



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

July 1, 2013

Honorable Rita Sablan
Commissioner of Education
CNMI Public School System
Post Office Box 501370 CK
Saipan, MP 96950

Dear Commissioner Sablan:

We have approved the Commonwealth of the Northern Mariana Islands' (CNMI) application for Federal fiscal year (FFY) 2013 funds, under Part C of the Individuals with Disabilities Education Act (IDEA Part C). Our approval is based on our review of the IDEA Part C application, submitted by the CNMI Public School System (PSS) to the U.S. Department of Education, Office of Special Education Programs (OSEP), on April 15, 2013, April 22, 2012, and April 29, 2013.

Our approval of CNMI's FFY 2013 IDEA Part C grant includes approval of policies, procedures, methods, descriptions, assurances, and certifications identified in Section II.A, II.B, and II.C, which is incorporated by reference to this grant award letter as Enclosure A. CNMI received a full approval with its FFY 2012 IDEA Part C grant award and submitted no further changes under Section II.A of its FFY 2013 IDEA Part C application.

Our approval of CNMI's FFY 2013 IDEA Part C application is also based on CNMI's certification in Section II.D of its FFY 2013 application that CNMI's provisions meet the requirements of IDEA Part C as found in 20 U.S.C. §§1431 through 1443 and the final regulations in 34 CFR Part 303 (as published on September 28, 2011), and that CNMI will operate its Part C program in accordance with all of the IDEA Part C requirements including required policies, procedures, methods, descriptions, assurances and certifications. *See*, 34 CFR §76.104.

CNMI's FFY 2013 IDEA Part C grant is also subject to Special Conditions identified in the U.S. Department of Education's (Department's) June 13, 2013 letter to CNMI, which is Enclosure B to this grant letter and which letter is hereby expressly incorporated into the terms of CNMI's FFY 2013 IDEA Part C grant. By accepting the enclosed grant award, CNMI expressly agrees to comply with the terms identified in Enclosure B, which imposes Special Conditions to ensure continued fiscal accountability of Department grant funds awarded to CNMI, including the IDEA Part C FFY 2013 grant funds awarded by the Department to CNMI PSS.

As part of CNMI's IDEA Part C application for FFY 2013, CNMI has made an assurance, under Section II.C.2 of its FFY 2013 application and pursuant to 34 CFR §80.11(c), that it will comply with all applicable Federal statutes and regulations in effect during the FFY 2013 grant period.

Before adopting a new or revised IDEA Part C policy or procedure that is required under Part C of the IDEA or the final regulations in 34 CFR Part 303, CNMI must subject those policies and procedures to the public participation requirements in 34 CFR §303.208 and receive OSEP approval for those policies and procedures referenced in 34 CFR §303.101(c) prior to their implementation.

Enclosed is CNMI's FFY 2013 grant award for funds currently available under the Consolidated and Further Continuing Appropriations Act, 2013 – P.L. 113-6 for the IDEA Part C program. These funds are available for obligation by States and territories from July 1, 2013 through September 30, 2015 in accordance with 34 CFR §76.709.

Section 604 of the IDEA provides that “[a] State shall not be immune under the 11th amendment to the Constitution of the United States from suit in Federal court for a violation of this [Act].” Section 606 provides that each recipient of assistance under IDEA make positive efforts to employ and advance in employment qualified individuals with disabilities in programs assisted under the IDEA. Therefore, by accepting this grant, CNMI is expressly agreeing as a condition of IDEA funding to a waiver of Eleventh Amendment immunity and to ensuring that positive efforts are made to employ and advance employment of qualified individuals with disabilities in programs assisted under the IDEA.

The enclosed grant award of FFY 2013 funds 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 may be necessary to allow us to appropriately carry out our administrative responsibilities related to IDEA Part C.

As a reminder, all prime recipients of IDEA (Part B or Part C) funds, must report subaward information as required by the Federal Funding Accountability and Transparency Act of 2006 (FFATA), as amended in 2008. First-tier subaward information must be reported by the end of the following month from when the award was made or obligated. FFATA guidance is found at <http://www2.ed.gov/policy/gen/leg/recovery/rms-web-conferences.html>. Please contact your Fiscal Accountability Facilitator if you have further questions.

We appreciate your ongoing commitment to the provision of quality early intervention services to infants and toddlers with disabilities and their families.

Sincerely,



Melody Musgrove, Ed.D.
Director
Office of Special Education Programs

Enclosure

Enclosure A

cc: Part C Coordinator