



## Arizona Department of Education

### Exceptional Student Services

## Memorandum

**To:** Special Education Directors and Private Day School Administrators

**From:** Exceptional Student Services, ED-P and Private Day

**Date:** May 7, 2021

**Re:** Special Education Program Approvals application will open on May 17, 2021 for the 2021–2022 school year

The opening of the ESS Special Education Program Approval System for the 2021–2022 school year will open on May 17, 2021. ESS plans to have all private day and ED-P programs that wish to operate for fiscal year 2021 to 2022 reviewed and approved by the end of June. Failure to apply to the application may cause integrity failures for public education agencies (PEAs) toward the end of the upcoming school year, which may affect state payments.

The Arizona Department of Education grants approvals for private school special education programs that seek to provide specially designed instruction to students placed by a public education agency and meet the criteria as outlined in A.A.C. R7-2-402. Approval by the Arizona Department of Education does not make the Department a guarantor or insurer for services or programs provided to individual students.

For ED-P programs, under A.R.S. § 15-765(D), no contractual arrangements or payments can be made with other entities for ED-P funding unless the conditions and standards prescribed by the division of special education have been met and if unable to provide satisfactory education and services through its facilities and personnel. This is supported under A.R.S. § 15-765(D)(2):

*“If the child is placed in a special program that provides intensive services within a school district, the chief administrative official of the school district or county or other person as designated by the school district or county as responsible for special education shall verify that the pupil placed in such a program is diagnosed with an emotional disability as defined in section 15-761 and that appropriate services cannot be provided in traditional resource and self-contained special education classes.”*



**Kathy Hoffman, Superintendent of Public Instruction**

1535 West Jefferson Street • Phoenix, Arizona 85007

[www.azed.gov](http://www.azed.gov) • (602) 542-5460 • [www.azed.gov/specialeducation](http://www.azed.gov/specialeducation)

When submitting the application, public education agencies should be describing how its program is above and beyond what is currently offered in traditional resource and self-contained special education classrooms (generally classified as LRE codes of A, B, and C).

Please contact Victoria Naser, the Private Day & ED-P Program Specialist, if you have any questions at [Victoria.Naser@azed.gov](mailto:Victoria.Naser@azed.gov).