



Iowa's Students First Act ESA Program

Parent or Guardian Appeal Rights

The Department of Education [and Odyssey] will work with you to try to resolve concerns. However, not all concerns can be informally resolved. If you disagree with a final decision about your child's Students First Act Education Savings Account, you may appeal to the State Board of Education.

- You may appeal any issue, including initial eligibility, allowance of expenses, termination from the program, or repayment.
- Even after you appeal, you and the Department of Education may still try to resolve concerns voluntarily.
- Your appeal must be signed by you and in writing. Verbal statements do not count.
- You may file an appeal electronically and with an electronic signature.
- You must file your appeal within thirty calendar days of the date of the decision you are appealing.
- If you do not file your appeal in time, you may lose important rights.
- File your appeal at this address:
 - Via Email: studentsfirst@iowa.gov
 - Via Postal Mail:
Iowa Department of Education
Grimes State Office Building
Attn: ESA Appeals
400 E 14th St
Des Moines, IA 50319
- Once you appeal, the [Department of Education's administrative rules on appeals](#) will govern this, including timelines.
- The Department will appoint an administrative law judge, who will hear your appeal and issue a proposed decision.
- At the appeal hearing, you will have a right to present evidence, call witnesses, and ask questions of all witnesses. The Department, Odyssey, or both, may do the same.
- The State Board of Education will review the proposed decision and will make a final decision on your appeal. You may be able to speak to the State Board when it considers your appeal.
- If you disagree with the State Board's final decision, you may file a petition for judicial review within thirty calendar days of the State Board's final decision. Your petition for judicial review may be filed in Polk County district court or the district court of the county where you live.
- Iowa Code chapter 17A and the Iowa Rules of Court govern your petition for judicial review.
- The Iowa Department of Education can explain this appeal process to you. The Department cannot tell you whether you will win your appeal or how to make your appeal arguments.
- If you have additional questions, please talk to a lawyer.