



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

Honorable Biram Stege
Secretary of Education
Republic of the Marshall Islands
Ministry of Education
Post Office Box 3
Majuro, Marshall Islands 96960

SEP 29 2005

Dear Secretary Stege:

The purpose of this letter is to respond to the Republic of the Marshall Islands' (RMI's) April 22, 2005 submission of its Federal Fiscal Year (FFY) 2003 Annual Performance Report (APR) under the Individuals with Disabilities Education Act (IDEA) Part B for the grant period July 1, 2003 through June 30, 2004. The APR reflects actual accomplishments that RMI made during the reporting period, compared to established objectives. The Office of Special Education Programs (OSEP) has designed the APR under the IDEA to provide uniform reporting from States and territories and result in high-quality information across States and territories. The APR is a significant data source for OSEP in the Continuous Improvement and Focused Monitoring System (CIFMS).

RMI's APR should reflect the collection, analysis, and reporting of relevant data, and include specific data-based determinations regarding performance and compliance in each of the cluster areas. This letter responds to RMI's FFY 2003 APR. OSEP has set out its comments, analysis and determinations by cluster area.

Background

The conclusion of OSEP's January 5, 2005, FFY 2002 APR response letter required RMI to provide the following information in the FFY 2003 APR:

- (1) A copy of RMI's updated monitoring instruments, checklists, and procedures to ensure compliance with all applicable Part B requirements, including the requirements of the 1997 Amendments to IDEA, and data about the results of its monitoring activities, including activities to correct noncompliance identified through monitoring, along with a determination of compliance or noncompliance in this area. If the information indicated noncompliance, RMI was to submit either data demonstrating that the noncompliance had been corrected or a plan to ensure correction of the noncompliance, not to exceed one year from the date when OSEP accepted the plan;

- (2) Information to demonstrate that, although there were deficiencies in the numbers of needed qualified personnel, appropriate special education and related services were provided for children with disabilities; or, if unable to demonstrate that children with disabilities were receiving a free appropriate public education (FAPE), RMI was to submit a plan to address the requirements of 34 CFR §§300.380-300.382 and 300.300(a) as soon as possible, not to exceed one year from the date when OSEP accepted the plan;
- (3) Data and analysis demonstrating RMI's ability to collect and report accurate data in a timely manner, especially in response to the requirements of section 618 of IDEA; or, if unable to demonstrate such ability, RMI was to submit a plan to ensure correction of the noncompliance as soon as possible, not to exceed one year from the date when OSEP accepted the plan;
- (4) A copy of RMI's prior written notice that contains a full explanation of all the procedural safeguards available to parents under Part B;
- (5) Data and analysis, along with a determination of compliance or noncompliance with the child find requirements of 34 CFR §§300.125 and 300.300(a). If data and analysis demonstrated noncompliance, RMI was to submit a plan to ensure correction of the noncompliance as soon as possible, not to exceed one year from the date when OSEP accepted the plan;
- (6) Strategies and activities designed to achieve RMI's targeted performance for parent involvement;
- (7) Graduation and drop-out data to determine whether high school graduation rates and drop-out rates for children with disabilities are comparable to the graduation rates and drop-out rates for nondisabled children;
- (8) Data and analysis, along with a determination of compliance or noncompliance with the requirements of 34 CFR §§300.138, 300.139 and 300.347(a)(5) regarding system-wide assessments. If the data demonstrated noncompliance, RMI was required to provide a plan in the FFY 2003 APR to ensure the correction of noncompliance, describing how RMI would collect the data to enable it to determine compliance or noncompliance;
- (9) Documentation of data regarding preschool skills (whether collected through sampling, monitoring, individual review of individualized education programs (IEPs), or other methods), targets for improved performance, and strategies to achieve those targets in this area, or a plan to collect that data, including a detailed timeline of the activities necessary to implement the plan; and
- (10) Data and analysis, along with a determination of compliance or noncompliance with the requirements of 34 CFR §§300.344(b) and 300.347(b) regarding secondary transition. If data demonstrated noncompliance, RMI was required to

provide a plan to ensure correction of the noncompliance within one year from the date when OSEP accepted the plan. If data were not available, RMI was required to include a plan in the FFY 2003 APR, describing how it would collect data to enable it to determine compliance or noncompliance in this area.

General Supervision

Identification and timely correction of noncompliance

OSEP's January 2005 letter required RMI to provide a copy of its updated monitoring instruments, checklists, and procedures to ensure compliance with all applicable Part B requirements, including the requirements of the 1997 Amendments to IDEA. In addition, RMI was required to submit data about the results of its monitoring activities, including activities to correct noncompliance that it identified through monitoring, along with an analysis of, and a determination of, compliance or noncompliance in this area. On page 2 of the FFY 2003 APR, RMI stated that monitoring procedures and instruments had been revised and implemented to identify noncompliance and deficiencies; to improve compliance; and to correct deficiencies. In attachments to the FFY 2003 APR, RMI provided a copy of the *Marshall Islands Monitoring Procedures*, including monitoring checklists dated May 2004, attached as Exhibit B, and the *Marshall Islands Policies and Procedures Handbook*, attached as Exhibit A. In its *Improvement Plan*, attached as Exhibit C, RMI identified as its monitoring targets to review and revise special education policies and procedures, including monitoring policies, procedures, and forms and to refine and expand the special education information management system (SEIMS), including monitoring and accountability data.

On pages 2 and 3 of the FFY 2003 APR, RMI provided data and information regarding its monitoring activities, indicating that RMI monitored 38 schools. RMI also provided a summary of its monitoring findings and activities to correct the noncompliance. For example, RMI required schools to provide teacher training on positive behavior interventions and supports, and additional teacher training on the individual modifications needed for a child to participate in system-wide assessments. In Exhibit B, *Marshall Islands Monitoring Procedures, May 2004*, RMI described that corrective actions were implemented in the following manner: (1) the school must respond to RMI's Monitoring Report within two weeks; (2) the monitoring team reviews the school's response and determines agreement or disagreement with the school's proposed actions; (3) if the proposed actions are not approved, the Director of Special Education submits the Monitoring Report to the Secretary of Education requesting administrative action to enforce compliance; (4) periodic monitoring visits are scheduled to the school to verify implementation of the Corrective Action Plan; (5) each November, the Special Education Director submits a report of the year's compliance visits to the Secretary of Education; and (6) if a school has been found in continuing noncompliance, the Director of Special Education consults with the Secretary of Education to implement adverse action, such as termination of personnel responsible for continuing noncompliance in a school or agency. OSEP commends RMI for updating its monitoring procedures and monitoring data collection instruments. However, OSEP is unable to determine from a review of RMI's Monitoring Procedures whether RMI has procedures to ensure the correction of deficiencies identified through monitoring as soon as

possible, no later than one year of identification, as required by 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §300.600.

In the State Performance Report (SPP) due December 2, 2005, RMI must either clarify that its monitoring procedures address the identification and correction of noncompliance as soon as possible but in no case later than one year of identification, as required by 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §300.600, or if they do not, RMI must amend its monitoring procedures to ensure timely correction of identified noncompliance as soon as possible, not to exceed one year of identification. In the SPP, RMI also must provide data related to the number of findings of noncompliance made related to monitoring priority areas and indicators and the number of corrections completed as soon as possible but in no case later than one year of identification.

Although many of the requirements of the Individuals with Disabilities Education Act of 1997 are addressed in RMI's monitoring checklist and procedures, RMI also must update its monitoring checklist and procedures after the final regulations implementing the Individuals with Disabilities Education Improvement Act Amendments of 2004 (IDEA 2004) are published in the Federal Register. OSEP appreciates RMI's efforts in this area and looks forward to reviewing updated monitoring data and information regarding RMI's efforts to improve performance and ensure compliance in this area in the SPP due December 2, 2005.

Formal written complaints

On page 2 of the FFY 2003 APR, RMI reported that there were no requests for complaint investigations. OSEP looks forward to reviewing updated data and information regarding RMI's efforts in this area in the SPP.

Mediation

On page 2 of the FFY 2003 APR, RMI reported that there were no requests for mediation. OSEP looks forward to reviewing updated data and information regarding RMI's efforts in this area in the SPP.

Due process hearings and reviews

On page 2 of the FFY 2003 APR, RMI reported that there were no requests for due process hearings. OSEP looks forward to reviewing updated data and information regarding RMI's efforts in this area in the SPP.

Adequate supply of qualified personnel

OSEP's January 2005 letter required RMI to submit information demonstrating that, although there were deficiencies in the numbers of needed qualified personnel, appropriate special education and related services are provided for children with disabilities to meet the requirements of 34 CFR §§300.380-300.382 and 300.300(a). On page 2 of the FFY 2003 APR, RMI stated that: (1) there were sufficient numbers of teachers to provide special education and

related services to eligible children, to provide FAPE, and to meet the identified needs of all children with disabilities in RMI; and (2) additional teachers, related service providers, and administrators were being requested to provide services for increasing numbers of eligible students, to provide early childhood education services, to expand transition services, and to improve related services and program administration. On page 3 of the FFY 2003 APR, RMI included data and information from monitoring regarding the provision of special education and related services for children with disabilities, and RMI staff determined that all children with disabilities in these schools had current and complete IEPs and were provided special education and related services consistent with their IEPs. OSEP appreciates RMI's efforts in this area.

Collection and timely reporting of accurate data

OSEP's January 2005 letter required RMI to provide data and analysis demonstrating its ability to collect and report, in a timely manner, accurate data, especially in response to the requirements of section 618 of IDEA. On page 2 of the FFY 2003 APR, RMI provided information about the special education information management system (SEIMS), and attached copies of data tables required under section 618 of IDEA. On page 2, RMI stated that SEIMS was updated during the period covered by the FFY 2003 APR in order to collect and report data more accurately and in a timely manner. OSEP appreciates RMI's efforts to collect and report accurate data, and looks forward to reviewing updated data and information regarding RMI's efforts to improve performance and ensure compliance in this area in the SPP.

Other: Information about procedural safeguards notice

OSEP's January 2005 letter required RMI to provide OSEP with a copy of its Part B prior written notice that contains a full explanation of all procedural safeguards available to parents, as required by 34 CFR §§300.503-300.504. On pages 77 through 84 of the *Marshall Islands Policies and Procedures Handbook*, attached to the FFY 2003 APR, RMI provided a copy of the *Parent and Student Rights in Special Education – SE 10*. OSEP has determined that RMI must make some additions to its prior written notice. OSEP appreciates RMI's efforts in this area and will contact RMI about revising its prior written notice after the final regulations implementing IDEA 2004 are published in the Federal Register.

Other: Child find in the early grades

OSEP's January 2005 letter required RMI to provide data and analysis along with a determination of compliance or noncompliance with the Child Find requirements at 34 CFR §§300.125 and 300.300(a). In Data Table 3 attached to the FFY 2003 APR, RMI provided data and analysis indicating a need to improve in the area of Child Find. The numbers of children counted for ages 3 through 5 and for ages 6 through 11 were significantly lower than the number of children counted for ages 12 through 17. The following data were provided in Data Table 3 for children and youth served by age categories: for ages 6 through 11 (152); for ages 12 through 17 (442); and for ages 18 through 21 (116). Data Table 3 showed that the Ministry of Education served one child in the age category of 3 through 5; however, on page 7 of the FFY 2003 APR, RMI explained that more than 60 children with IEPs who were served under the Head Start program had not been included on Data Table 3. On pages 2 and 8 of the FFY 2003

APR, RMI included strategies to improve performance in serving preschool children and children in grades one through three (ages 6 through 8), such as: (1) hiring the early childhood teachers employed under the Head Start program when the Head Start program terminates; (2) providing Child Find training for early childhood teachers; and (3) using the “developmental delay” category to identify children in grades one through three; and (4) conducting concerted child find activities in grades one through three. OSEP accepts these strategies for children ages 3 through 5 and 6 through 8, but is also concerned about the low number of children identified in the 9 to 11 age range. Therefore, with the SPP, RMI must provide data and analysis on the number of children served in the 9 to 11 age range, along with a determination of compliance or noncompliance with the Child Find requirements at 34 CFR §§300.125 and 300.300(a). OSEP looks forward to reviewing this information with the SPP.

The SPP instructions establish a new indicator in this area for which States must provide baseline data in the FFY 2005 APR due February 1, 2007. RMI should carefully review the instructions to the SPP in developing its plans for this collection. In the SPP due December 2, 2005, RMI must describe how data are to be collected for this new indicator so that RMI will be able to report baseline data and targets in the FFY 2005 APR due February 1, 2007. OSEP looks forward to reviewing this information in the SPP.

Early Childhood Transition

The instructions to this cluster ask States to provide data indicating whether children who participated in the Part C of IDEA program who are found eligible for services under Part B have an IEP or individualized family services plan in effect by their third birthday (34 CFR §300.132(b)). RMI does not participate in Part C. Therefore, RMI is not required to provide data that is responsive to this indicator.

Parent Involvement

In the FFY 2002 APR, RMI stated that the results of a parent survey showed 85 percent parent participation in IEP meetings. OSEP’s January 2005 letter required RMI to describe strategies and activities in the FFY 2003 APR, designed to achieve improved performance for parent involvement. On page 10 of the FFY 2003 APR, RMI included data and information regarding parent involvement indicating that monthly parent training sessions were conducted on Majuro and Kwajalein, that parent training with the outer islands had increased, and that RMI had 60 percent parent participation in these training and parent involvement activities. A follow-up parent survey and parent interviews conducted in conjunction with monitoring showed that parent participation at IEP meetings increased to 94 percent. OSEP appreciates RMI’s efforts in this area.

The SPP instructions establish a new indicator in this area, for which States must provide baseline data in the FFY 2005 APR due February 1, 2007. RMI should carefully review the instructions to the SPP in developing its plans for this collection. In the SPP due December 2, 2005, RMI must describe how data are to be collected for this new indicator so that RMI will be able to report baseline data and targets in the FFY 2005 APR due February 1, 2007. OSEP looks forward to reviewing this information in the SPP.

Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE)

Disproportionality

On page 14 of the FFY 2003 APR, RMI included information regarding disproportionality indicating that there were few non-Marshallese in RMI and that those few children attended private schools. Further, as noted on page 14 of the FFY 2003 APR, 100 percent of the children with disabilities were Marshallese or Pacific Islanders. OSEP looks forward to reviewing updated information regarding this area in the SPP.

Graduation and drop-out rates

OSEP's January 2005 letter required RMI to provide graduation and drop-out data and information to determine if graduation and drop-out rates for children with disabilities were comparable to graduation and drop-out rates for nondisabled children. On pages 14 and 15 of the FFY 2003 APR, RMI stated that historically, data were not collected regarding the drop-out rates and graduation rates for children without disabilities at the high school level because completion of the eighth grade was considered graduation for students who do not pass the examination to advance to high school. On page 15, RMI explained that if graduation rate means the number of students receiving a high school diploma compared to the number of students in an entry cohort, i.e., 100 students received diplomas in a freshman entry cohort of 300, the graduation rate for disabled children would be very comparable to their nondisabled peers. The June 2004 graduation rate for Marshall Islands High School, by this definition, was about 33 percent. However, RMI did not provide data on the graduation rates for students with disabilities. RMI did not provide drop-out data for students with and without disabilities, but stated that it believed that the special education drop-out rate is better because no student with an IEP dropped out at any grade, including upon eighth grade completion.

Section 618(a)(1)(A)(iv) of IDEA 2004 requires States to report, for each year of age from age 14 through 21, the number and percentage of children with disabilities – by race, ethnicity, limited English proficiency status, gender and disability category – who stopped receiving special education and related services because of program completion (including graduation with a regular secondary school diploma) or other reasons, and the reasons why those children stopped receiving special education and related services. The APR instructions require States to provide a narrative and/or a list that indicates State conditions leading to high school graduation (e.g., alternate diploma, high-stakes test, or GED) and describes the calculation used in determining graduation rates for children with disabilities, whether it is the same calculation used for children without disabilities, and if not, an explanation of the differences in the two calculations and why they are different. Data regarding drop-out rates are explained by providing a narrative that describes and/or a list that shows all student categories included when determining State dropout rate; an explanation of the calculation used in determining the dropout rate for students with disabilities; whether it is the same calculation used for children without disabilities, and if not, an explanation of the differences in the two calculations and why they are different.

Data and information describing compliance with these requirements may include: (1) accurate, reliable and valid data reported in a timely manner to OSEP, as required by the annual data reporting and the APR instructions; (2) descriptions and explanations as required in the APR instructions; (3) efforts underway in the State to obtain comparable data for children with and without disabilities; and (4) a description of any barriers to obtaining comparable data for children with and without disabilities. Graduation and drop-out rates are indicators in the SPP due December 2, 2005, and RMI must provide data in its SPP that is responsive to these indicators. In preparation for the submission of the SPP on December 2, 2005, RMI should carefully consider its current data collection against the requirements related to these indicators in the SPP packet to ensure that data will be responsive to those requirements. The absence of baseline data in this area will be considered in OSEP's decision about approval of the State's SPP.

Suspension and expulsion

On page 15 of the FFY 2003 APR, RMI included data indicating that no children with disabilities were suspended or expelled. OSEP appreciates RMI's efforts in this area and looks forward to reviewing updated data and information regarding RMI's efforts in this area in the SPP.

Statewide and districtwide assessment

OSEP's January 2005 letter required RMI to include data and analysis, along with a determination of compliance or noncompliance with the requirements of 34 CFR §§300.138, 300.139, and 300.347(a)(5), or a plan describing how it would collect the data to determine compliance or noncompliance. On page 15 of the FFY 2003 APR, RMI reported that system-wide assessment was suspended for this reporting period; therefore, RMI did not have data for the FFY 2003 APR addressing system-wide assessments. RMI must provide data and analysis responsible to this indicator when it resumes statewide assessments.

Least restrictive environment (LRE)

On page 15 of the FFY 2002 APR, RMI stated that 98.7 percent of children with disabilities received education outside of the regular classroom for less than 21 percent of the school day, and 1.3 percent of children with disabilities were provided special education services outside of the regular classroom for at least 21 percent and no more than 60 percent of the school day. OSEP appreciates RMI's efforts in this area and looks forward to reviewing updated data and information in the SPP.

RMI should note that in the instructions to the SPP packet, data regarding preschool LRE (children with disabilities aged three through five) and school age LRE (children with disabilities aged six through twenty-one) are separate indicators in the SPP due December 2, 2005. In preparation for the submission of the SPP on December 2, 2005, the State should carefully consider its current data collection against the requirements related to this indicator in the SPP packet to ensure that data will be responsive to those requirements. The absence of baseline data

in this area regarding preschool LRE will be considered in OSEP's decision whether to approve the SPP.

Preschool performance outcomes

RMI did not report data related to preschool skills in the FFY 2002 APR or FFY 2003 APR. On page 15 of the FFY 2003 APR, RMI provided a plan to collect data and information in this area as follows: (1) working with the Head Start program to collect baseline data; and (2) using the Micronesian Inventory of Development to document skills of preschool children with disabilities to determine the extent to which early language/communication, pre-reading and social/emotional skills of preschool children with disabilities receiving special education and related services are improving. On page 7 of the APR, RMI explained that in the new Compact of Free Association with the United States, Head Start funds were consolidated into an education block grant that will be used for universal kindergarten education. The exact Head Start closing date is uncertain and transition to Ministry of Education kindergarten has been and is still uncertain. The uncertainties related to the employment status of Head Start teachers and use of Head Start facilities have strained communication and the working relationship between the agencies, including collection of data related to preschool skills.

OSEP's January 2005 response letter directed RMI to provide in the FFY 2003 APR either data (and analysis) related to early childhood outcomes, or a plan to collect the data, including a detailed timeline of the activities necessary to implement that plan. Under the Government Performance and Results Act of 1993, 31 U.S.C. 1116, the effectiveness of the IDEA section 619 program is being measured based on the extent to which early language/communication, pre-reading, and social-emotional skills of preschool children with disabilities receiving special education and related services are improving. On page 17 of the FFY 2003 APR, the State did not provide OSEP with any data in response to this performance indicator.

The SPP instructions establish a new indicator in this area, for which States must provide baseline data in the FFY 2005 APR due February 1, 2007. Absence of this information at that time will be considered in OSEP's annual determination on the status of the State's performance and compliance required under section 616(d) of the IDEA. The State should carefully review the instructions to the SPP in developing its plans for this collection. RMI must make a determination whether its plans currently in place to collect data related to this area will be responsive to those requirements. In the SPP due December 2, 2005, RMI must describe how data are to be collected on preschool outcomes so that RMI will be able to report baseline data and targets in the FFY 2005 APR due February 1, 2007. OSEP looks forward to reviewing this information in the State's SPP.

Secondary Transition and Post-school Outcomes

Secondary transition

OSEP's January 2005 letter required RMI to provide data and analysis along with a determination of compliance or noncompliance with the requirements of 34 CFR §300.344(b) regarding parent participation in IEP meetings regarding transition services and 34 CFR

§300.347(b) regarding the requirement that the IEP include a statement of needed transition services.

On pages 28 through 30 in RMI's document, the *Marshall Islands Policies and Procedures Handbook*, attached to the FFY 2003 APR, RMI provided a description of policies, procedures, and practices regarding parent participation at meetings held to develop transition service plans and appropriate statements in IEPs regarding transition services. On page 10 of the FFY 2003 APR, RMI reported that 94 percent of parents participated in IEP meetings during this reporting period, but did not specify whether the purpose of these meetings was to develop transition plans or discuss transition needs. On page 18 of the FFY 2003 APR, RMI included data and information, including information collected through monitoring, regarding the inclusion of transition plans in IEPs, indicating that all students with IEPs age 14 and older had a current transition plan (see 34 CFR §300.347(b)).¹ In Exhibit B, *Marshall Islands Monitoring Procedures, May 2004*, RMI provided a copy of the *Compliance Review Checklist* which included questions for parents about the annual review of IEPs and the inclusion of transition service statements in the IEPs of students who were ages 16 or older. On page 18, RMI stated that the transition plans developed on the outer islands needed improvement. OSEP appreciates RMI's efforts in this area.

The SPP instructions establish a new indicator in this area, for which States must provide baseline data in the FFY 2005 APR due February 1, 2007. Absence of this information at that time will be considered in OSEP's annual determination on the status of the State's performance and compliance required under section 616(d) of the IDEA. The State should carefully review the instructions to the SPP in developing its plans for this collection. In the SPP due December 2, 2005, RMI must describe how data are to be collected for this new indicator so that RMI will be able to report baseline data and targets in the FFY 2005 APR due February 1, 2007. OSEP looks forward to reviewing this information in the SPP.

Post-school outcomes

The instructions to this cluster ask States to determine whether the percentage of youth with disabilities participating in post-school activities is comparable to that of nondisabled youth. RMI did not provide this data; although as a future activity, it indicated on page 19 that it planned to complete the post-school survey of former students with IEPs to determine the percentage of youth with disabilities in post-school activities as compared with that for nondisabled youth, but that it did not anticipate that this data would be available in the near future. The SPP instructions establish a new indicator in this area, for which States and territories must provide baseline data in the FFY 2005 APR due February 1, 2007. Absence of this information at that time will be considered in OSEP's annual determination on the status of RMI's performance and compliance required under section 616(d) of the IDEA. RMI should carefully review the instructions to the SPP in developing its plans for this collection. In the SPP

¹ Effective July 1, 2005, IDEA 2004 no longer includes the requirements for students with disabilities beginning at age 14.

due December 2, 2005, RMI must describe how data are to be collected for this new indicator so that RMI will be able to report baseline data and targets in the FFY 2005 APR due February 1, 2007. OSEP looks forward to reviewing this information in the SPP.

Conclusion

In RMI's SPP due December 2, 2005, RMI must include:

1. An explanation of how its monitoring procedures ensure the correction of noncompliance identified through monitoring within one year of identification, as required by 20 U.S.C. 1232d(b)(3)(E), including the results of corrective actions occurring as soon as possible but not later than one year of identification, or a copy of its amended procedures ensuring the timely correction of noncompliance identified through monitoring as soon as possible, not to exceed one year of identification, and data related to the number of findings of noncompliance made related to monitoring priority areas and indicators and the number of corrections completed as soon as possible but in no case later than one year of identification;
2. Data and analysis regarding graduation rates and drop-out rates, consistent with the SPP instructions;
3. A description of how data are to be collected so that the State will be able to report baseline data and targets in the FFY 2005 APR due February 1, 2007, for the following new indicators: child find, preschool outcomes, parent involvement, secondary transition, and post-school outcomes; and
4. Baseline data on preschool LRE.

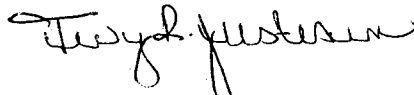
In addition, RMI must provide with its SPP, data and analysis on the number of children with disabilities in the 9 to 11 age range served under Part B of the IDEA, along with a determination of compliance or noncompliance with the Child Find requirements at 34 CFR §§300.125 and 300.300(a).

RMI must amend its monitoring checklist and procedures and its procedural safeguards notice following publication in the Federal Register of the final regulations implementing statutory changes made by IDEA 2004.

IDEA 2004, §616, requires each State and territory to submit a SPP that measures performance on monitoring priorities and indicators established by the Department. These priorities and indicators are, for the most part, similar to clusters and probes in the APR. OSEP encourages RMI to carefully consider the comments in this letter as it prepares its SPP due December 2, 2005.

OSEP recognizes that the APR and its related activities represent only a portion of the work in RMI and looks forward to collaborating with you as you continue to improve results for children and youth with disabilities and their families. If you have questions, please contact Lucille Sleger at (202) 245-7528.

Sincerely,

A handwritten signature in black ink, appearing to read "Troy R. Justesen". The signature is written in a cursive style with a large, looping initial "T".

Troy R. Justesen
Acting Director
Office of Special Education Programs

cc: Mr. Ruthiran Lokeijak
Director of Special Education