

Federated States of Micronesia Part B FFY 2007 SPP/APR Response Table

| Monitoring Priorities and Indicators | Status of APR Data/SPP Revision Issues | OSEP Analysis/Next Steps |
|--|--|---|
| <p>1. Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in FSM graduating with a regular diploma.</p> <p>[Results Indicator]</p> | <p>FSM’s FFY 2007 reported data for this indicator are 81%. These data represent slippage from the FFY 2006 data of 87%.</p> <p>FSM met its FFY 2007 target of 76%.</p> | <p>OSEP appreciates FSM’s efforts to improve performance.</p> |
| <p>2. Percent of youth with IEPs dropping out of high school compared to the percent of all youth in FSM dropping out of high school.</p> <p>[Results Indicator]</p> | <p>FSM’s FFY 2007 reported data for this indicator are 3%. These data represent progress from the FFY 2006 data of 4%.</p> <p>FSM did not meet its FFY 2007 target of 2.5%.</p> | <p>OSEP looks forward to FSM’s data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p> |
| <p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>A. Percent of districts that have a disability subgroup that meets FSM’s minimum “n” size meeting FSM’s AYP objectives for progress for disability subgroup.</p> <p>[Results Indicator]</p> | <p>Indicator 3A is not applicable to FSM.</p> | |
| <p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular</p> | <p>FSM’s FFY 2007 reported data for this indicator are 66% for reading and 55% for math. These data represent progress from the FFY 2006 data of 55% for reading. The FFY 2006 data for math were 56%.</p> <p>FSM did not meet its FFY 2007 targets of 70%.</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required FSM to</p> | <p>OSEP looks forward to FSM’s data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p> |

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| <p>assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.</p> <p>[Results Indicator]</p> | <p>include in the FFY 2007 APR, due February 2, 2009, information on the status of the implementation of its alternate assessment based on alternate achievement standards. FSM provided the required information.</p> | |
| <p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.</p> <p>[Results Indicator]</p> | <p>FSM's FFY 2007 reported data for this indicator are 3% for reading and 4% for math. These data represent slippage from the FFY 2006 data of 8% for reading and progress from the FFY 2006 data of 0% for math.</p> <p>FSM did not meet its FFY 2007 targets of 9% for reading and 5% for math.</p> | <p>OSEP looks forward to FSM's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p> |
| <p>4. Rates of suspension and expulsion:</p> <p>A. Percent of districts identified by FSM as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and</p> <p>[Results Indicator]</p> | <p>FSM's FFY 2007 reported data for this indicator are 0%. These data remain unchanged from the FFY 2006 data of 0%.</p> <p>FSM met its FFY 2007 target of 0%.</p> | <p>OSEP appreciates FSM's efforts to improve performance.</p> <p>As noted in the revised Part B Indicator Measurement Table, in reporting on this indicator in the FFY 2008 APR, due February 1, 2010, FSM must again describe the results of FSM's examination of data from FFY 2007 (2007-2008).</p> |
| <p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts identified by FSM as having a significant discrepancy in the rates of</p> | <p>States were not required to report on this indicator for FFY 2007.</p> | <p>FSM is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.</p> |

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|--|---|---|-----------------------|---------------------|-----------------------|----------|--|----|----|-------|--------|---|---|---|-----|--------|---|---|---|------|--------|---|
| <p>suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.</p> <p>[Results Indicator; 4.B]</p> | | | | | | | | | | | | | | | | | | | | | | |
| <p>5. Percent of children with IEPs aged 6 through 21:</p> <p>A. Removed from regular class less than 21% of the day;</p> <p>B. Removed from regular class greater than 60% of the day; or</p> <p>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</p> <p>[Results Indicator]</p> | <p>FSM's reported data for this indicator are:</p> <table border="1" data-bbox="548 548 1467 1027"> <thead> <tr> <th></th> <th>FFY 2006 Data</th> <th>FFY 2007 Data</th> <th>FFY 2007 Target</th> <th>Progress</th> </tr> </thead> <tbody> <tr> <td>A. % Removed from regular class less than 21% of the day</td> <td align="center">90</td> <td align="center">84</td> <td align="center">97.25</td> <td align="center">-6.00%</td> </tr> <tr> <td>B. % Removed from regular class greater than 60% of the day</td> <td align="center">3</td> <td align="center">7</td> <td align="center">.25</td> <td align="center">-4.00%</td> </tr> <tr> <td>C. % Served in public or private separate schools, residential placements, or homebound or hospital placements.</td> <td align="center">6</td> <td align="center">7</td> <td align="center">2.25</td> <td align="center">-1.00%</td> </tr> </tbody> </table> <p>These data represent slippage from the FFY 2006 data.</p> <p>FSM did not meet its FFY 2007 targets for this indicator.</p> | | FFY 2006 Data | FFY 2007 Data | FFY 2007 Target | Progress | A. % Removed from regular class less than 21% of the day | 90 | 84 | 97.25 | -6.00% | B. % Removed from regular class greater than 60% of the day | 3 | 7 | .25 | -4.00% | C. % Served in public or private separate schools, residential placements, or homebound or hospital placements. | 6 | 7 | 2.25 | -1.00% | <p>OSEP looks forward to FSM's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.</p> |
| | FFY 2006 Data | FFY 2007 Data | FFY 2007 Target | Progress | | | | | | | | | | | | | | | | | | |
| A. % Removed from regular class less than 21% of the day | 90 | 84 | 97.25 | -6.00% | | | | | | | | | | | | | | | | | | |
| B. % Removed from regular class greater than 60% of the day | 3 | 7 | .25 | -4.00% | | | | | | | | | | | | | | | | | | |
| C. % Served in public or private separate schools, residential placements, or homebound or hospital placements. | 6 | 7 | 2.25 | -1.00% | | | | | | | | | | | | | | | | | | |
| <p>6. Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).</p> | <p>States were not required to report on this indicator for FFY 2007.</p> | <p>FSM is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.</p> | | | | | | | | | | | | | | | | | | | | |

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|---|--|---|----------------------|--------------------|----------------------|---|---|----|----|---|------|----|----|--|------|---|---|---|----|----|----|---|------|----|----|----------------------|-------------|-------------|-------------|--|
| [Results Indicator] | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>7. Percent of preschool children with IEPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator]</p> | <p>FSM’s FFY 2007 reported progress data for this indicator are:</p> <table border="1" data-bbox="548 399 1419 1149"> <thead> <tr> <th data-bbox="548 399 1062 573">07-08 Preschool Outcome Progress Data</th> <th data-bbox="1062 399 1182 573">Social Emotional</th> <th data-bbox="1182 399 1302 573">Knowledge & Skills</th> <th data-bbox="1302 399 1419 573">Appropriate Behavior</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 573 1062 643">a. % of preschoolers who did not improve functioning.</td> <td align="center" data-bbox="1062 573 1182 643">7</td> <td align="center" data-bbox="1182 573 1302 643">12</td> <td align="center" data-bbox="1302 573 1419 643">14</td> </tr> <tr> <td data-bbox="548 643 1062 776">b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td> <td align="center" data-bbox="1062 643 1182 776">11.6</td> <td align="center" data-bbox="1182 643 1302 776">19</td> <td align="center" data-bbox="1302 643 1419 776">12</td> </tr> <tr> <td data-bbox="548 776 1062 878">c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it.</td> <td align="center" data-bbox="1062 776 1182 878">13.9</td> <td align="center" data-bbox="1182 776 1302 878">9</td> <td align="center" data-bbox="1302 776 1419 878">9</td> </tr> <tr> <td data-bbox="548 878 1062 980">d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers.</td> <td align="center" data-bbox="1062 878 1182 980">21</td> <td align="center" data-bbox="1182 878 1302 980">39</td> <td align="center" data-bbox="1302 878 1419 980">35</td> </tr> <tr> <td data-bbox="548 980 1062 1083">e. % of preschoolers who maintained functioning at a level comparable to same-aged peers.</td> <td align="center" data-bbox="1062 980 1182 1083">46.5</td> <td align="center" data-bbox="1182 980 1302 1083">21</td> <td align="center" data-bbox="1302 980 1419 1083">30</td> </tr> <tr> <td data-bbox="548 1083 1062 1149">Total (approx. 100%)</td> <td align="center" data-bbox="1062 1083 1182 1149">100.00 %</td> <td align="center" data-bbox="1182 1083 1302 1149">100.00 %</td> <td align="center" data-bbox="1302 1083 1419 1149">100.00 %</td> </tr> </tbody> </table> | 07-08 Preschool Outcome Progress Data | Social Emotional | Knowledge & Skills | Appropriate Behavior | a. % of preschoolers who did not improve functioning. | 7 | 12 | 14 | b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers. | 11.6 | 19 | 12 | c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it. | 13.9 | 9 | 9 | d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers. | 21 | 39 | 35 | e. % of preschoolers who maintained functioning at a level comparable to same-aged peers. | 46.5 | 21 | 30 | Total (approx. 100%) | 100.00 % | 100.00 % | 100.00 % | <p>FSM reported the required progress data and improvement activities. FSM must provide baseline data, targets and improvement activities with the FFY 2008 APR, due February 1, 2010.</p> |
| 07-08 Preschool Outcome Progress Data | Social Emotional | Knowledge & Skills | Appropriate Behavior | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| a. % of preschoolers who did not improve functioning. | 7 | 12 | 14 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| b. % of preschoolers who improved but not sufficient to move nearer to functioning comparable to same-aged peers. | 11.6 | 19 | 12 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| c. % of preschoolers who improved to a level nearer to same-aged peers but did not reach it. | 13.9 | 9 | 9 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| d. % of preschoolers who improved functioning to reach a level comparable to same-aged peers. | 21 | 39 | 35 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| e. % of preschoolers who maintained functioning at a level comparable to same-aged peers. | 46.5 | 21 | 30 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total (approx. 100%) | 100.00 % | 100.00 % | 100.00 % | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.</p> <p>[Results Indicator]</p> | <p>FSM’s FFY 2007 reported data for this indicator are 83%. These data represent progress from the FFY 2006 data of 82%.</p> <p>FSM met its FFY 2007 target of 60%.</p> | <p>OSEP appreciates FSM’s efforts to improve performance.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| <p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p> | <p>Indicator 9 is not applicable to FSM.</p> | |
| <p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p> | <p>Indicator 10 is not applicable to FSM.</p> | |
| <p>11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State-established timeline).</p> <p>[Compliance Indicator]</p> | <p>FSM revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>FSM's FFY 2007 data for this indicator are 83%. These data represent progress from the FFY 2006 data of 67%.</p> <p>FSM did not meet its FFY 2007 target of 100%.</p> <p>Although FSM reported less than 100% compliance for this indicator for FFY 2006, FSM reported that it made no FFY 2006 findings of noncompliance related to this indicator because its FFY 2005 noncompliance was not corrected.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required FSM to include in the FFY 2007 APR, due February 2, 2009 that the uncorrected noncompliance identified in FFY 2005 with the timely evaluations requirements in 34 CFR §300.301(c)(1) was corrected. FSM reported that both findings of noncompliance identified in FFY 2005 were corrected.</p> | <p>FSM reported that noncompliance identified in FFY 2005 with the timely initial evaluations requirements in 34 CFR §300.301(c)(1) was corrected.</p> <p>FSM must demonstrate, in the FFY 2008 APR due February 1, 2010, that FSM is in compliance with the timely initial evaluation requirements in 34 CFR §300.301(c)(1), including correction of the noncompliance FSM reported under this indicator in the FFY 2007 APR.</p> <p>FSM must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each State with noncompliance reported by FSM under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2)</p> |

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| | | <p>has completed the initial evaluation, although late, unless the child is no longer within the jurisdiction of the State, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02).</p> <p>If FSM is unable to demonstrate compliance in the FFY 2008 APR, FSM must review its improvement activities and revise them, if necessary to ensure compliance.</p> <p>OSEP notes that FSM must make findings of noncompliance based on each year's data regardless of the status of the correction of the previous year's noncompliance. See Frequently Asked Questions Regarding Identification and Correction of Noncompliance and Reporting on Correction in the State Performance Plan(SPP)/Annual Performance Report (APR), dated September 3, 2008 (FAQ dated 9/3/2008).</p> |
| <p>12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p> <p>[Compliance Indicator]</p> | <p>Indicator 12 is not applicable to FSM.</p> | |
| <p>13. Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual</p> | <p>FSM revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>FSM's FFY 2007 reported data for this indicator are 54%. These data</p> | <p>FSM reported noncompliance identified in FFY 2005 with the secondary transition requirements in 34 CFR §300.320(b) was</p> |

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| <p>IEP goals and transition services that will reasonably enable the student to meet the postsecondary goals.</p> <p>[Compliance Indicator]</p> | <p>represent progress from the FFY 2006 data of 32%.</p> <p>FSM did not meet its FFY 2007 target of 100%.</p> <p>Although FSM reported less than 100% compliance for this indicator for FFY 2006, FSM reported that it made no FFY 2006 findings of noncompliance related to this indicator because its FFY 2005 noncompliance was not corrected. OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required FSM to include in the FFY 2007 APR, due February 1, 2009, data demonstrating that the uncorrected noncompliance identified in FFY 2005 was corrected.</p> <p>FSM reported that one of two findings of noncompliance identified in FFY 2005 subsequently was corrected. FSM reported that it required additional reporting data from Pohnpei State to verify correction with the transition requirements.</p> | <p>partially corrected.</p> <p>Although FSM is not required to report data for this indicator in the FFY 2008 APR, FSM must report on the timely correction of the noncompliance reported by FSM under this indicator in the FFY 2007 APR. FSM must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each State with noncompliance reported by FSM under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has developed an IEP that includes the required transition content for each youth, unless the youth is no longer within the jurisdiction of the State, consistent with OSEP Memo 09-02.</p> <p>The State reported that the remaining noncompliance identified in FFY 2005 was partially corrected.</p> <p>OSEP notes that FSM must make findings of noncompliance based on each year’s data regardless of the status of the correction of the previous year’s noncompliance. See FAQ dated 9/3/2008.</p> |
| <p>14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.</p> <p>[Results Indicator]</p> | <p>FSM’s FFY 2007 reported data for this indicator are 75%. These data represent progress from the FFY 2006 data of 31.43%.</p> <p>FSM met its FFY 2007 target of 63%.</p> | <p>FSM is not required to report on this indicator in the FFY 2008 APR, due February 1, 2010.</p> |

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| <p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p> | <p>FSM’s FFY 2007 reported data for this indicator are 75%. These data represent progress from the FFY 2006 data of 50%.</p> <p>FSM did not meet its FFY 2007 target of 100%.</p> <p>FSM reported that six of eight findings of noncompliance identified in FFY 2006 were corrected in a timely manner. Of the remaining two findings of noncompliance, FSM reported that one finding subsequently was corrected and the other finding (related to Indicator 5) was partially corrected. FSM did not report on any specific enforcement or sanctions to correct the uncorrected noncompliance.</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table required FSM to include in the FFY 2007 APR due February 2, 2009, data demonstrating correction of the remaining noncompliance identified in Indicator 15 from FFY 2004 and FFY 2005.</p> <p>With respect to the outstanding noncompliance from FFY 2004, FSM reported that this finding related to both Yap State and Pohnpei State, and that FSM verified correction in Yap State, but not in Pohnpei State. FSM reported that it had identified the root cause of the noncompliance, and that Pohnpei was moving towards correction.</p> <p>With respect to the outstanding noncompliance from FFY 2005, FSM reported that both findings of noncompliance identified in FFY 2005 were corrected.</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table also required FSM to provide information in its final report due July 17, 2008 and in its FFY 2007 APR, due February 1, 2009 addressing issues identified in OSEP’s July 17, 2007 verification letter. The following summarizes the information provided by FSM in its July 24, 2008 final report and in its FFY 2007 APR. FSM was required to provide to OSEP documentation of:</p> <ol style="list-style-type: none"> 1. timely correction of the following noncompliance identified by FSM in Chuuk: <ol style="list-style-type: none"> a) all children with disabilities who are in need of special education and related services are identified, located, evaluated and provided appropriate placements based on their special education needs as required at 34 CFR §300.111; | <p>FSM must demonstrate, in the FFY 2008 APR, due February 1, 2010, that it has corrected the remaining findings of noncompliance identified in the FFY 2004 and FFY 2006 APRs and OSEP’s July 17, 2007 verification letter that were not reported as corrected in the FFY 2007 APR.</p> <p>FSM’s failure to correct longstanding noncompliance raises serious questions about the effectiveness of FSM’s general supervision systems. FSM must take the steps necessary to ensure that it can report, in the FFY 2008 APR, due February 1, 2010, that it has corrected this noncompliance.</p> <p>FSM must review its improvement activities and revise them, if appropriate, to ensure they will enable FSM to provide data in the FFY 2008 APR, due February 1, 2010, demonstrating that FSM timely corrected noncompliance identified by FSM in FFY 2007 in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§300.149 and 300.600(e) and OSEP Memo 09-02.</p> <p>In reporting on correction of noncompliance, FSM must report that it has: (1) corrected all instances of noncompliance (including noncompliance identified through FSM’s monitoring system, through FSM’s data system and by the Department); and (2) verified that each State with identified noncompliance is correctly implementing the specific</p> |

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| | <p>b) to the maximum extent appropriate, children with disabilities are educated with children who are not disabled, and special education classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (34 CFR §300.114);</p> <p>c) a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services as required by 34 CFR §300.115, and ensuring that placement decisions are made pursuant to 34 CFR §300.116;</p> <p>OSEP previously acknowledged correction in the area of noncompliance specific to preschool LRE. With respect to the other issues, FSM reported that Chuuk has a revised Child Find Plan and implemented a weekly case review process to ensure compliance with 34 CFR §300.111. FSM reported child find outreach activities occurred in 2008, and in its FFY 2007 APR, FSM reported 100% compliance with the 60-day timeline requirement for initial evaluations for Chuuk based on a review conducted in July 2008. However, FSM reported that Chuuk has not consistently conducted the weekly case management review, which FSM deems critical to the success of Child Find in Chuuk.</p> <p>FSM reported that, based on reviews conducted in July 2008 and January 2009, the percentage of IEPs reviewed that included justifications for the IEP team placement decisions went from 60% to 80%.</p> <p>FSM provided information on the FSM Handbook for Special Education as evidence that FSM is addressing the LRE requirements and the continuum of alternative placements. FSM did not include information on whether a continuum of alternative placements is available in Chuuk.</p> <p>2. correction of noncompliance in Chuuk addressing the following areas:</p> <p>a) Chuuk’s implementation of FSM-HESA’s procedures for providing a free appropriate public education to all children with disabilities as required by 34 CFR §300.101(a).</p> <p>FSM reported that it conducted on-site visits to Chuuk in October, November and December 2007, March, May and July 2008, and January 2009. FSM</p> | <p>regulatory requirements, consistent with OSEP Memo 09-02.</p> <p>In reporting on Indicator 15 in the FFY 2008 APR, FSM must use the Indicator 15 Worksheet.</p> <p>In addition, in responding to Indicators 11 and 13 in the FFY 2008 APR due February 1, 2010, FSM must report on correction of the noncompliance described in this table under those indicators.</p> <p>OSEP’s June 6, 2008 FFY 2006 SPP/APR response table also required FSM to provide information in its final report due July 17, 2008 and in its FFY 2007 APR, due February 2, 2009, addressing the following issues related to OSEP’s July 17, 2007 verification letter::</p> <p>(1) correction of the following noncompliance identified by FSM in Chuuk:</p> <p>a) all children with disabilities who are in need of special education and related services are identified, located, evaluated and provided appropriate placements based on their special education needs as required at 34 CFR §300.111;</p> <p>b) to the maximum extent appropriate, children with disabilities are educated with children who are not disabled, and special education classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only</p> |

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| | <p>developed a handbook for the delivery of special education services, and provided electronic and hardcopy versions to Chuuk personnel in December 2007 and January 2008. FSM also reported that due to the lack of progress made towards the implementation of the Child Find Plan, it required Chuuk State to submit a revised comprehensive Child Find Plan to include documentation that specific corrective actions were being implemented. FSM also required Chuuk State to implement a weekly case review process to ensure compliance with FAPE requirements. FSM reported hiring an on-site consultant to provide support to Chuuk State in implementing the revised Child Find Plan corrective actions, and the overall implementation of FAPE requirements.</p> <p>FSM reported that as of January 2009 the weekly case management review has not been consistently conducted. However, Chuuk showed evidence of the ability to track intakes in its database system. FSM reported that Chuuk is now required to submit a detailed plan for how homebound teachers will conduct the weekly case review process to verify evidence of the meeting process and outcomes of required actions for each case reviewed.</p> <p>b) children with disabilities who are homebound have an IEP in accordance with the requirements at 34 CFR §§300.320 through 300.328, including that IEPs include a statement of the child’s academic goals as required by 34 CFR §300.320(a)(2)(i) and a statement of the special education and related services to be provided to the child as required by 34 CFR §300.320(a)(4).</p> <p>A review of IEPs in March 2008 revealed evidence of a few academic goals. FSM reported reviewing a random sample of three IEPs for homebound students in January 2009 and found that academic goals and frequency of instruction/visits were listed.</p> <p>c) there are sufficient homebound teachers to provide needed academic services as required by 34 CFR §§300.101(a), 300.323(c) and 300.156.</p> <p>In March 2008, Chuuk implemented a Homebound Service Verification Form for families to sign to verify receipt of services. In the July 2008 Final Report, FSM reported that Chuuk State must provide monthly data to FSM that includes the number of personnel who are needed to serve homebound students. In Attachment 2 to the FFY 2007 APR, FSM provided additional</p> | <p>when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (34 CFR §300.114);</p> <p>c) a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services as required by 34 CFR §300.115, and ensuring that placement decisions are made pursuant to 34 CFR §300.116.</p> <p>FSM provided a progress report addressing these areas of noncompliance. FSM reported correction of the noncompliance related to timely initial evaluations in Chuuk.</p> <p>In its FFY 2008 APR, due February 1, 2009, FSM must submit data demonstrating compliance with 34 CFR §§300.111; 300.114; 300.115 and 300.116, including a description of the process used to ensure consistent implementation of the revised Child Find Plan and weekly case review process, data on the percentage of IEPs reviewed that included justifications for the IEP Team placement decisions, and information on whether a continuum of alternative placements is available in Chuuk.</p> <p>2. correction of noncompliance in Chuuk in the following areas:</p> <p>a) Chuuk’s implementation of FSM-HESA’s procedures for providing a free</p> |

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| | <p>data verifying additional procedures that are in place to ensure compliance with 34 CFR §§300.101(a), 300.323(c), and 300.156.</p> <p>Although FSM reported Chuuk is using a Home Service Verification Form and provided the number of personnel who provide home services/related service assistants/home service teachers, it is unclear to OSEP whether there are sufficient homebound teachers to provide needed academic services in Chuuk.</p> <p>d) transportation services are provided to all children with disabilities who require such services to benefit from special education as required by 34 CFR §§300.17; 300.34(a); 300.34(c)(16) and 300.101(a).</p> <p>FSM reported that FSM National Finance and Chuuk State Finance entered into a MOU concerning management of US Federal funds, and that FSM required Chuuk State to develop a written Standard Operating Procedures Manual to account for vehicles and boats assigned to special education. In its July 24, 2008 final report and in Attachment 2 to its FFY 2007 APR, FSM reported correction of the noncompliance related to the handling of gasoline purchases and that vehicles assigned to special education are only being used for those purposes. However, FSM did not provide specific information on whether transportation services are provided to all children with disabilities who require such services to benefit from special education.</p> <p>3. FSM reviewed with the special education staff of Chuuk all IEPs to ensure that they were developed in accordance with Part B requirements at 34 CFR §§300.320 through 300.328 and that evaluations have been completed in accordance with the requirements at 34 CFR §§300.301 through 300.311. FSM reported in the FFY 2006 APR that all IEPs had been reviewed and that changes were being made for high school students to receive transition services. OSEP required FSM to provide in the FFY 2007 APR documentation of: (a) the number of IEPs that FSM evaluated, the results of the review, and the steps that were taken as a result of the review; (b) the number of evaluations of children that were reviewed, the results of the review; and (c) the steps FSM took as a result of the review.</p> <p>In its FFY 2007 APR, FSM did not provide further information on the review of all IEP files that had been reported on in the FFY 2006 APR. Rather, FSM reported that in July 2008, it reviewed a random sample of files from the FSM</p> | <p>appropriate public education to all children with disabilities as required by 34 CFR §300.101(a).</p> <p>b) children with disabilities who are homebound have an IEP in accordance with the requirements at 34 CFR §§300.320 through 300.328, including that IEPs include a statement of the child’s academic goals as required by 34 CFR §300.320(a)(2)(i) and a statement of the special education and related services to be provided to the child as required by 34 CFR §300.320(a)(4).</p> <p>c) there are sufficient homebound teachers to provide needed academic services as required by 34 CFR §§300.101(a), 300.323(c) and 300.156.</p> <p>d) transportation services are provided to all children with disabilities who require such services to benefit from special education as required by 34 CFR §§300.17; 300.34(a); 300.34(c)(16) and 300.101(a).</p> <p>FSM provided a progress report addressing these areas of noncompliance. FSM must submit a report demonstrating compliance with these requirements with the FFY 2008 APR, due February 1, 2010. The report must include updated data and information demonstrating compliance with 34 CFR §§300.17; 300.34(2); 300.34.(c)(16) and 300.101(a) including whether transportation services are provided to all children with disabilities who require such services to benefit from special education, and whether the number of personnel who</p> |

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| | <p>data system for Chuuk. FSM reported that 70% or 7 of 10 of the files reviewed included current IEPs, only 10% or 1 of 10 included all of the IEP required documentation and only 60% of IEPs included the required LRE requirements. FSM reported conducting on-site visits to provide additional training to Chuuk State on implementing the requirements in 34 CFR §§300.320 through 300.328. During the on-site visit in January 2009, FSM reported reviewing a random sample of 10 IEP files and found that none included all components required in an IEP, although 100% included the required meeting notice and IEP service descriptions.</p> <p>4. FSM addresses in its monitoring procedures other requirements related to assessments included in the Related Requirements document attached to the SPP/APR package, and the requirements at 34 CFR §300.320(a)(6)(i). FSM provided the required information.</p> <p>5. FSM is correcting noncompliance as soon as possible, but not later than one year from the date that it identifies noncompliance.</p> <p>In its July 24, 2008 final report, FSM reported that it has a process in place to identify and correct noncompliance as soon as possible, but no later than one year from the date it identifies noncompliance. FSM provided extensive information about its frequent on-site monitoring visits to Chuuk, the provision of technical assistance and training to Chuuk and other improvements to its monitoring system. FSM reported that the on-site monitoring reports include a determination level based on the noncompliance findings and required actions. FSM reported that Chuuk State has been issued a “needs intervention” determination level, with other FSM states receiving a “needs assistance” determination level. FSM reported that it also reviews Quarterly Progress Reports submitted by each FSM State to address and correct each area of noncompliance identified in a timely manner. FSM did not provide data indicating that 100% of noncompliance is corrected in a timely manner.</p> <p>6. The dates and topics of training provided to special education and related services staff in Chuuk. FSM provided the required information.</p> <p>7. FSM reviewed interagency agreements between the Education Division and the Health Division to ensure compliance with the requirements at 34 CFR §300.154(a)-(c), including information regarding whether the interagency agreements include procedures for timely referrals of children</p> | <p>provide homebound special education and related services is sufficient to meet the requirements in the IEPs of the children who received these services.</p> <p>3. FSM reviewed with the special education staff of Chuuk all IEPs to ensure that they were developed in accordance with Part B requirements at 34 CFR §§300.320 through 300.328 and that evaluations have been completed in accordance with the requirements at 34 CFR §§300.301 through 300.311.</p> <p>FSM did not provide the required information. In its FFY 2008 APR, due February 1, 2010, FSM must submit data demonstrating compliance with 34 CFR §§300.320 through 300.328 and §§300.301 through 300.311. The report must include: (a) the number of IEPs that were evaluated, the results of the review, and the steps that were taken as a result of the review; (b) the number of evaluations of children that were reviewed, the results of the review; and (c) what steps FSM took as a result of the review. FSM must also report on whether the IEPs reviewed met all IEP requirements.</p> <p>4. FSM addresses in its monitoring procedures other requirements related to assessments included in the Related Requirements document attached to the SPP/APR package, and the requirements at 34 CFR §300.320(a)(6)(i). FSM provided the required information.</p> <p>5. FSM is correcting noncompliance as</p> |

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| | <p>with suspected disabilities for evaluation to comply with 34 CFR §300.301(c)(1), and copies of any final interagency agreements.</p> <p>FSM did not provide a copy of the revised national interagency agreement with its FFY 2007 APR. FSM reported that it anticipated that the National Interagency Agreement will be developed by August 2009.</p> <p>8. FSM is implementing the revised Student Information Tracking System (SITS) and training staff about the revised system. FSM provided the required information.</p> <p>9. FSM is accurately identifying and reporting data on children with disabilities in Chuuk. FSM provided the required information.</p> <p>10. FSM is distributing its written procedures to parents, with a copy of the procedures to be provided to OSEP.</p> <p>FSM reported that the Procedural Safeguards Notice has been disseminated to each FSM State special education program. FSM also reported that the Procedural Safeguards Notice to parents is utilized at the state level in all required areas of parent notification and is translated. The implementation of the procedures is reviewed as part of FSM’s monitoring visit. FSM reported that procedural safeguards procedures workshops are offered at FSM and national levels to parents of children with disabilities. FSM reported that the procedural safeguards notice is within the special education handbook reviewed during the verification visit and is the same information provided to parents. FSM provided the required information.</p> <p>11. FSM is in compliance with requirements related to the fiscal management of Part B funds in Chuuk and the results of on-site and off-site fiscal audits of Chuuk:</p> <p>a) written procedures to ensure that Chuuk complies with FSM national procurement requirements and Federal procurement requirements applicable to the Part B program, including procurement requirements in OMB Circular A-87, OMB Circular A-102 and 34 CFR Part 80, Subpart C. The procedures should include how Chuuk will maintain: (a) separate accounting records for special education expenses; (b) all documents related to procurements; and (c) a paper trail to justify expenses paid with Part B funds (including reimbursements for expenses related to the provision of special education and related</p> | <p>soon as possible, but no later than one year from the date that FSM identifies noncompliance.</p> <p>FSM provided progress data addressing this area of noncompliance. In its FFY 2008 APR, due February 1, 2010, FSM must provide data indicating that 100% of noncompliance is corrected in a timely manner. In addition, FSM must submit with its FFY 2008 APR a copy of its monitoring procedures that specifically address the correction of noncompliance as soon as possible, but not later than one year from the date that FSM identifies noncompliance.</p> <p>6. The dates and topics of training provided to special education and related services staff in Chuuk. FSM provided the required information.</p> <p>7. FSM reviewed interagency agreements between the Education Division and the Health Division to ensure compliance with the requirements at 34 CFR §300.154(a)-(c), including information regarding whether the interagency agreements include procedures for timely referrals of children with suspected disabilities for evaluation to comply with 34 CFR §300.301(c)(1), and copies of any final interagency agreements.</p> <p>FSM did not provide a copy of the Interagency Agreement as required by OSEP. FSM must submit a copy of the revised National Interagency Agreement with its FFY 2008 APR, due February 1, 2010.</p> |

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| | <p>services for children with disabilities);</p> <p>b) procedures for auditing the use of Part B funds in Chuuk;</p> <p>c) proposed timelines for FSM-HESA to audit the use of Part B funds in Chuuk;</p> <p>d) a plan for providing training to staff in Chuuk about appropriate accounting and procurement procedures; and</p> <p>e) data and information regarding the progress of the fiscal management of Part B funds in Chuuk, including the results of on-site fiscal audits.</p> <p>In its July 24, 2008 final report, FSM reported that fiscal management issues that were negatively impacting the timely delivery of special education and related services have been corrected. The special education monitoring procedures now include provisions for fiscal and program monitoring on an annual basis, which include third party audits of Part B funds. FSM also reported that during its onsite monitoring/verification visits, it reviewed the fiscal management of Part B funds in Chuuk State, which included a random review of procured equipment and supplies, and documented evidence of procurement compliance with travel and contractual services. FSM reported that “specific findings were noted” and stated that there were “substantial” improvements from the previous monitoring visit.</p> <p>FSM provided additional information about its Fiscal Management Plan but did not identify the “specific findings” issued or the actions taken as a result of the findings. FSM reported that the outcomes of a Fiscal Management Training to be held by December 2008 would be reported in the FFY 2007 APR. FSM reported that the training was delayed.</p> | <p>8. FSM is implementing the revised Student Information Tracking System (SITS) and training staff about the revised system. FSM provided the required information.</p> <p>9. FSM is accurately identifying and reporting data on children with disabilities in Chuuk. FSM provided the required information.</p> <p>10. FSM is distributing its written procedures to parents, with a copy of the procedures to be provided to OSEP. FSM provided the required information.</p> <p>11. FSM is in compliance with requirements related to the fiscal management of Part B funds in Chuuk, and the results of on-site and off-site fiscal audits of Chuuk, including:</p> <p>a) written procedures to ensure that Chuuk complies with FSM national procurement requirements and Federal procurement requirements applicable to the Part B program, including procurement requirements in OMB Circular A-87, OMB Circular A-102 and 34 CFR Part 80, Subpart C. The procedures should include how Chuuk will maintain: (a) separate accounting records for special education expenses; (b) all documents related to procurements; and (c) a paper trail to justify expenses paid with Part B funds (including reimbursements for expenses related to the provision of special education and related services</p> |

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| | | <p>for children with disabilities);</p> <ul style="list-style-type: none"> b) procedures for auditing the use of Part B funds in Chuuk; c) proposed timelines for FSM-HESA to audit the use of Part B funds in Chuuk; d) a plan for providing training to staff in Chuuk about appropriate accounting and procurement procedures; and e) data and information regarding the progress of the fiscal management of Part B funds in Chuuk, including the results of on-site fiscal audits. <p>In its FFY 2008 APR due, February 1, 2010, FSM must provide information demonstrating implementation of FSM’s Fiscal Management Plan, including updated data and information regarding the fiscal management of Part B funds in Chuuk, the results of on-site and off-site fiscal audits of Chuuk, and outcomes of the Fiscal Management training.</p> |
| <p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. [Compliance Indicator]</p> | <p>FSM reported that it did not receive any signed written complaints during the FFY 2007 reporting period.</p> | <p>OSEP looks forward to reviewing FSM’s data in the FFY 2008 APR, due February 1, 2010.</p> |
| <p>17. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day</p> | <p>FSM reported that it did not receive any due process hearing requests during the FFY 2007 reporting period.</p> | <p>OSEP looks forward to reviewing FSM’s data in the FFY 2008 APR, due February 1,</p> |

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| <p>timeline or a timeline that is properly extended by the hearing officer at the request of either party.</p> <p>[Compliance Indicator]</p> | | <p>2010.</p> |
| <p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p> | <p>FSM reported that no resolution sessions were held during the FFY 2007 reporting period.</p> <p>FSM reported fewer than ten resolution sessions held in FFY 2007. FSM is not required to provide targets or improvement activities until any FFY in which ten or more resolution sessions were held.</p> | <p>OSEP looks forward to reviewing FSM's data in the FFY 2008 APR, due February 1, 2010.</p> |
| <p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p> | <p>FSM reported that no mediations were held during the FFY 2007 reporting period.</p> <p>FSM reported fewer than ten mediations held in FFY 2007. FSM is not required to provide targets or improvement activities until any FFY in which ten or more mediations were held.</p> | <p>OSEP looks forward to reviewing FSM's data in the FFY 2008 APR, due February 1, 2010.</p> |
| <p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p> | <p>FSM's FFY 2007 reported data for this indicator are 97%. OSEP recalculated the data to be 91%. These data represent slippage from the FFY 2006 data of 94%.</p> <p>FSM did not meet its FFY 2007 target of 100%.</p> | <p>FSM must review its improvement activities and revise them, if appropriate, to ensure they will enable FSM to provide data in the FFY 2008 APR, due February 1, 2010, demonstrating that FSM is in compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b).</p> <p>In reporting on Indicator 20 in the FFY 2008 APR, FSM must use the Indicator 20 Data Rubric.</p> |