is the deadline to provide the numbered list of Exhibits and Witnesses?

The deadline for providing the numbered list of Exhibits and Witnesses is at least five (5) business days before the hearing date. Email them to the SBE ESA Project Director at esafeedback@azsbe.az.gov.

6. What if I need accommodations for the hearing?

Inform the SBE ESA Project Director at esafeedback@azsbe.az.gov right away if accommodations are needed. The agencies that the State of Arizona utilizes to provide accommodations may not be available on short notice, which can delay the hearing date.

7. What do I do if I need to speak with the Hearing Officer directly?

Pursuant to Arizona Administrative Code (A.A.C.) [R7-2-1511\(N\)\(6\)](#): A participant of record shall not communicate, either directly or indirectly, with the Hearing Officer about any substantive issue. Please contact the SBE ESA Project Director at esafeedback@azsbe.az.gov so that SBE can schedule a meeting with all parties.

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8. My spouse/co-parenting partner/other Account Holder, etc. is named on the Notice of Hearing, but I am not. Can I still attend the hearing and testify?

Yes, but decide which Account Holder will be the speaker for the appeal. The speaker is capable of calling the other Parent/Guardian/Account Holder, as a witness.

9. I am no longer available on the date of the hearing. What do I do?

Pursuant to A.A.C. [R7-2-1511\(N\)\(7\)](#): The Hearing Officer may postpone, continue, or cancel a hearing for good cause upon the written request of either party. The participant of record must establish good cause for the written request. Email your written request to the SBE ESA Project Director at esafeedback@azsbe.az.gov.

10. Where can I find more information about the hearing process, how the hearing will happen, rules of evidence, etc.?

A.A.C. [R7-2-1511](#) contains information about the hearing process:

Subsection N – Hearing Process

Subsection O – Conduct of Hearing

Subsection P – Evidence

Subsection Q – Stipulations

11. When should I expect the Hearing Officer’s decision?

Pursuant to A.A.C. [R7-2-1511\(R\)\(1\)](#): The hearing officer shall issue a written recommendation within 20 days after the hearing is concluded. The written recommendation shall contain a concise explanation of the reasons supporting the decision recommendation, including the findings of fact and conclusions of law.

12. Is the Hearing Officer’s decision final?

Pursuant to A.A.C. [R7-2-1511\(R\)\(3\)](#): At one of the following two regularly scheduled meetings of the Board after the hearing officer sends a copy of the recommendation to the Board, the Board may review the recommendation and accept, reject or modify it.