

**Table B – Part C – North Carolina**

**Previously Identified Issues**

Issue	State Submission	OSEP Analysis	Required Action
<p><b>Special Conditions</b>  <b>Indicator 7:</b> The State’s longstanding noncompliance with the requirements of 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a) (45-day timeline) is the subject of special conditions on the State’s FFY 2005 grant award.</p>	<p>The State submitted information and data regarding this issue in its October 26, 2005 Special Conditions progress report and the SPP.</p>	<p>In its January 20, 2006 letter, OSEP responded to the State’s October 26, 2005 progress report and the information regarding this issue that the State submitted in its SPP. While the State has made progress, it has not yet satisfied this Special Condition on its FFY 2005 grant award.</p>	<p>Under the Special Conditions, a final progress report is due April 14, 2006, with the data specified in OSEP’s October 24, 2005 letter. Failure to demonstrate compliance with this requirement in the final progress report may result in the State’s continuing identification as a “high risk” grantee or otherwise affect the State’s FFY 2006 grant award.</p>
<p><b>Special Conditions</b>  <b>Indicator 8C -</b> The State’s longstanding noncompliance with the requirements of 34 CFR §303.148(b)(2)(i) (transition conferences) is the subject of special conditions on the State’s FFY 2005 grant award.</p>	<p>The State submitted information and data regarding this issue in its October 26, 2005 Special Conditions progress report and the SPP.</p>	<p>In its January 20, 2006 letter, OSEP responded to the State’s October 26, 2005 progress report and the information regarding this issue that the State submitted in its SPP. While the State has made progress, it has not yet satisfied this Special Condition on its FFY 2005 grant award.</p>	<p>Under the Special Conditions, a final progress report is due April 14, 2006, with the data specified in OSEP’s October 24, 2005 letter. Failure to demonstrate compliance with this requirement in the final progress report may result in the State’s continuing identification as a “high risk” grantee or otherwise affect the State’s FFY 2006 grant award.</p>
<p><b>Indicator 9</b>  34 CFR §303.501</p> <p>OSEP’s October 25, 2005 letter regarding its July 2005 verification visit to the State explained that OSEP could not yet determine the effectiveness of the State’s proposed procedures to correct noncompliance. OSEP’s October 25, 2005 letter said that the State must include in the SPP, information, data and analysis regarding the implementation of its system for correcting noncompliance.</p>	<p>As part of its submission of information in the Overview on pages 2-4, and on pages 2-5 of Indicator 9 in the SPP, the State provided a detailed description of its procedures for identifying and correcting noncompliance.</p>	<p>The procedures described in the SPP appear to be a reasonable approach to the identification and correction of noncompliance. However, as explained by the State on page 3 of Indicator 9 in the SPP, the State was not able to provide data regarding its effectiveness in ensuring the correction of noncompliance within one year from the date of identification because a year had not lapsed at the time of the SPP since the State made monitoring findings.</p>	<p>The State must, in response to indicator 9 in the APR due February 1, 2007, provide documentation that it is effective in correcting all noncompliance within one year from identification. Failure to demonstrate compliance (with correction of State identified noncompliance) at that time may affect OSEP’s determination of the State’s status under section 616(d) of the IDEA.</p>

Issue	State Submission	OSEP Analysis	Required Action
<p><b>Indicators 10 and 11</b> 20 U.S.C. 1416(a)(3)(B) and 1442)</p> <p>OSEP's October 25, 2005 letter regarding its July 2005 verification visit to the State suggested that the State may want to clarify the wording of its due process complaint system (hearings) to clearly distinguish it from the State's Part C administrative complaint system.</p>	<p>On pages 2 &amp; 3 of Indicator 10 and page 2 of Indicator 11 in the SPP, the State describes Improvement Activities regarding modifications it plans to make to its hearing and complaint procedures.</p>	<p>The State has taken steps to modify its hearing and complaint procedures.</p>	<p>As part of its response to Indicators 10 and 11 in the APR due February 1, 2007, the State must confirm that it has modified its procedures to distinguish the State's due process complaint system (hearings) from its Part C administrative complaint system.</p>
<p><b>Indicator 14</b> 20 U.S.C. 1416(a)(3)(B) and 1442</p> <p>In OSEP's October 25, 2005 letter regarding its July 2005 verification visit, the State was required to include, in its submission for Indicator 14, updated information regarding the accuracy of its personnel data.</p>	<p>As part of its submission of information on pages 1-2 of Indicator 14 in the SPP, the State described the actions that it has taken to ensure the accuracy of its personnel data and its conclusion that those data are accurate.</p>	<p>The State has provided the required information. OSEP appreciates the State's efforts to ensure the accuracy of its personnel data.</p>	<p>No further action required.</p>