

Appeal Checklist

Dear Parent/Guardian:

The purpose of this document is to assist in assessing whether an administrative determination made by the Arizona Department of Education (ADE) may be appealed and, if so, what information will be required when submitting an appeal form to the State Board of Education (SBE).

Pursuant with Arizona Revised Statute (A.R.S.) §15-2403 and Arizona Administrative Code (A.A.C.) R7-2-1511(F), not all ADE administrative actions are appealable.

Appeals must be submitted within 30 days of an administrative decision.

Please review SBE's ESA webpage prior to submitting an appeal.

Thank you.

Step 1 – Can ADE's administrative action be appealed?

	<u>Can I Appeal?</u>
My child's ESA application was deemed administratively incomplete	NO
I received a "10 Day Notice" to resolve an issue with my child's ESA account	NO
My child's administratively complete ESA application was denied	YES
My child's ESA contract was terminated	YES
An expense was disallowed/denied	YES
A suspension was placed on my child's ESA account	YES*

*A parent/guardian may request a "stay" of the suspended ESA Account, therefore being capable of accessing the ESA account funds throughout the appeal process. Such requests must be made to the State Board of Education at the time of the appeal submission.

Step 2 – What information is needed to submit an appeal?

The appeal form is [online](#). Submit the following information:

- ____ Parent/Guardian name
- ____ Parent/Guardian mailing address
- ____ Parent/Guardian email address
- ____ Parent/Guardian phone number
- ____ Name of the state agency that rendered the administrative decision being appealed (ADE)
- ____ Action taken by ADE that is being appealed (eligibility, disallowed expense, etc.)
- ____ Note: Submitting a copy of ADE's administrative decision will assist in expediting the clerical timeline.
- ____ Concise statement regarding the reason(s) for the appeal

Step 3 – Suspended ESA Accounts

If ADE's administrative decision did not suspend your child's ESA account, skip to Step 4.

If ADE's administrative decision placed a suspension on the ESA account, please submit the following with the appeal form:

- ____ Statement requesting SBE stay the account suspension until the conclusion of the appeal
- ____ Statement addressing all matters alleged in ADE's administrative decision

Step 4 – Submission

____ Submit the appeal form and applicable suspension documentation within 30 days of being served with ADE's administrative decision to:

Online: [ESA Homepage](#)
Arizona State Board of Education, Attn: ESA APPEAL
1700 W. Washington St, Executive Tower, Suite 300
Phoenix, Arizona 85007
Email: esafeedback@azsbe.az.gov, Subject line: Appeal
Fax: (602)542-3046, Attn: ESA Appeal