

**Table B Chart – American Samoa Part C  
Previously Identified Issues**

Issue	State Submission	OSEP Analysis	Required Action
<p><b>Indicator 1:</b> OSEP’s FFY 2005 Part C grant award letter to American Samoa included Special Conditions to ensure the timely provision of needed early intervention services to eligible children, including early intervention services in the area of speech therapy as required by 34 CFR §§303.340(c) and 303.342(e). Specific conditions required American Samoa to report on its recruitment efforts to retain a full-time speech language pathologist.</p> <p>The initial Progress Report was due by November 21, 2005, and the final Progress Report is due by April 14, 2006, under those Special Conditions.</p>	<p>In its November 2005 Progress Report, American Samoa reported data on children referred to Part C only (i.e., no data were provided for children already in the Part C system who did not receive a comprehensive evaluation in all five developmental areas), and indicated that evaluations for children in four of the 13 child records reviewed revealed concerns with speech and language. The Territory reported that due to the lack of a speech therapist, children were provided speech stimulation through developmental services provided by the service coordinator who acts as a paraprofessional.</p> <p>Of the five child records beyond the 45-day timeline, four had no evaluation or IFSP and an additional record (not part of the four child records), included an evaluation but no IFSP for the recommended service.</p> <p>American Samoa also submitted a Progress Report on its efforts to retain a speech language pathologist.</p>	<p>In the February 27, 2006 response to American Samoa’s Progress Report, OSEP required American Samoa to report on <u>all</u> eligible children with IFSPs (the number of which is unclear from the Progress Report and American Samoa’s December 2005 State Performance Plan submission), including children already in the Part C system as well as children recently referred to Part C.</p> <p>In addition, American Samoa must identify the cause(s) for missing information in child records, specifically, an appropriate multidisciplinary evaluation and/or IFSP. Suggestions include interviews with families and service coordinators to enable American Samoa to identify the root cause of the problem, determine if these problems are systemic and determine the most appropriate improvement strategies.</p>	<p>Under the Special Conditions, a final Progress Report is due April 14, 2006. Failure to demonstrate compliance with the Special Conditions requirements and the requirements of this indicator in the final Progress Report may result in American Samoa being identified as a “high risk” grantee or otherwise affect American Samoa’s FFY 2006 grant award.</p>

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<p><b>Indicator 7:</b> OSEP's FFY 2005 Part C grant award letter included Special Conditions to ensure comprehensive timely evaluations as required by 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a).</p> <p>The initial Progress Report was due by November 21, 2005, and the final Progress Report is due by April 14, 2006, under those Special Conditions.</p>	<p>American Samoa reported in the SPP a 59% level of compliance with the requirements of Indicator 1, specifically the 45-day timeline requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1) and 303.342(a).</p>	<p>OSEP is concerned with the lack of analysis provided by American Samoa. American Samoa identified five records that did not meet the 45-day timeline, but did not include information as to whether any of those records documented exceptional circumstances attributable to child or family reasons (in which case any of those records would be excluded from the denominator for purposes of determining American Samoa's level of compliance with this indicator).</p>	<p>Under the Special Conditions, a final Progress Report is due April 14, 2006. Failure to demonstrate compliance with this requirement in the final Progress Report may result in American Samoa being identified as a "high risk" grantee or otherwise affect American Samoa's FFY 2006 grant award.</p> <p>In reporting data in the final Progress Report on April 14, 2006 and in the FFY 2005 APR due February 1, 2007, American Samoa <u>should not</u> include in the calculation children for whom it has identified the cause for the delay as exceptional child or family circumstances documented in the child's record. American Samoa must include in its discussion of data, the numbers it used to determine its calculation under this indicator and report separately the number of documented delays attributable to child or family circumstances.</p>

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<p><b>Indicator 7:</b> OSEP's October 27, 2005 APR response letter required American Samoa to submit, in the SPP, a copy of the finalized agreement between Helping Hands and the Department of Health regarding vision and hearing screenings and evaluations.</p>	<p>American Samoa reported that 54% of referrals met the 45-day timeline for evaluation and initial IFSP meeting; however, the Territory stated that it "does not have the ability to provide vision and hearing screenings to all eligible children." Of the five child records that did not meet the 45-day timeline, no clear information was provided to indicate the reason for not holding an initial IFSP meeting or completing the multi-disciplinary evaluation.</p> <p>In the December 2005 document submitted with the SPP, American Samoa reported that, currently, families in American Samoa are referred to the Eye Clinic, or the Ear, Nose and Throat Clinic at the Lyndon B. Johnson Medical Center. Families referred include children with concerns regarding vision or hearing. Families must pay a fee to have an appointment at the clinic. On pages 9-10 of the December 2005 document submitted with the SPP, the Territory reported that they do not have a finalized agreement due to systemic issues related to the program's change in lead agencies.</p>	<p>American Samoa submitted strategies for contracting professionals to train staff on how to conduct vision and hearing screenings and asked for OSEP's approval of these strategies. The strategies for providing hearing and vision screening appear to be designed to improve compliance with this requirement. However, timelines for implementing these strategies are not provided. Furthermore, the current process for vision and hearing screenings requires families to pay for the screenings, which does not meet the requirements of Part C at 34 CFR §303.521(b).</p>	<p>Under the Special Conditions, a final Progress Report with data demonstrating timely comprehensive evaluations is due by April 14, 2006. American Samoa must provide a written assurance, as part of its FFY 2006 grant application, that families are not charged for any evaluations, including vision and hearing, under Part C consistent with 34 CFR §303.521(b).</p>

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<p><b>Indicator 8:</b> OSEP's October 27, 2005 letter required American Samoa to submit, with the SPP, two Progress Reports (an interim Progress Report in the SPP and a final Progress Report due thirty days following one year from the date of the letter, (i.e. November 27, 2006), with data demonstrating compliance with transition requirements (LEA notification, transition conferences and transition planning) at 34 CFR §§303.148(b)(1), (b)(2)(i), (b)(4) and 303.344(h).</p>	<p>In the SPP, American Samoa reported baseline data for:</p> <p>8A - IFSP with transition steps and services</p> <p style="padding-left: 40px;">82% (n=56) had steps</p> <p style="padding-left: 40px;">18% (n=12) did not have steps</p> <p>8B - LEA Notification</p> <p style="padding-left: 40px;">73% (n=16) were notified to the LEA</p> <p style="padding-left: 40px;">27% (n=6) were not notified to the LEA</p> <p>8C - 90-day transition meeting</p> <p style="padding-left: 40px;">25% (n=3) of children exiting Part C received a transition conference at least 90 days prior to their 3<sup>rd</sup> b-day</p> <p style="padding-left: 40px;">75% (n= 9) did not receive a conference</p> <p>American Samoa reported a staff shortage and indicated this as the reason for noncompliance. During the second half of the reporting period a number of staff were hired.</p> <p>The December 2005 document submitted with the SPP included its transition policies.</p>	<p>American Samoa provided data that demonstrate continuing noncompliance with the requirements at 34 CFR §§303.148(b)(1), (b)(2)(i), (b)(4) and 303.344(h).</p> <p>The level of compliance reported was:</p> <p>8A: 82% for transition steps;</p> <p>8B: 73% for notification to LEA; and</p> <p>8C: 25% for timely transition conference. In American Samoa's computation of its baseline data for this compliance indicator, the Territory may have included children for whom the family did not provide approval to conduct the transition conference or for whom the conference was not timely held due to documented exceptional child or family circumstances.</p>	<p>American Samoa may submit its final Progress Report on these three areas of noncompliance (originally due by November 27, 2006) in the FFY 2005 APR due February 1, 2007. American Samoa must review and, if necessary revise, its improvement strategies to ensure they will enable American Samoa to demonstrate full compliance with this requirement by February 1, 2007. Failure to demonstrate compliance at that time may affect OSEP's determination of American Samoa's status under section 616(d) of the IDEA.</p> <p>8C: In the FFY 2005 APR, due February 1, 2007, American Samoa <u>should not</u> include in the calculation children for whom the State has identified the lack of a timely conference attributable either to exceptional family circumstances documented in the child's record or lack of family approval. American Samoa must include in its discussion of data, the numbers it used to determine its calculation under this indicator and report separately the number of documented delays attributable to family circumstances and the number of children for whom the family did not provide approval to conduct the conference.</p>

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<p><b>Indicator 9:</b> OSEP's October 27, 2005 letter required American Samoa to submit with the SPP:</p> <p>1) a Progress Report on its efforts to ensure identification of noncompliance (including all findings of noncompliance identified by the program and the status of correction); and by November 27, 2006, a final Progress Report demonstrating compliance with identification of noncompliance under 34 CFR §303.501(b); and</p> <p>2) its plan (including strategies, timelines, targets and evidence of change) to ensure correction within a year of OSEP's acceptance of the plan on the issue of timely correction of identified noncompliance and appropriate corrective action measures under 34 CFR §303.501(b).</p>	<p>1) American Samoa referenced Indicators 1,2,7 and 8 for data on the identification of noncompliance data.</p> <p>2) American Samoa included activities and timelines on pages 42 through 44 of the SPP.</p>	<p>1) Data provided indicate American Samoa's ability to identify noncompliance. (See Indicators 1, 7 and 8, above.)</p> <p>2) American Samoa's activities (including database revision and hiring and training service coordinators) appear to address timely correction; however as noted above in response to Indicators 1 and 7, OSEP remains concerned about American Samoa's ability to correct noncompliance.</p>	<p>1) and 2): American Samoa must review and, if necessary revise, its improvement strategies to ensure it will be able to include data in the APR, due February 1, 2007, that demonstrate full compliance with the requirements to identify and timely correct noncompliance as required at 34 CFR §303.501(b). Failure to demonstrate compliance at that time may affect OSEP's determination of American Samoa's status under section 616(d) of the IDEA.</p>

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<p><b>Indicator 9:</b> OSEP's FFY 2005 Part C grant award letter to American Samoa included Special Conditions regarding the content of IFSPs to ensure they include: (a) a child's present level of developmental functioning; (b) families' resources, priorities and concerns; and (c) justification for any early intervention service that is not provided in the natural environment as required by 34 CFR §303.344.</p> <p>The initial Progress Report was due by November 21, 2005, and the final Progress Report was due April 14, 2006, under those Special Conditions.</p>	<p>In its November 2005 Progress Report, American Samoa reported on 13 child records. Some included the required content. American Samoa included a chart that included a "Yes" or "No" for: (1) IFSPs that included the family's resources, priorities and concerns; and (2) the IFSP included the child's present level of function; however, OSEP could not determine the compliance rate for each of these IFSP content requirements. No further analysis was reported to determine why the child records did not include an IFSP or the required content.</p>	<p>In the February 27, 2006 response to the Progress Report, OSEP required the Territory to obtain additional information to determine why certain child records did not include the development of an initial IFSP with required content.</p> <p>Suggestions include interviews with families and service coordinators to enable American Samoa to identify the root cause of the problem, determine if these problems are systemic and determine the most appropriate improvement strategies.</p>	<p>Under the Special Conditions, a final Progress Report is due April 14, 2006. Failure to demonstrate compliance with this requirement in the final Progress Report may result in American Samoa being identified as a "high risk" grantee or otherwise affect American Samoa's FFY 2006 grant award.</p>
<p><b>Indicator 14:</b> OSEP's January 2005 letter required American Samoa to provide, in the FFY 2003 APR, progress in ensuring compliance with data collection and reporting requirements. In addition, OSEP requested that American Samoa provide its data-based conclusions as to whether its procedures and practices ensured the collection and timely reporting of accurate data, and required the Territory to submit, by February 6, 2006, a final report that included: (1) policies and procedures that data entered were reliable and accurate; (2) a list of the data elements that were collected in its newly developed computerized data tracking system; and (3) two data reports for the period preceding the reporting deadline.</p>	<p>American Samoa submitted its final Progress Report on January 26, 2006 that included its policies and procedures, data elements and two data reports. American Samoa reported on page 4 of the Progress Report that it ensures reliable and valid data through the following activities: (1) a manual chart review and a cross reference of data to charts; (2) monthly reviews of all charts by the Data Manager and semi-annual reviews by Program Manager; (3) database reviews and backups daily; and (4) staff training.</p>	<p>The Territory provided information in its January 2006 Progress Report that was required concerning compliance with the requirements at 34 CFR §303.540.</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, demonstrating continued compliance with this requirement.</p>