

**Arizona State Board of Education**

1700 W. Washington Street  
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May 5, 2022

Honorable Mark Brnovich  
2005 N Central Ave  
Phoenix, AZ 85004

Attorney General Brnovich,

After multiple meetings discussing the Empowerment Scholarship Account (ESA) Handbook, the Arizona State Board of Education (Board) requested formal opinion from your office on April 29, 2022.

The two questions, voted upon by the members of the Board, are as follows:

1. Can the State Board of Education make changes to the Empowerment Scholarship Account Handbook developed and proposed by the Department of Education?
2. Can the Department of Education disregard the State Board of Education's ESA rules when the Department of Education interprets them as being in conflict with state statute?

The Board looks forward to the Attorney General's formal opinion in these matters.

Please contact our office if additional information is required.

Respectfully,

A handwritten signature in blue ink, appearing to read "Alicia Williams".

Alicia Williams  
Executive Director  
Arizona State Board of Education

Cc: Dr. Daniel Corr, President, Arizona State Board of Education  
Lou Caputo, Assistant Attorney General, Education and Health Division

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