



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

August 2, 2022

Honorable Michael Wischart
Director
Arizona Department of Economic Security
1789 West Jefferson Street, Mail Drop 1111
Phoenix, Arizona 85007

Dear Director Wischart:

This letter addresses the Arizona Department of Economic Security's (ADES) submissions in response to the U.S. Department of Education's (Department), Office of Special Education Programs' (OSEP) January 13, 2020, monitoring letter. OSEP's January 13, 2020, letter required ADES to implement corrective actions as a result of noncompliance with the Individuals with Disabilities Education Act (IDEA) Part C requirements as identified through OSEP's differentiated monitoring and support (DMS) activities conducted with ADES's, Arizona Early Intervention Program (AzeIP).

Specifically, OSEP's 2020 monitoring letter found that ADES failed to:

1. Have a general supervision system in place reasonably designed to identify and correct noncompliance in a timely manner, including a single line of responsibility in a lead agency in accordance with 34 C.F.R. § 303.120 (General Supervision);
2. Have a system in place to ensure the collection and reporting of valid and reliable transition data for Indicator 8B of its Annual Performance Report (APR), including data required to notify the State educational agency (SEA) and appropriate local educational Agency (LEA) that the toddler, on his or her third birthday, will reach the age of eligibility for service under Part B (Indicator 8B Data);
3. Have a monitoring system in place reasonably designed to ensure compliance with the payor of last resort requirement for the use of IDEA funds in accordance with 34 C.F.R. § 303.510(a)(b)) (Payor of Last Resort); and
4. Exercise appropriate supervision or internal controls to monitor Early Intervention Service (EIS) providers for compliance in implementing the prior written parental consent requirement for the use of private insurance as required in 34 C.F.R. §§ 303.520(b)(1)(i)(B) and 303.420(a)(3) (Consent to Use Insurance).

ADES submitted a corrective action plan (CAP) on October 23, 2020 and submitted revisions to the CAP on November 20, 2020. ADES has subsequently provided periodic progress reports and

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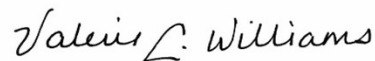
additional documents. On November 15, 2021, OSEP provided a memorandum and status chart to ADES that identified the corrective actions taken by the State, reviewed supporting evidence provided by the State and additional actions necessary to demonstrate completion on the CAP. The memorandum also explained that OSEP had determined that ADES has resolved two of the four findings (findings 2 and 4 above).

In response to OSEP's November 15, 2021, memorandum, ADES provided additional documentation as requested. Attached is a chart entitled OSEP's Analysis of Arizona's Additional Submissions in Response to January 2020 IDEA Part C Monitoring Findings, which identifies the additional documentation provided by the State for each outstanding finding, and OSEP's analysis of that documentation.

As described in the attached chart, OSEP has determined that ADES has resolved the remaining two findings (finding 1 and 3 above). As a result, OSEP has determined that ADES has resolved all four findings identified in the 2020 DMS monitoring letter, and no further action is required. OSEP appreciates ADES' cooperation in the resolution of these issues. At this time, no further action is required from the State.

OSEP appreciates your efforts to improve results for infants and toddlers with disabilities. If you have any questions, please contact Christopher Staton, your OSEP State Lead, at Christopher.Staton@ed.gov.

Sincerely,



Valerie Williams
Director
Office of Special Education Programs

Enclosure

cc: Caroline Nailor-Oglesby, Part C Coordinator