



OFFICE OF THE  
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**FOR IMMEDIATE RELEASE**  
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**Court Rules in Favor of Arizona Treasurer Kimberly Yee in Public Records Lawsuit**  
*Judge Affirms Treasurer's Office Position and Denies 12 News' Request for Additional ESA Records*

**PHOENIX, AZ** – Arizona Treasurer Kimberly Yee announced that the Maricopa County Superior Court has ruled in favor of the Arizona State Treasurer's Office (ASTO) in a public records lawsuit brought by KPNX-TV Channel 12 and reporter Craig Harris concerning records related to Arizona's Empowerment Scholarship Account (ESA) program. The Court denied the plaintiffs' request for additional records from the Treasurer's Office.

The ruling affirms what ASTO repeatedly communicated to Craig Harris and 12 News throughout the public records request process and litigation that the Treasurer's Office is not the administrator of the ESA program and cannot be compelled to produce records that are not public records of ASTO. The Court found that the vendor-level transaction information sought by the plaintiffs lacks a sufficient connection to ASTO's statutory responsibilities, even if the agency has limited technical access to certain information within the ClassWallet system.

"From the beginning, this case has been about protecting the privacy of Arizona's children and their families," said Arizona Treasurer Kimberly Yee. "We must protect personal data for all students in Arizona whether they are in public, private or homeschool education. Parents should be able to trust that sensitive information relating to their children will be protected. This is a big win for children and their families and I will continue to stand for the privacy rights of ESA children and all Arizona families in the years to come."

The Court further recognized that the Arizona Department of Education (ADE), not ASTO, serves as the primary administrator of the ESA program. ADE determines participant eligibility, reviews expenditures, conducts audits, investigates improper spending, and enforces program compliance, while ASTO's role is principally financial in nature, including managing the contract with the financial services vendor, transferring funds, and performing financial reconciliation functions.

Throughout the public records request process and litigation, ASTO consistently maintained that the records sought by 12 News included sensitive student and family information that warranted careful privacy protections. As Treasurer Yee communicated directly to ESA families, the requested records potentially included personal educational, medical, and financial information, requiring thorough review to ensure confidential information was not improperly disclosed. ASTO continues to believe that Arizona's children and their families are entitled to the privacy protections afforded by law.

"During my time as Treasurer and in the Legislature expanding transparency and accountability while ensuring the privacy rights of individuals have been core values," said Treasurer Yee. "I am pleased the Court recognized the position of my office in this case. We will continue to provide transparency regarding records in our custody, consistent with our statutory duties, while safeguarding confidential information entrusted to the state."

The Arizona State Treasurer's Office will continue to fulfill its statutory responsibilities while protecting Arizona families and complying with all applicable public records and privacy laws.

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