



ARIZONA DEPARTMENT OF EDUCATION

Memorandum

To: Special Education Directors and Private Special Education School Administrators
From: Exceptional Student Services Operations Unit
Date: May 6, 2024
Re: Special Education Program Approvals application will open on May 8, 2024, for the 2024–2025 school year

ESS Special Education Program Approval System for the 2024–2025 school year will open on May 8, 2024. ESS plans to have all Private Special Education Schools, Emotional Disabilities-Public (ED-P) programs, and Residential Treatment Centers (RTCs) that wish to operate for fiscal year 2025 reviewed and approved by June 15, 2024. Failure to apply may cause integrity failures for public education agencies (PEAs), which will affect state payments.

The Arizona Department of Education grants approvals for private special education school programs that seek to provide specially designed instruction to students placed by a public education agency and to 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.”

When applying, public education agencies should describe how their program is above and beyond what is currently offered in traditional resource and self-contained special education classrooms.

If you have questions, please [email the Private Day and ED-P inbox](#).