



Exceptional Student Services

Emotional Disabilities Public Programs Guidance Manual

April 2025



ARIZONA DEPARTMENT OF
EDUCATION

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Introduction and General Requirements

Public education students qualify for Emotional Disabilities Public (ED-P) Program funding if the child is placed in a special program that provides intensive services within a school district, as outlined under A.R.S. § 15-765(D)(2).

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.

Requirements for the ED-P approval process are outlined in A.R.S. § 15-765 (D) and must meet the standards and criteria set forth by the Arizona Department of Education (ADE).

Public education agencies (PEAs) must apply annually if they wish to operate an ED-P program. When applying, PEAs should describe how their program is above and beyond what is currently offered in traditional resource and self-contained special education classrooms. PEAs must renew their applications mid-year to ensure all requirements continue to be met.

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Definitions

Glossary of Acronyms & Terms

Emotional Disabilities Public/Private (ED-P) Program: A funding weight to provide services to students with Emotional Disabilities who demonstrate behaviors to the extent that their needs cannot be met in traditional resource or self-contained special education classes. The program can be located at a public or private school site.

Non-Public Organizations (NPO): Organizations that can do business with educational entities in their day-to-day operation. These entities are not considered as bearing a primary responsibility to the public and operate in a variety of capacities such as private businesses, private schools, educational support programs, and miscellaneous entities.

Restraint: Any method or device that immobilizes or reduces the ability of a pupil to move the pupil's torso, arms, legs or head freely, including physical force or mechanical devices. Restraint does not include any of the following:

- (a) Methods or devices implemented by trained school personnel or used by a pupil for the specific and approved therapeutic or safety purposes for which the method or device is designed and, if applicable, prescribed.
- (b) The temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a pupil to comply with a reasonable request or to go to a safe location.
- (c) The brief holding of a pupil by one adult for the purpose of calming or comforting the pupil.

(d) Physical force used to take a weapon away from a pupil or to separate and remove a pupil from another person when the pupil is engaged in a physical assault on another person.

Seclusion: The involuntary confinement of a pupil alone in a room from which egress is prevented. Seclusion does not include the use of a voluntary behavior management technique, including a timeout location, as part of a pupil's education plan, individual safety plan, behavioral plan or individualized education program that involves the pupil's separation from a larger group for purposes of calming. [A.R.S. § 15-105]

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Students Attending ED-P Programs

Arizona Statute requires that no student may attend ED-P programs who is not “diagnosed with an emotional disability...” Any location earmarked for purposes of ED-P shall require that each child has an evaluation with at least emotional disability as a disability category. If these programs contain children who do not have an emotional disability, students coded with ED-P in AzEDS must now be coded as ED. The ED-P funding support exists when appropriate services are not provided in traditional resource and self-contained special education classes. It does not compel PEAs to change how they operate their programs, or the services needed for students with disabilities.

[A.R.S. § 15-765(D)]

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Certification and Staffing

Teachers

Teachers providing services in the ED-P program must be certified in

- Emotional Disabilities
- Mild/Moderate Disabilities
- Moderate/Severe Disabilities, or
- Cross-Categorical certified with 20 hours of additional professional development in teaching students with Emotional Disabilities

PEAs must provide **appropriately certificated (alternative or standard) special education teachers in each ED-P classroom** to implement the IEPs for students in the ED-P program. **The number of classrooms must be equal to or less than the number of certified teachers from the teacher/staff list.**

School administrators cannot be counted as classroom teachers.

Paraprofessionals

Paraprofessionals must have cardiopulmonary resuscitation (CPR) and first aid training in addition to at least ten (10) hours of intensive training in behavior strategies, non-aversive physical management.

Mental Health Professionals

Counseling or mental health services must be provided to all students eligible for ED-P and any student requiring counseling as determined by the IEP team. Services may be provided by an on-site provider, district provider, or provider contracted through a third party.

Student to Staff Ratio

- 6:1 student to staff member ratio
- Maximum of 12 students with a teacher and a full-time paraprofessional
- Third staff member available for crisis intervention and behavior management

Age Range

Classrooms will have no more than a four-year age span unless approved by ESS.

Certification Resources

- [Public Educator Lookup](#)
- [Certification Requirements](#)

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Site Visits

Each approved ED-P site will be visited at a minimum of one time per year by the assigned Special Education Program Specialist and planned with advance notice. Special Education Program Specialist can visit sites if an urgent need arises without notice.

During the visit:

- Students must be present and in session for the annual visit.
- Special Education Program Specialists will:
 - meet with leadership teams to review needs and available resources,
 - review IEPs (and other documents as requested),
 - tour the site,
 - observe classrooms to ensure that all criteria are met using the [Criteria for Emotional Disabilities – Public \(ED-P\) Programs](#), and
 - provide a written report of the findings after the visit.

If corrective action is required, the necessary actions and timeframe will be included in the report. Special Education Program Specialists will follow up as needed to ensure all corrective actions have been taken. If they have not, enforcement actions may take place.

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Level C and Level D ED-P Programs

Level C ED-P Programs

Level C programs are programs for students with disabilities that are eligible for special education under the category of emotional disability that are located in a separate location or classroom on a campus that also has students without disabilities. Students in this program require exit criteria to begin the transition to a less restrictive setting.

Level D ED-P Programs

Level D programs are programs located on separate sites that services only students with disabilities. ED-P students located at sites with students with other disabilities must be separated into their own program (classroom) on the site to focus on their unique needs.

IEP Requirements

IEPs must include goals to address individual behaviors, exit criteria, and reintegration plans to promote reintegration into the least restrictive environment.

It is required that students in Level C and Level D ED-P programs have exit criteria included in their IEPs.

Students may remain ED-P Level C or Level D throughout the transition process until a full transition to a less restrictive placement is made.

How to Report Students in ED-P

Please refer to the [Reporting Guidance for Emotional Disabilities-Private/Public Programs](#). For more information, contact the ESS Data Management team: ESSDataMgmt@azed.gov

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Intergovernmental Agreements (IGAs)

Public education agencies (PEA) may enter agreements to place students with disabilities within programs approved by Exceptional Student Services if the placing PEA is unable to provide satisfactory special education and services through its facilities and personnel.

The PEA must evaluate the child and determine an appropriate placement prior to contracting or making payments to the contractee. The PEA may also enter into a joint or cooperative agreement with another public agency. The guidelines outlining such contracts and agreements are outlined in [A.R.S. § 11-952](#)

The PEA is responsible for reporting requirements and ensuring that all IEP goals are met, and that FAPE is provided appropriately for students placed outside of the PEAs jurisdiction. All entities entering agreements are advised to consult with their legal counsel before finalizing placement to ensure agreements follow appropriate statutes and a reasonable charge model is in place.

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Emergency and Evaluation Placements

Extraneous cases for placement must be approved by ADE, and arrangements must be made between ADE and the PEA. ADE will provide instructions to the PEA for each child to ensure they pass an audit and all other data reporting and funding requirements.

****Private special education schools found enrolling publicly enrolled children without an IEP or without written approval from ADE will risk losing their approval status for not aligning with Arizona Rules and Statutes.**

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Reintegration Data

The purpose of the ED-P program is to prepare students to successfully return to a less restrictive setting with their general education peers as quickly as possible. PEAs are strongly encouraged to have a data tracking system to help each student successfully transition to a less restrictive environment. Progress toward exit criteria should be tracked, and the IEP Team should be informed when exit criteria are met to discuss the process to begin integrating back to a less restrictive environment.

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