



State of Arizona
Department of Education

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October 26, 2011

**Notice of concern regarding
special education
compliance concerns**

Legacy Education Group
Kathy Tolman, Contract Signer
7420 E. Main Street
Mesa, AZ 85207

Dear Kathy Tolman:

As noted in the letter to you dated 10/25/10, a team from ADE/ESS conducted a special education monitoring of your school, Legacy Education Group/East Valley High School, during October, 2010.

As a result of the monitoring, a Summary of Findings and a Corrective Action Plan (CAP) were developed. Our records indicate that there continue to be unresolved items that prevent completion of the CAP. The steps that ADE is able to take to ensure compliance with the IDEA are:

1. Interruption of IDEA payments until adequate compliance is achieved. For charter schools not receiving IDEA funds, a request to begin withholding 10% of state payments;
2. Assignment of a special monitor. For charter schools receiving federal funds, a request to begin withholding 10% of state payments;
3. For charter schools, a request to the appropriate board for a notice of intent to revoke the charter;
4. With State Board of Education approval, interruption of Group B weighted state aid;
5. Referral to the Office of the Attorney General for legal action.

The agency is now at Step 1 of the progression, and as such, federal IDEA payments will be interrupted until such time as adequate compliance is achieved and the corrective action plan is closed out.

Please ensure that the remaining open items from the CAP are corrected and issues are remedied within the next 60 days. Once they are resolved, payments will resume and the monitoring will be closed. Should you be unable to resolve the remaining issues, your agency will move into Step 2 of the above progression.

We regret having to take this action but find that it is necessary in order to ensure appropriate services to students with disabilities and compliance with federal and state requirements. If you believe that this action is based on inaccurate information, please contact Diane Mignella,



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Director of Program Support and Monitoring, at 602-364-4009 to discuss the issues underlying our decision.

If you wish to exercise your right to request a hearing challenging the decision, please let Diane Mignella know by November 10, 2011.

Sincerely,

Joan K. McDonald
Deputy Associate Superintendent
Exceptional Student Services

Ec: Angela Germinaro, ESS Specialist
Diane Mignella, Director of ESS Program Support and Monitoring
Connie Hill, Funding Unit
Alice Nunes, Funding Unit
Bianca Martinez, Arizona State Board for Charter Schools
file

