

**Table B – Commonwealth of the Northern Mariana Islands Part C
Previously-Identified Issues**

Issue	State Submission	OSEP Analysis	Action Required
<p>Indicator 1:</p> <p>OSEP’s November 18, 2005 letter responding to CNMI’s FFY 2003 APR and May 7, 2005 submission identified noncompliance with the requirement that eligible children and their families must receive services on their Individualized Family Services Plans (IFSPs) as required by 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1). The letter accepted CNMI’s plan to ensure compliance with this requirement, and required CNMI to submit a final Progress Report demonstrating compliance by December 18, 2006.</p> <p>The November 18, 2005 APR letter also required CNMI to submit an interim report, including data and analysis, demonstrating progress toward compliance with this requirement in the SPP or by January 18, 2006.</p>	<p>CNMI submitted its interim Progress Report on January 18, 2006. In Attachment C of that submission, CNMI provided data for the period July 1, 2005 to December 31, 2005 indicating that 88% of the services listed on the IFSP were provided, and that 92% of the services were provided consistent with the IFSP or were not provided due to reasons such as family cancellations and unusually severe weather conditions.</p> <p>On page 4 of the SPP, CNMI reported FFY 2004 baseline data indicating a compliance level of 92% when the reasons noted above were considered, and 83% when such reasons were not considered. The data, while based on a limited number of IFSPs, is consistent with the progress data provided in the January 18, 2006 Progress Report (see the discussion in Table A).</p>	<p>CNMI reported a 92% level of compliance with the requirements at 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1) in the January 2006 Progress Report and in the SPP. While this level of compliance is below 100% and requires continued implementation of improvement activities to achieve full compliance, OSEP recognizes the effort made by CNMI in working toward compliance with this requirement.</p>	<p>CNMI’s final Progress Report demonstrating compliance with this requirement, which is due December 18, 2006, may be submitted with CNMI’s FFY 2005 APR due February 1, 2007. In that APR, OSEP looks forward to reviewing data that demonstrate full compliance with this requirement.</p> <p>See Table A for issues in the SPP relating to this indicator.</p>

Issue	State Submission	OSEP Analysis	Action Required
<p>Indicator 8:</p> <p>OSEP's March 7, 2005 letter responding to CNMI's FFY 2001 and 2002 APRs, identified noncompliance with the 90-day transition conference requirements at 34 CFR §303.148(b)(2)(i) and the transition planning requirements at 34 CFR §§303.148(b)(4) and 303.344(h). The letter accepted CNMI's strategies to ensure compliance with these requirements, and required CNMI to provide an interim Progress Report on May 7, 2005 and a final Progress Report demonstrating full compliance with the transition planning requirements by April 6, 2006.</p> <p>OSEP's November 18, 2005 letter responding to CNMI's FFY 2003 APR and May 7, 2005 submission required CNMI to submit in the SPP in response to Indicator 8, baseline compliance data for the requirement that a transition conference must be held no later than 90 days prior to the child's third birthday.</p>	<p>On page 24 of the SPP, CNMI reported data indicating that 100% of children exiting Part C had IFSPs with transition steps and services and 100% of children exiting Part C and potentially eligible for Part B services, had a transition conference within the requisite 90-day timeline.</p>	<p>CNMI reported data showing full correction of previously-identified noncompliance with the requirements at 34 CFR §§303.148(b)(2)(i), 303.148(b)(4) and 303.344(h). OSEP appreciates the CNMI's efforts in ensuring compliance with this requirement.</p>	<p>OSEP looks forward to reviewing data in the APR, due February 1, 2007, demonstrating continuing compliance with this requirement.</p> <p>Since the prior noncompliance with this requirement identified in OSEP's March 7, 2005 letter has been corrected, there is no requirement to submit the final Progress Report due April 6, 2006.</p>

Issue	State Submission	OSEP Analysis	Action Required
<p>Indicator 9: <u>Timely Correction of Noncompliance</u></p> <p>OSEP's November 18, 2005 letter responding to CNMI's FFY 2003 APR and May 7, 2005 interim Progress Report:</p> <p>(1) required CNMI to submit with the SPP or by January 18, 2006, a corrected timeliness standard to ensure correction of noncompliance within one year of identification and its revised monitoring procedures including the corrected timeliness standard clarifying that all identified noncompliance must be timely corrected; and</p> <p>(2) indicated that OSEP could not determine the effectiveness of CNMI's monitoring system to correct identified noncompliance as required by 34 CFR §303.501.</p>	<p>(1) CNMI submitted an interim Progress Report dated January 18, 2006. On page 2 of that report, CNMI indicated that its Corrective Action Plan strategies had been adjusted to include a corrected timeliness standard clarifying that all identified noncompliance must be corrected within one year of identification by CNMI. Attachment D of the report indicated that CNMI's Early Intervention Service System (EISS) monitoring procedures have been revised consistent with the corrected timeliness standard and include a procedure requiring the EISS Coordinator to provide a written response to an external monitoring report with a plan for correction of the identified noncompliance, as early as possible but no later than one year from the date of the external monitoring report, which serves as the formal notice for the identification of noncompliance.</p> <p>2) In the SPP and January 18, 2006 report, CNMI provided data indicating that it had corrected identified noncompliance in such areas as provision of early intervention services and transition planning requirements.</p>	<p>(1) CNMI submitted the requested documentation demonstrating that it has an appropriate timeliness standard to ensure timely correction of noncompliance, and that it has revised its monitoring procedures to clarify that noncompliance must be corrected within one year of identification by CNMI.</p> <p>(2) The data and information submitted in the SPP indicate that CNMI has corrected <i>some</i> identified noncompliance related to SPP monitoring areas and indicators.</p>	<p>(1) No further action is required.</p> <p>(2) CNMI must provide, in response to Indicator 9 in the APR due February 1, 2007, data demonstrating that its general supervision system is effective in correcting all identified noncompliance within one year of identification. Failure to demonstrate compliance with the requirement that identified noncompliance must be corrected within one year of identification in the APR due February 1, 2007, may affect OSEP's determination of the CNMI's status under section 616(d) of the IDEA</p>

Issue	State Submission	OSEP Analysis	Action Required
<p>Indicator 9:</p> <p><u>Correction of Noncompliance Related to IFSP Review</u></p> <p>OSEP's March 7, 2005 response to CNMI's FFY 2001 and 2002 APRs indicated noncompliance with the requirements that: (1) a six-month review of an IFSP for each child's family must be held as required by 34 CFR §303.342(b); and (2) an annual review must be conducted to evaluate the IFSP for each child's family as required by 34 CFR §303.342(c). The letter required CNMI to submit by May 7, 2005, a plan designed to ensure compliance with these requirements.</p> <p>OSEP's November 18, 2005 letter responding to CNMI's FFY 2003 APR and May 2005 submission accepted CNMI's plan designed to ensure compliance with these requirements, and required CNMI to submit with the SPP, an interim Progress Report including data and analysis that demonstrated progress toward compliance with these requirements, and a final Progress Report demonstrating full compliance by December 18, 2006.</p>	<p>CNMI submitted an interim Progress Report dated January 18, 2006.</p> <p>(1) Attachment A of that report provided data indicating that 77% of the six-month reviews were timely conducted or with delays attributable to reasons such as family circumstances or reasons beyond the lead agency's control, in the January 2004 to December 2004 calendar year. For the July 1, 2004 to June 30, 2005 FFY, there was an overall increase from 77% to 80% for 6-month reviews. From July 1, 2005 through December 31, 2005, 84% of the reviews were timely completed or with reasons for delay beyond the agency's control.</p> <p>(2) Attachment B of the submission provided data indicating that the number of annual reviews timely completed decreased from 100% in calendar year 2004 to 79% in FFY 2004 and to 76% from the period July 1, 2005 through December 31, 2005.</p>	<p>(1) CNMI reported an 84% level of compliance with the requirement at 34 CFR §303.342(b).</p> <p>(2) CNMI reported a 76% level of compliance with the requirement at 34 CFR §303.342(c).</p>	<p>CNMI's final Progress Report demonstrating compliance with these requirements, which is due December 18, 2006, may be submitted with CNMI's FFY 2005 APR due February 1, 2007. CNMI must review and, if necessary revise, its improvement strategies to ensure they will enable CNMI to include data in the APR, that demonstrate full compliance with these requirements. Failure to demonstrate compliance at that time may affect OSEP's determination of CNMI's status under section 616(d) of the IDEA.</p>

Issue	State Submission	OSEP Analysis	Action Required
<p>Indicator 9: <u>Correction of Noncompliance Related to Content of Prior Written Notice</u></p> <p>OSEP's November 18, 2005 letter responding to CNMI's FFY 2003 APR and May 7, 2005 submission required CNMI to provide, in the SPP or by January 18, 2006, confirmation that it has revised its prior written notice to include the required corrective actions at 34 CFR §303.510(b) and the time limitations at 34 CFR §303.511(b).</p>	<p>CNMI submitted an interim Progress Report dated January 18, 2006. On page 1 of that report, CNMI provided written confirmation that it had included the regulatory requirements at 34 CFR §§303.510(b) and 303.511(b) in the CNMI prior written notice.</p>	<p>CNMI has submitted the requested written assurance that it has revised its prior written notice consistent with the requirements at 34 CFR §§303.510(b) and 303.511(b).</p>	<p>No further action is required.</p>