

Commonwealth of the Northern Mariana Islands Part B FFY 2009 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. [Results Indicator]</p>	<p>The Commonwealth of the Northern Mariana Islands (CNMI) provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>CNMI indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012. CNMI revised the improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>CNMI's FFY 2009 data for this indicator are 71%. These data represent slippage from the FFY 2008 data of 78%. CNMI did not meet its FFY 2009 target of 81%.</p>	<p>OSEP looks forward to CNMI's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>CNMI provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. CNMI indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>CNMI revised the improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>CNMI's FFY 2009 reported data for this indicator are 2.9%. These data represent progress from the FFY 2008 data of 9%. CNMI did not meet its FFY 2009 target of 2%.</p>	<p>OSEP looks forward to CNMI's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments: A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup. [Results Indicator]</p>	<p>This indicator is not applicable to CNMI.</p>	<p>Not applicable.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments:</p>	<p>CNMI provided targets for FFY 2011 and FFY 2010, and improvement activities through FFY 2012, and OSEP accepts those revisions. CNMI indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and</p>	<p>OSEP looks forward to CNMI's data demonstrating improvement in performance in the FFY 2010</p>

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<p>B. Participation rate for children with IEPs. [Results Indicator]</p>	<p>FFY 2012. CNMI's FFY 2009 reported data for this indicator are 94% for reading and 95% for math. These data represent slippage from the FFY 2008 data of 96.7% for reading and slippage from the FFY 2008 data of 96.9% for math. CNMI did not meet its FFY 2009 targets of 100%. CNMI provided a Web link to 2009 publicly-reported assessment results.</p>	<p>APR, due February 1, 2012.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments: C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards. [Results Indicator]</p>	<p>CNMI provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. CNMI indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012. CNMI's FFY 2009 reported data for this indicator are 23% for reading and 24% for math. These data represent slippage from the FFY 2008 data of 28.3% for reading and slippage from the FFY 2008 data of 27.3% for math. CNMI did not meet its FFY 2009 targets of 40%. CNMI provided a Web link to 2009 publicly-reported assessment results.</p>	<p>OSEP looks forward to CNMI's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>4. Rates of suspension and expulsion: A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and [Results Indicator]</p>	<p>CNMI provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. CNMI indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012. CNMI revised the improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions. CNMI's FFY 2009 reported data for this indicator are 1.18%. These data represent progress from the FFY 2008 data of 2.4%. CNMI did not meet its FFY 2009 target of 0%. CNMI reported its definition of "significant discrepancy." CNMI reported that it reviewed its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b) based on FFY 2008 data. CNMI did not identify noncompliance through this review.</p>	<p>OSEP looks forward to CNMI's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>4. Rates of suspension and</p>	<p>Indicator 4B is not applicable to CNMI.</p>	<p>Not applicable.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
<p>expulsion:</p> <p>B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p> <p>[Compliance Indicator]</p>																						
<p>5. Percent of children with IEPs aged 6 through 21 served:</p> <p>A. Inside the regular class 80% or more of the day;</p> <p>B. Inside the regular class less than 40% of the day; or</p> <p>C. In separate schools, residential facilities, or homebound/hospital placements.</p> <p>[Results Indicator]</p>	<p>CNMI provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. CNMI indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>CNMI's FFY 2009 reported data are:</p> <table border="1" data-bbox="552 1065 1583 1487"> <thead> <tr> <th></th> <th><u>FFY 2008</u> <u>Data</u></th> <th><u>FFY 2009</u> <u>Data</u></th> <th><u>FFY 2009</u> <u>Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Inside the regular class 80% or more of the day</td> <td align="center">75.4</td> <td align="center">82.7</td> <td align="center">72</td> <td align="center">7.3%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">3.4</td> <td align="center">1.8</td> <td align="center">5.2</td> <td align="center">1.61%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital</td> <td align="center">.27</td> <td align="center">.25</td> <td align="center">0</td> <td align="center">0.00%</td> </tr> </tbody> </table>		<u>FFY 2008</u> <u>Data</u>	<u>FFY 2009</u> <u>Data</u>	<u>FFY 2009</u> <u>Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	75.4	82.7	72	7.3%	B. % Inside the regular class less than 40% of the day	3.4	1.8	5.2	1.61%	C. % In separate schools, residential facilities, or homebound/hospital	.27	.25	0	0.00%	<p>OSEP appreciates CNMI's efforts to improve performance.</p>
	<u>FFY 2008</u> <u>Data</u>	<u>FFY 2009</u> <u>Data</u>	<u>FFY 2009</u> <u>Target</u>	<u>Progress</u>																		
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C. % In separate schools, residential facilities, or homebound/hospital	.27	.25	0	0.00%																		

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues				OSEP Analysis/Next Steps																
	placements																				
<p>6. Percent of children aged 3 through 5 with IEPs attending a:</p> <p>A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and</p> <p>B. Separate special education class, separate school or residential facility.</p> <p>[Results Indicator; New]</p>	<p>CNMI is not required to report on this indicator in the FFY 2009 APR.</p>				<p>CNMI is not required to report on this indicator in the FFY 2010 APR, due February 1, 2012.</p>																
<p>7. Percent of preschool children age 3 through 5 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>CNMI provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. CNMI indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>CNMI's FFY 2009 reported data for this indicator are:</p>				<p>OSEP appreciates CNMI's efforts to improve performance and looks forward to CNMI's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p> <p>CNMI must report progress data and actual target data for FFY 2010 with the FFY 2010 APR.</p>																
	<table border="1"> <thead> <tr> <th data-bbox="554 1078 957 1166"><u>Summary Statement 1</u></th> <th data-bbox="963 1078 1157 1166"><u>FFY 2008 Data</u></th> <th data-bbox="1163 1078 1367 1166"><u>FFY 2009 Data</u></th> <th data-bbox="1373 1078 1577 1166"><u>FFY 2009 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="554 1170 957 1305">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td data-bbox="963 1170 1157 1305">96</td> <td data-bbox="1163 1170 1367 1305">100</td> <td data-bbox="1373 1170 1577 1305">96</td> </tr> <tr> <td data-bbox="554 1310 957 1474">Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)</td> <td data-bbox="963 1310 1157 1474">100</td> <td data-bbox="1163 1310 1367 1474">95</td> <td data-bbox="1373 1310 1577 1474">100</td> </tr> <tr> <td data-bbox="554 1479 957 1502">Outcome C:</td> <td data-bbox="963 1479 1157 1502">96.2</td> <td data-bbox="1163 1479 1367 1502">90</td> <td data-bbox="1373 1479 1577 1502">96</td> </tr> </tbody> </table>				<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	Outcome A: Positive social-emotional skills (including social relationships) (%)	96	100	96	Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	100	95	100	Outcome C:	96.2	90	96	
<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>																		
Outcome A: Positive social-emotional skills (including social relationships) (%)	96	100	96																		
Outcome B: Acquisition and use of knowledge and skills (including early language/communication) (%)	100	95	100																		
Outcome C:	96.2	90	96																		

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues				OSEP Analysis/Next Steps
	Use of appropriate behaviors to meet their needs (%)				
	<u>Summary Statement 2</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	
	Outcome A: Positive social-emotional skills (including social relationships) (%)	37	33	42	
	Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	22	38	27	
	Outcome C: Use of appropriate behaviors to meet their needs (%)	44.4	48	49	
	These data represent progress and slippage from the FFY 2008 data. CNMI met part of its FFY 2009 targets for this indicator.				
<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>CNMI provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. CNMI indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>CNMI's FFY 2009 reported data for this indicator are 90%. These data represent progress from the FFY 2008 data of 87%. CNMI did not meet its FFY 2009 target of 95%.</p> <p>In its description of its FFY 2009 data, CNMI addressed whether the response group was representative of the population.</p>				<p>OSEP looks forward to CNMI's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<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</p>	<p>This indicator is not applicable to CNMI.</p>				<p>Not applicable.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
identification. [Compliance Indicator]		
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator]	This indicator is not applicable to CNMI.	Not applicable.
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe. [Compliance Indicator]	<p>CNMI provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. CNMI revised the improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions.</p> <p>CNMI's FFY 2009 reported data for this indicator are 87%. These data represent progress from the FFY 2008 data of 83%. CNMI did not meet its FFY 2009 target of 100%.</p> <p>CNMI reported that six of 27 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that 21 findings subsequently were corrected by December 2010.</p>	<p>CNMI must demonstrate, in the FFY 2010 APR, due February 1, 2012, that CNMI is in compliance with the timely initial evaluation requirement in 34 CFR §300.301(c)(1). Because CNMI reported less than 100% compliance for FFY 2009, CNMI must report on the status of correction of noncompliance reflected in the data CNMI reported for this indicator. If CNMI does not report 100% compliance in the FFY 2010 APR, CNMI must review its improvement activities and revise them, if necessary.</p> <p>When reporting, in its FFY 2010 APR, on the correction of noncompliance reflected in the FFY 2009 data CNMI reported for this indicator, CNMI must verify that it: (1) is correctly implementing 34 CFR §300.301(c)(1) (i.e., achieved 100% compliance) based on a</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>review of updated data such as data subsequently collected through on-site monitoring or the CNMI data system; and (2) has completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of CNMI, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2010 APR, CNMI must describe the specific actions that were taken to verify the correction.</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. [Compliance Indicator]</p>	<p>CNMI provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. CNMI's FFY 2009 reported data for this indicator are 100%. These data remain unchanged from the FFY 2008 data of 100%. CNMI met its FFY 2009 target of 100%.</p>	<p>OSEP appreciates CNMI's efforts in achieving compliance with the early childhood transition requirements in 34 CFR §300.124(b).</p>
<p>13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs.</p>	<p>CNMI provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts CNMI's submission for this indicator. CNMI's FFY 2009 reported baseline data for this indicator are 77%.</p>	<p>CNMI must demonstrate, in the FFY 2010 APR, due February 1, 2012, that CNMI is in compliance with the secondary transition requirements in 34 CFR §§300.320(b) and 300.321(b). Because CNMI reported less than 100% compliance for FFY 2009, CNMI must report on the status of correction of noncompliance reflected in the data CNMI</p>

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<p>There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.</p> <p>[Compliance Indicator]</p>		<p>reported for this indicator.</p> <p>When reporting, in its FFY 2010 APR, on the correction of noncompliance reflected in the FFY 2009 data CNMI reported for this indicator, CNMI must verify that it: (1) is correctly implementing 34 CFR §§300.320(b) and 300.321(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or the CNMI data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of CNMI, consistent with OSEP Memo 09-02. In the FFY 2010 APR, CNMI must describe the specific actions that were taken to verify the correction.</p> <p>If CNMI does not report 100% compliance in the FFY 2010 APR, CNMI must review its improvement activities and revise them, if necessary.</p>
<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <p>A. Enrolled in higher education within one year of leaving high school;</p>	<p>CNMI provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts CNMI’s submission for this indicator. CNMI indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2010, FFY 2011, and FFY 2012.</p> <p>CNMI’s reported FFY 2009 baseline data for this indicator are:</p>	<p>CNMI must report actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>B. Enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p> <p>[Results Indicator]</p>	<p>A. 10% enrolled in higher education within one year of leaving high school;</p> <p>B. 62% enrolled in higher education or competitively employed within one year of leaving high school; and</p> <p>C. 86% enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p>	
<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>CNMI provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>CNMI's FFY 2009 reported data for this indicator are 70%. These data represent slippage from the FFY 2008 data of 97%. CNMI did not meet its FFY 2009 target of 100%.</p> <p>CNMI reported that 96 of 137 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that 41 findings were subsequently corrected by November 2010. CNMI reported that 90 of the 96 findings corrected in a timely manner were findings of noncompliance with conducting timely annual individualized education program (IEP) reviews.</p> <p>OSEP's February 8, 2011 verification letter found that the following State practices were inconsistent with the IDEA and OSEP Memo 09-02: CNMI did not issue findings of noncompliance in FFY 2008 and FFY 2009 related to overdue annual IEP meetings identified through its external monitoring process, or ensure timely correction of the noncompliance identified through the external monitoring process, consistent with OSEP Memo 09-02, and did not identify or correct all noncompliance found through its focused monitoring and comprehensive on-site monitoring. CNMI responded to OSEP's verification letter on May 6, 2011. OSEP's analysis of these issues is reflected in the chart at the end of this response table.</p>	<p>CNMI must review its improvement activities and revise them, if appropriate, to ensure they will enable CNMI to provide data in the FFY 2010 APR, due February 1, 2012, demonstrating that CNMI timely corrected noncompliance identified by CNMI in FFY 2009 in accordance with 20 U.S.C. 1232d(b)(3)(E), 34 CFR §§300.149 and 300.600(e), and OSEP Memo 09-02.</p> <p>In reporting, in the FFY 2010 APR, on the correction of noncompliance identified by CNMI for FFY 2009, CNMI must verify that it: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or the CNMI data</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of CNMI, consistent with OSEP Memo 09-02. In the FFY 2010 APR, CNMI must describe the specific actions that were taken to verify the correction.</p> <p>In addition, in reporting on Indicator 15 in the FFY 2010 APR, CNMI must use the Indicator 15 Worksheet.</p> <p>In responding to Indicators 11 and 13 in the FFY 2010 APR, CNMI must report on the correction of the noncompliance described in this table under those indicators.</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, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.</p> <p>[Compliance Indicator]</p>	<p>CNMI provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>CNMI's FFY 2009 reported data for this indicator are 100%. These data are based on one complaint. CNMI met its FFY 2009 target of 100%.</p>	<p>OSEP appreciates CNMI's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>
<p>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day</p>	<p>CNMI provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p>	<p>OSEP looks forward to reviewing CNMI's data in the FFY 2010</p>

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<p>timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.</p> <p>[Compliance Indicator]</p>	<p>CNMI reported that it did not receive any requests for due process hearings during the reporting period.</p>	<p>APR due February 1, 2012.</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>CNMI reported that no resolution sessions were held during the reporting period.</p> <p>CNMI reported fewer than ten resolution sessions held in FFY 2009. CNMI is not required to provide targets or improvement activities until any fiscal year in which ten or more resolution sessions were held.</p>	<p>OSEP looks forward to reviewing CNMI's data in the FFY 2010 APR, due February 1, 2012.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>CNMI reported that no mediations were held during the reporting period.</p> <p>CNMI reported fewer than ten mediations held in FFY 2009. CNMI is not required to provide targets or improvement activities except in any fiscal year in which ten or more mediations were held.</p>	<p>OSEP looks forward to reviewing CNMI's data in the FFY 2010 APR, due February 1, 2012.</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>CNMI provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. CNMI revised the FFY 2010 improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions.</p> <p>CNMI's FFY 2009 reported data for this indicator are 100%. These data remain unchanged from the FFY 2008 data of 100%. CNMI met its FFY 2009 target of 100%.</p>	<p>OSEP appreciates CNMI's efforts in achieving compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b). In reporting on Indicator 20 in the FFY 2010 APR, due February 1, 2012, CNMI must use the Indicator 20 Data Rubric.</p>

Verification Issues		
Critical Element	Issue/Response/Analysis	Action Required
<p>GS-1: Identification of</p>	<p>OSEP's February 8, 2011 Verification Visit Letter required CNMI to resubmit its</p>	<p><u>No further action is required</u></p>

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Verification Issues		
Critical Element	Issue/Response/Analysis	Action Required
Noncompliance	<p>revised monitoring procedures for identifying noncompliance or issuing findings of noncompliance when data reviewed through its comprehensive on-site monitoring, external monitoring, and focused monitoring (outside the focus area), reflect noncompliance. Specifically, OSEP’s Verification Visit Letter required CNMI to describe in its revised monitoring procedures how CNMI PSS documents the correction of noncompliance when CNMI corrects noncompliance immediately and chooses not to make a finding, to ensure that CNMI is correcting noncompliance consistent with OSEP Memo 09-02.</p> <p>In addition, OSEP’s Verification Letter required CNMI to include the results of its latest on-site comprehensive, focused and external monitoring under relevant SPP/APR compliance indicators and Indicator 15 in the FFY 2010 APR due February 1, 2012.</p> <p>On May 9, 2011, CNMI submitted its revised monitoring procedures for requiring that a written finding is issued whenever noncompliance is identified through comprehensive on-site monitoring, focused monitoring and external monitoring. CNMI also included monitoring procedures that require the timely correction of all noncompliance identified, consistent with OSEP Memo 09-02.</p>	<p>regarding revisions to CNMI’s monitoring procedures.</p> <p><u>Further action required:</u> CNMI must include the results of its latest on-site comprehensive, focused and external monitoring under relevant SPP/APR compliance indicators and Indicator 15.</p>
GS-Other General Supervision Issues	<p>OSEP’s February 8, 2011 Verification Visit Letter required CNMI to update OSEP about the status of the juveniles who are children with disabilities under the IDEA detained in the Kagman Juvenile Detention and Correction Facility and any other juvenile correctional facilities within CNMI, including: (1) the number of juveniles who are eligible for services under Part B; and (2) the types and frequency of services those juveniles need; or CNMI must provide OSEP with a plan for providing that information to OSEP, including timelines.</p> <p>On May 9, 2011, CNMI submitted the required information.</p>	<p><u>No further action is required.</u></p>
GS-Other General Supervision Issues	<p>OSEP’s February 8, 2011 Verification Visit Letter required CNMI to provide OSEP with a description of how juveniles in juvenile correctional facilities are identified as children with disabilities.</p> <p>On May 9, 2011, CNMI submitted procedures for documenting whether a juvenile was identified as a student with a disability in the last school the student attended. However, CNMI did not provide a description of how a juvenile in a juvenile correctional facility who is suspected of having a disability is identified, referred, evaluated, and, if appropriate, placed in special education.</p>	<p><u>Further action required:</u> CNMI must provide with its February 1, FFY 2010 APR, due February 1, 2012, a description of how juveniles in juvenile correction facilities suspected of having a disability are identified, even if the juvenile was not previously identified by the school system as</p>

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Verification Issues		
Critical Element	Issue/Response/Analysis	Action Required
		a child with a disability who qualifies for services under Part B of IDEA.
GS-Other General Supervision Issues	<p>OSEP’s February 8, 2011 Verification Visit Letter required CNMI to provide OSEP with updated information about the services that are being provided for the juveniles who were detained in November 2008 and the fall of 2010 at Kagman Juvenile Detention and Correction Facility.</p> <p>CNMI did not provide information to OSEP that specifically describes services being provided for the juveniles who were detained in November 2008 and the fall of 2010 at Kagman Juvenile Detention and Correction Facility.</p>	<u>Further action required:</u> CNMI must provide with its February 1, 2012 APR, updated information about services that are being provided for the juveniles who were detained in November 2008 and the fall of 2010 at the Kagman Juvenile Detention and Correctional Facility.
GS-Other General Supervision Issues	<p>OSEP’s February 8, 2011 Verification Visit Letter required CNMI to provide OSEP with the FFY 2011 Part B application package due May 20, 2011, a copy of the final the Memorandum of Understanding (MOU) that is in effect between CNMI PSS and the Department of Community and Cultural Affairs (DCCA), or provide OSEP with the status of the MOU. The MOU must describe how juveniles detained in juvenile correctional facilities are identified, and how special education and related services are provided.</p> <p>On May 9, 2011, CNMI provided a detailed report on the status of the MOU.</p>	<u>Further action required:</u> CNMI must submit the revised MOU between PSS and the Department of Corrections (DOC) ¹ to OSEP as soon as possible, but no later February 1, 2012, which is the due date for the FFY 2010 APR.
FS-3 Appropriate Use of Funds	<p>OSEP’s February 8, 2011 Verification Visit Letter required CNMI to provide OSEP with the procedures that CNMI uses to calculate maintenance of financial support for special education and related services, including how CNMI ensures that it will not reduce the amount of State-level financial support for special education and related services for children with disabilities, or otherwise made available because of the excess cost of educating those children, below the amount of that support for the preceding year.</p> <p>On May 9, 2011, CNMI submitted the required procedures.</p>	<u>No further action is required.</u>

¹ In mid-April 2011, the CNMI Governor transferred administration of the Juvenile Detention Unit (JDU) from the DCCA to the Department of Corrections (DOC). The formal transfer process is anticipated to be completed by June 2011.

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Verification Issues		
Critical Element	Issue/Response/Analysis	Action Required
FS-3 Appropriate Use of Funds	<p>OSEP’s February 8, 2011 Verification Visit Letter required CNMI to provide OSEP with a copy of the correspondence in which CNMI has informed its audit office of the need to review CNMI’s compliance with the State financial support requirements in section 612(a)(18)(A) of the IDEA and 34 CFR §300.163(a) as part of any audit conducted under the Single Audit Act and OMB Circular A-133.</p> <p>On May 9, 2011, CNMI provided the required documentation.</p>	<u>No further action is required.</u>
FS-3 Appropriate Use of Funds	<p>OSEP’s February 8, 2011 Verification Visit Letter required CNMI to provide OSEP with a written assurance that CNMI has utilized the methodology developed in accordance with CNMI’s procedures for calculating maintenance of State financial support for special education and related services, which are discussed above, to calculate maintenance of State financial support for special education and related services for fiscal year 2010 consistent with the requirements in 34 CFR §300.163(a).</p> <p>On May 9, 2011, CNMI provided the required assurance.</p>	<u>No further action is required.</u>