



State of Arizona  
Department of Education

Tom Horne  
Superintendent of  
**Public** Instruction

October 25, 2010

Legacy Education Group – East Valley High School  
7420 E. Main Street  
Mesa, AZ 85207

Dear Kathy Tolman,

The Arizona Department of Education, Exceptional Student Services, has completed the on-site monitoring of your special education program. The review included the determination of compliance with specific regulations for Part B, Individuals with Disabilities Education Act (IDEA), and the Arizona Revised Statutes.

The final portion of the on-site monitoring was an exit conference to discuss the preliminary findings of the monitoring. During the conference, the monitoring team discussed your program's compliance status, strengths and areas of concern. The following is a summary of your program's compliance and performance status at the time the monitoring was conducted.

<b>Performance Status</b>	<b><i>Findings of Noncompliance</i></b>	<b>Substantial Evidence of Effective Systems</b>	<b>Inconsistent Evidence</b>	<b>Minimal Evidence</b>	<b>No Evidence</b>
Child Identification	1/1		X		
Evaluation/ Re-evaluation	5/6				X
IEP	8/8				X
Procedural Safeguards	3/4				X

During the monitoring visit parents, school staff, and ESS staff identified the following areas of strength and concern:

**Strengths:**

- 1. Administrators were able to articulate the PEA's requirements to provide FAPE and how they would do so, in cases of suspensions and expulsions of students with disabilities.**
2. Some prior written notices were clearly individualized and documented the team's decisions.

3. The two initial evaluations completed were done so within the 60 day timeline.

**Concerns:**

1. **Evidence showed that there is not an effective system in place to review paperwork for transfer in students.**
2. **Post secondary transition assessments, in most cases, only identified student's interests.**
3. **There is a lack of current required documentation for students. (Expired IEPs and evaluations)**
4. **Procedural Safeguard Notices and Prior Written Notices were often not provided at required times.**
5. **PEA lacks continuum of service options and has no process in place for meeting the needs of students with more significant disabilities.**

Attached to this letter is a list of the findings of noncompliance and the citation of the regulation/requirement supporting the decision of noncompliance with that regulation/requirement. In order to correct indicated compliance deficiencies, please submit your Corrective Action Plan (if not already submitted) along with necessary documentation regarding 60-day items to your Program Specialist by December 23, 2010. The intent of the Corrective Action Plan is to delineate the steps your agency will take to come into compliance with state and federal requirements. Your agency will be required to correct specific deficiencies identified during the monitoring and to ensure that procedures are in place to maintain sustainability.

Your ESS Specialist will schedule three follow-up visits or desk audits. Once your ESS Specialist has verified that the compliance deficiencies have been corrected and sustainability is in place we will send you a letter indicating the change in your compliance status.

If you believe your agency's monitoring findings are in error, submit an appeal to me at the Arizona Department of Education, Exceptional Student Services. We thank you and your staff for the cooperation extended to our staff during the monitoring visit.

Sincerely,

Diane Mignella  
Director of Program Support and Monitoring  
Exceptional Student Services

ec: AZ Charter School Board  
Angela Germinaro, ESS Program Specialist  
file