



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

JUL - 1 2009

Honorable Rita Sablan
Commissioner of Education
CNMI Public School System
P.O. Box 501370
Saipan, MP 96950

Dear Commissioner Sablan:

This is to inform you that we have conditionally approved the Commonwealth of the Northern Mariana Islands' (CNMI's) application for Federal Fiscal Year (FFY) 2009 funds under Part B of the Individuals with Disabilities Education Act (IDEA). Our conditional approval is based on our review of the application submitted by the CNMI Public School System (PSS) to the U.S. Department of Education, Office of Special Education Programs (OSEP), on May 11, 2009 and amended on June 11, 2009, including the assurances provided in Section II and incorporated by reference to this letter as noted in Enclosure A. In addition, the State provided specific assurances that it will:

1. Operate consistent with Part B and applicable regulations; and
2. Make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of Part B of the IDEA and applicable regulations as soon as possible, and not later than June 30, 2010. Section II of the State's application identifies the IDEA requirements for which the State needs to amend policies and procedures and the timelines by which the State will amend its policies and procedures in order to comply with Part B and applicable regulations. Within Section II, the State has included for each assurance it cannot meet at this time the date by which it expects to complete necessary changes to any policies and procedures that are not yet in compliance with the requirements of Part B and applicable regulations.

CNMI's FFY 2009 IDEA Part B grant is subject to special conditions identified in the U.S. Department of Education's June 24, 2009 letter to CNMI, which is Enclosure C to this grant letter. By accepting the enclosed grant award, CNMI expressly agrees to comply with the terms identified in Enclosure C.

Please note that as part of your application for FFY 2009, your State has made an assurance, in 34 CFR §80.11(c), that it will comply with all applicable Federal statutes and regulations in effect with respect to the FFY 2009 grant period. Any changes made by the State, after OSEP approval, to information that is a part of a State's application, must meet the public participation requirements in 34 CFR §300.165.

Enclosed is CNMI's regular grant award for funds currently available under the Omnibus Appropriations Act, 2009 for the Part B Section 611 (Grants to States) program. These funds are for use primarily in school year 2009-2010 and are available for obligation by States from July 1, 2009 through September 30, 2011 in accordance with 34 CFR §76.709.

The amount shown in your award for the Section 611 program is only part of the total funds that will be awarded to you for FFY 2009. Of the \$11,505,211,000 appropriated for Section 611 in FFY 2009, \$2,912,828,004 is available for awards on July 1, 2009, and \$8,592,382,996 will be available on October 1, 2009.

In addition to these regular FFY 2009 Part B funds, the American Recovery and Reinvestment Act of 2009 (ARRA) provided a one-time large increment in IDEA Part B funding. The ARRA IDEA Part B grants are a supplemental appropriation to the regular IDEA Part B appropriation. The first 50 percent of the ARRA IDEA Part B funds were awarded to CNMI on April 1, 2009 and the second 50 percent will be available to CNMI by September 30, 2009. Please note that each State and Territory will be required to submit additional information that addresses how the State or Territory will meet the accountability and reporting requirements in section 1512 of the ARRA before it will be considered eligible to receive the second 50 percent of the ARRA funds. Together, CNMI's regular FFY 2009 IDEA funds and CNMI's ARRA IDEA Part B funds constitute a CNMI's total FFY 2009 Part B allocation. Given the increased IDEA Part B FFY 2009 allocation to each State and Territory, States and Territories may wish to review carefully the guidance on the ARRA IDEA Part B grant awards, available at <http://www.ed.gov/fund/data/award/idea/arra/index.html>.

Enclosure B provides a short description of how Section 611 funds were allocated and how those funds can be used. In addition, Table I in Enclosure B shows funding levels for distribution of Section 611 funds and the parameters for within-State allocations.

The enclosed grant award for FFY 2009 is made with the continued understanding that this Office may, from time to time, require clarification of information within your application, if necessary. These inquiries are needed to allow us to appropriately carry out our administrative responsibilities related to Part B.

We appreciate your ongoing commitment to the provision of quality educational services to children with disabilities.

Sincerely,



Patricia J. Guard
Acting Director
Office of Special Education Programs

Enclosures

- Enclosure A
- Enclosure B
- Enclosure C

cc: State Director of Special Education