

Table B – Guam Part B
Previously-Identified Issues

Issue	State Submission	OSEP Analysis	Required Action
<p>Indicator 12: OSEP's November 4, 2005 response to Guam's FFY 2003 APR required Guam to submit data and analysis with the SPP, documenting progress toward compliance with the requirements at 34 CFR §§300.132 and 300.121(c) to ensure that, by the third birthday of a child participating in early intervention programs under Part C of IDEA, and who is eligible for preschool programs under Part B, an individualized education program (IEP), or individualized family services plan (IFSP), is developed and implemented and provide a final report to OSEP, including data and analysis demonstrating compliance, by March 28, 2006.</p>	<p>On page 31 of the SPP, Guam reported that 46% of the children in early intervention programs under Part C, who were found eligible for preschool programs under Part B, had an IEP developed and implemented by their third birthdays.</p>	<p>While the level of compliance has increased from 24% in December 2002-December 2003 to 46% in December 2003-December 2004, the data provided demonstrate continued noncompliance with the requirements in §§300.132 and 300.121(c).</p>	<p>The State has a final report due on March 28, 2006. Failure to provide data demonstrating compliance at that time may result in the State being identified as a "high-risk" grantee or may otherwise affect the State's FFY 2006 grant award.</p>
<p>Indicator 15: OSEP's November 4, 2005 letter required Guam to submit data and analysis with the SPP, documenting progress toward compliance with the requirements at 34 CFR §300.600(a)(2) and 20 U.S.C. 1232d(b)(3), to ensure the timely correction of identified noncompliance and provide a final report to OSEP, including data and analysis demonstrating compliance, no later than December 4, 2006.</p>	<p>On page 38 of the SPP, Guam provided information on the development of its Coordinated System for the Identification and Remediation (CSIR) of systemic issues, and indicated that full implementation of CSIR will occur in 2005-2006. The CSIR is a quarterly data review process, designed to identify, and ensure timely correction of, identified</p>	<p>Guam did not provide monitoring data for 2004 – 2005 during the time it was developing its CSIR system.</p>	<p>The State must ensure that it is implementing its improvement strategies to ensure they will enable the State to include data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement. (Therefore, the State's final report demonstrating compliance with this requirement, that is due December 4, 2006, may be submitted with the APR, due February 1, 2007.) Failure to demonstrate compliance at that time may affect OSEP's determination of the State's status under section 616(d) of the IDEA.</p> <p>Because Guam did not monitor during school years 2003-2004 and 2004-2005, it was unable to provide baseline data on the percent of noncompliance related to monitoring priority and non-priority areas and indicators identified in 2003-2004 that were corrected within one year</p>

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	<p>noncompliance. On page 37 of the SPP, Guam stated that, "during school years 2003-2004 and 2004 -2005, school monitoring visits were not conducted."</p>		<p>of identification in 2004-2005. In addition, Guam will be unable to provide data in the APR, due February 1, 2007, on the percent of noncompliance identified in 2004-2005 that was corrected within one year of identification in 2005-2006. Evidence of compliance will require the State to submit monitoring data indicating that the State identifies noncompliance with Part B of the IDEA in 2005-2006 and its progress in correcting the noncompliance identified in 2005-2006 within one year of identification.</p>
<p>Indicator 15: <u>Correction of Noncompliance related to Notice of Procedural Safeguards</u> OSEP's November 4, 2005 letter required Guam to submit data and analysis with the SPP, documenting progress toward compliance with the requirement at 34 CFR §300.504(c) to provide the notice of procedural safeguards in the native language of the parent and take steps to ensure that the parent understands the content of the notice and that there is written evidence that the requirements in 34 CFR §300.504(c) have been met, and provide a final report to OSEP, including data and analysis demonstrating compliance, no later than December 4, 2006.</p>	<p>On page 40 of the SPP, Guam provided the following information documenting progress toward compliance: (1) the Procedural Safeguard Notice was updated; (2) training sessions were conducted at the beginning of the year for Guam Public School Personnel; and (3) parent training was scheduled for January 2006.</p>	<p>While the information provided demonstrates progress toward compliance, the State has not provided data that demonstrates compliance with the requirement in 34 CFR §300.504(c) to provide the notice of procedural safeguards in the native language of the parent and take steps to ensure that the parent understands the content of the notice and that there is written evidence that the requirements in 34 CFR §300.504(c) have been met.</p>	<p>Guam must review and, if necessary, revise its improvement strategies to ensure they will enable Guam to include data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement. (Therefore, the State's final report demonstrating compliance with this requirement, that is due December 4, 2006, may be submitted with the APR, due February 1, 2007.) Failure to demonstrate compliance at that time may affect OSEP's determination of Guam's status under section 616(d) of the IDEA.</p>
<p>Indicator 15: <u>Correction of Noncompliance related to Receiving IEP Services</u> OSEP's November 4, 2005 letter required Guam to submit data and analysis with the SPP, documenting progress toward compliance with the</p>	<p>On pages 39 and 40 of the SPP, Guam reported that the number of undelivered services dropped from 508 in 2003-2004 to 277 in 2004-2005. Four new</p>	<p>While progress toward compliance was demonstrated, the data provided demonstrated continued noncompliance</p>	<p>Guam must review and, if necessary revise, its improvement strategies to enable it to include data in the APR, due February 1, 2007, that demonstrate full compliance with this requirement. (Therefore, the State's final report demonstrating compliance with this requirement, that is due December 4, 2006, may be submitted with the APR, due</p>

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<p>requirements at 34 CFR §§300.121, 300.300 and 300.350(a) regarding children with disabilities receiving all of the special education and related services on their IEPs, and provide a final report to OSEP, including data and analysis demonstrating compliance, no later than December 4, 2006.</p>	<p>speech/language personnel were hired and training was provided for parents on exercises that could be done with their child at home or school and related services were extended to families after school hours, and on weekends and holidays, for children needing direct services.</p>	<p>with the requirements at 34 CFR §§300.121, 300.300 and 300.350(a).</p>	<p>February 1, 2007.) Failure to demonstrate compliance at that time may affect OSEP's determination of Guam's status under section 616(d) of the IDEA.</p>