



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

JUN 16 2008

Honorable Tracy L. Wareing
Director
Arizona Department of Economic Security
1717 West Jefferson Street
P.O. Box 6123
Phoenix, Arizona 85005

Dear Director Wareing:

Thank you for the timely submission of Arizona's FFY 2006 Annual Performance Report (APR) and revised State Performance Plan (SPP) under Part C of the Individuals with Disabilities Education Act (IDEA), as amended in 2004. We also acknowledge the revisions to Arizona's SPP and APR received on April 14, 2008. We appreciate the State's efforts in preparing these documents.

The Department has determined that, under IDEA sections 616(d) and 642, Arizona needs assistance in meeting the requirements of Part C of the IDEA. The Department's determination is based on the totality of the State's data and information including the State's FFY 2006 APR and revised SPP, other State-reported data, and other publicly available information. See the enclosure entitled "How the Department Made Determinations under Sections 616(d) and 642 of the IDEA in 2008" for further details.

The requirements of Indicators 1, 7, 8C and 9 are the subject of Arizona's December 2004 Compliance Agreement with the Department. This Agreement required Arizona to ensure compliance by December 2007 with Part C's timely service provision, 45-day timeline, timely transition conference and timely correction of noncompliance requirements. Specific factors affecting OSEP's determination of needs assistance for Arizona for FFY 2006 included: (1) for Indicator 1, the State reported 67% compliance with timely service provision requirements and did not report correction of prior findings of noncompliance; (2) for Indicator 7, the State reported 59% compliance with the 45-day timeline requirements and did not report correction of prior findings of noncompliance; and (3) for Indicator 9, the State reported 48.28% compliance with timely correction requirements, which represented progress from its FFY 2005 data of 46%. In addition, for Indicator 2, the State acknowledged that its natural environments service settings data did not fully reflect children served in community-based settings, but the State reported its plan to collect and report that data for FFY 2007. For these reasons, we were unable to determine that your State met requirements for FFY 2006 under IDEA sections 616(d) and 642. OSEP notes that the State reported correction for Indicators 8A, 8B, and 8C. Arizona submitted its final progress report under the Compliance Agreement on March 31, 2008. OSEP will respond with the State's FFY 2008 Part C grant letter to Arizona's March 31, 2008 final progress report under its Compliance Agreement. We hope that your State will demonstrate in next year's APR that it meets requirements.

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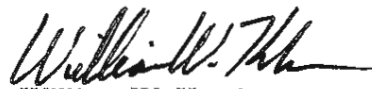
The enclosed table provides OSEP's analysis of the State's FFY 2006 APR and revised SPP and identifies, by indicator, OSEP's review of any revisions made by the State to its targets, improvement activities (timelines and resources) and baseline data in the State's SPP. It also identifies, by indicator, the State's status in meeting its targets, whether the State's data reflect progress or slippage, and whether the State corrected noncompliance and provided valid and reliable data.

Your State may want to consider taking advantage of available sources of technical assistance. A list of sources of technical assistance related to the SPP/APR indicators is available by clicking on the "Technical Assistance Related to Determinations" box on the opening page of the SPP/APR Planning Calendar website at <http://spp-apr-calendar.rrfcnetwork.org/>. You will be directed to a list of indicators. Click on specific indicators for a list of centers, documents, web seminars and other sources of relevant technical assistance for that indicator.

As you know, your State must report annually to the public on the performance of each early intervention service (EIS) program located in the State on the targets in the SPP under IDEA sections 616(b)(2)(C)(ii)(I) and 642. In addition, your State must review EIS program performance against targets in the State's SPP, determine if each EIS program meets the requirements of the IDEA and inform each EIS program of its determination. For further information regarding these requirements, see the SPP/APR Calendar at <http://spp-apr-calendar.rrfcnetwork.org/>. Finally, if you included revisions to baseline, targets or improvement activities in your APR submission, and OSEP accepted those revisions, please ensure that you update your SPP accordingly and that the updated SPP is made available to the public.

OSEP is committed to supporting Arizona's efforts to improve results for infants and toddlers with disabilities and their families and looks forward to working with your State over the next year. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call Debra Jennings, your OSEP State Contact, at 202-245-7389.

Sincerely,



William W. Knudsen
Acting Director
Office of Special Education Programs

Enclosures

cc: Part C Coordinator