

**Commonwealth of the Northern Mariana Islands Part B FFY 2005 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status	OSEP Analysis/Next Steps
<b>Monitoring Priority: FAPE in the LRE</b>		
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.</p> <p>[Results Indicator]</p>	<p>CNMI's FFY 2005 reported data for this indicator are 81.3%. CNMI met its FFY 2005 target of 63%.</p>	<p>CNMI revised the improvement activities for this indicator in its APR and OSEP accepts its revisions. CNMI must add these improvement activities to the SPP.</p> <p>OSEP's March 29, 2006 FFY 2004 SPP response letter required CNMI to review the improvement activities in the SPP and determine whether CNMI needed additional improvement activities to meet its targets for Indicator 1. CNMI added additional improvement activities, and defined its promotion and graduation requirements in the February 1, 2007 APR. CNMI provided a definition of "graduation" that applies for children with and without disabilities. No further action is required.</p> <p>CNMI met its target and OSEP appreciates CNMI's efforts to improve performance.</p>
<p>2. Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.</p> <p>[Results Indicator]</p>	<p>CNMI's FFY 2005 reported data for this indicator are 10%. This represents slippage from CNMI's FFY 2004 reported data of 6.3%. CNMI did not meet its FFY 2005 target of 5%.</p>	<p>OSEP looks forward to CNMI's data demonstrating improvement in performance in the FFY 2006 APR, due February 1, 2008.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup.</p> <p>[Results Indicator]</p>	<p>Not applicable.</p>	<p>Indicator 3A is not applicable because the assessment requirements in Title I of the Elementary and Secondary Education Act do not apply to CNMI.</p>

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<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.</p> <p>[Results Indicator]</p>	<p>CNMI's FFY 2005 reported data for this indicator are 85% for math assessments and 78% for reading assessments. This represents slippage from CNMI's FFY 2004 reported data of 100% for both assessments. CNMI did not meet its FFY 2005 target of 100%.</p> <p>Data not valid and reliable, because CNMI did not base its calculations on all children with disabilities in the tested grades.</p>	<p>CNMI revised the improvement activities for this indicator in its APR and OSEP accepts its revisions. CNMI must add these improvement activities to the SPP.</p> <p>CNMI did not submit valid and reliable data. CNMI stated that it could not accurately identify the number of children with individualized education programs (IEPs) who participated in nationwide assessments. In addition, CNMI did not submit participation data for students with disabilities who took alternate assessments against grade level standards. CNMI stated that this data is not provided for FFY 2005 because CNMI determined that the assessment tool did not accurately measure grade-level standards. CNMI is in the process of revising the alternate assessment tools to correctly measure grade-level activities. CNMI must provide the required valid and reliable data on all children in the tested grades for this indicator in the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP's March 29, 2006 FFY 2004 SPP response letter required CNMI to report to OSEP by May 31, 2006 regarding reporting information to the public on the participation and performance of children with disabilities in regular and alternate assessments with the same frequency and in the same detail that it reports on the assessment of children without disabilities, in accordance with the method described in CNMI's January 31, 2006 response to OSEP. CNMI provided the required information to OSEP on May 31, 2006. No further action is required.</p>
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.</p> <p>[Results Indicator]</p>	<p>CNMI's FFY 2005 reported data for this indicator are 10% for math and 11% for reading. CNMI met its FFY 2005 target of 10%.</p> <p>Data not valid and reliable, because CNMI did not base its calculations on all children with disabilities in the tested grades.</p>	<p>CNMI revised the improvement activities for this indicator in its APR and OSEP accepts its revisions. CNMI must add these improvement activities to the SPP. CNMI did not submit proficiency data for students with disabilities who took alternate assessments against grade level standards. CNMI stated that this information is not provided for FFY 2005 because CNMI determined that the assessment tool did not accurately measure grade-level standards. CNMI is in the process of revising the alternate assessment tools to correctly measure grade-level activities. CNMI must provide the required data in the FFY 2006 APR, due February 1, 2008.</p>
<p>4. Rates of suspension and expulsion:</p>	<p>CNMI's FFY 2005 reported data for this indicator are .3%.</p>	<p>CNMI revised the improvement activities for this indicator in its APR and OSEP accepts its revisions. CNMI must add these improvement activities to</p>

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<p>A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and</p> <p>[Results Indicator]</p>	<p>CNMI met its FFY 2005 target of .45%.</p>	<p>the SPP.</p> <p>OSEP appreciates CNMI's efforts to improve performance.</p> <p>Since CNMI is a unitary system and does not have local educational agencies, CNMI determined whether there are significant discrepancies occurring in the rate of long-term suspensions and expulsions of children with disabilities by comparing the rate of long-term suspensions and expulsions of children with disabilities to the rates for nondisabled children.</p>
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.</p> <p>[Results Indicator; New]</p>	<p>Not applicable.</p>	<p>This indicator is not applicable to CNMI as the only racial/ethnic group present is Asian/Pacific Islander.</p>
<p>5. Percent of children with IEPs aged 6 through 21:</p> <p>A. Removed from regular class less than 21% of the day;</p> <p>B. Removed from regular class greater than 60% of the day; or</p> <p>C. Served in public or private separate schools, residential placements, or homebound or hospital placements.</p> <p>[Results Indicator]</p>	<p>CNMI's FFY 2005 reported data for sub-indicator 5A are 68%. CNMI met its FFY 2005 target of 68%.</p> <p>CNMI's FFY 2005 reported data for sub-indicator 5B are 10%. This represents slippage from CNMI's FFY 2004 reported data of 5.5%. CNMI did not meet its FFY 2005 target of 5.4%.</p> <p>CNMI's FFY 2005 reported data for sub-indicator 5C are 1%. CNMI met its FFY 2005 target of 1%.</p>	<p>CNMI met its targets for sub-indicators 5A and 5C and OSEP appreciates CNMI's efforts to improve performance.</p>
<p>6. Percent of preschool children with IEPs</p>	<p>CNMI's FFY 2005 reported</p>	<p>CNMI revised the improvement activities for this indicator in its APR and</p>

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<p>who received special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).</p> <p>[Results Indicator]</p>	<p>data for this indicator are 98%. CNMI met its FFY 2005 target of 95%.</p>	<p>OSEP accepts its revisions. CNMI must add these improvement activities to the SPP.</p> <p>OSEP appreciates CNMI's efforts to improve performance for this indicator.</p> <p>OSEP's March 29, 2006 FFY 2004 SPP response letter required CNMI to determine whether the activities in the FFY 2004 SPP were sufficient to enable CNMI to meet its targets for this indicator and to include any additional activities that it needed in the February 1, 2007 APR. CNMI added improvement activities in the FFY 2005 APR and OSEP accepts these revisions. No further action is required.</p> <p>Please note that, due to changes in the 618 State-reported data collection, this indicator will change for the FFY 2006 APR, due February 1, 2008. States will be required to describe how they will collect valid and reliable data to provide baseline and targets in the FFY 2007 APR, due February 1, 2009.</p>
<p>7. Percent of preschool children with IEPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator; New]</p>	<p>Entry data provided.</p>	<p>CNMI reported the required entry data and activities. CNMI must provide progress data and improvement activities with the FFY 2006 APR, due February 1, 2008.</p>
<p>8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.</p> <p>[Results Indicator; New]</p>	<p>CNMI's FFY 2005 reported baseline data for this indicator are 78%.</p>	<p>CNMI provided baseline data, targets and improvement activities, and OSEP accepts the SPP for this indicator.</p> <p>OSEP's March 29, 2006 FFY 2004 SPP response letter stated that OSEP looked forward to reviewing data under Indicator 8 in the FFY 2005 APR demonstrating implementation of CNMI's plan for improving parent participation in IEP meetings. CNMI submitted the plan to OSEP as Attachment A to its January 1, 2006 progress report, and the plan included the following strategies: (1) developing a guidebook for parents; (2) training</p>

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		parents and giving them helpful hints about participation in IEP meetings; (3) maintaining open communication with parents; and (4) conducting a parent survey at the end of the year to determine whether parents had the opportunity to participate in IEP meetings. CNMI stated that it had scheduled training sessions for parents on "Parent Rights." OSEP looks forward to reviewing data under this indicator in the FFY 2006 APR, due February 1, 2008, demonstrating CNMI's progress in ensuring parent participation in IEP meetings.
<b>Monitoring Priority: Disproportionality</b>		
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. [Compliance Indicator; New]	Not applicable.	This indicator is not applicable to CNMI as the only racial/ethnic group present is Asian/Pacific Islander. No further action required.
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. [Compliance Indicator; New]	Not applicable.	This indicator is not applicable to CNMI as the only racial/ethnic group present is Asian/Pacific Islander. No further action required.
<b>Monitoring Priority: Effective General Supervision</b>		
11. Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline). [Compliance Indicator; New]	CNMI's FFY 2005 reported baseline data for this indicator are 53%.	CNMI provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator. CNMI reported data based on the Federal timeframe within which the evaluation must be conducted. OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements of 34 CFR §300.301(c)(1), including correction of the noncompliance identified in FFY 2005.
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	CNMI's FFY 2005 reported data for this indicator are 96%. This represents progress from CNMI's FFY 2004 reported data of 83%.	CNMI addressed timely correction of the noncompliance regarding 34 CFR §300.124 identified in FFY 2005 by submitting data indicating 100% compliance for the period from July 1, 2006 to December 2006.  OSEP appreciates CNMI's efforts and looks forward to reviewing data in

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[Compliance Indicator]	<p>CNMI did not meet its FFY 2005 target of 100%.</p> <p>CNMI addressed timely correction.</p>	<p>the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in 34 CFR §300.124.</p>
<p>13. Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.</p> <p>[Compliance Indicator; New]</p>	<p>CNMI's FFY 2005 reported baseline data for this indicator are 11%.</p>	<p>CNMI provided baseline data, targets and improvement activities and OSEP accepts the SPP for this indicator.</p> <p>CNMI addressed timely correction of the noncompliance regarding 34 CFR §300.320(b) identified in FFY 2005 by submitting data indicating 93% compliance based on a file review of all students 16 and older in January 2007. OSEP looks forward to reviewing data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in 34 CFR §300.320(b), including correction of the remaining noncompliance identified in FFY 2005.</p>
<p>14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school.</p> <p>[Results Indicator; New]</p>	<p>A plan that describes how data will be collected was provided.</p>	<p>CNMI provided a plan that described how the data would be collected. CNMI must provide baseline data, targets, and improvement activities with the FFY 2006 APR, due February 1, 2008.</p> <p>CNMI did not submit definitions for "competitive employment" and "post-secondary school" that the instructions for the SPP/APR required the States and territories to include in the February 1, 2007 APR. CNMI must submit this information in the FFY 2006 APR, due February 1, 2008.</p>
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>CNMI's FFY 2005 reported data for this indicator are 47%. CNMI's FFY 2004 reported data of 60% was based on an incomplete standard. CNMI did not meet its FFY 2005 target of 100%.</p>	<p>OSEP's March 29, 2006 FFY 2004 SPP response letter required CNMI to include in the February 1, 2007 APR copies of monitoring reports written in accordance with CNMI's revised monitoring procedures. CNMI included copies of two monitoring reports with its APR. OSEP noted in its review of CNMI's monitoring reports that the questions in the monitoring checklist and Worksheet A must be updated to be consistent with the language and citations in the final regulations for Part B of the Individuals with Disabilities Education Act (Part B) published in the <u>Federal Register</u> on August 14, 2006.</p> <p>OSEP's March 29, 2006 FFY 2004 SPP response letter required CNMI to include in the FFY 2005 APR data demonstrating full compliance with the following areas that were addressed in OSEP's November 21, 2005 verification letter to CNMI:</p>

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		<ul style="list-style-type: none"> <li>(a) children with disabilities are placed in the least restrictive environment in accordance with 34 CFR §§300.550-300.554 (now 34 CFR §§300.114-300.118) and receive nonacademic and extracurricular services and activities in accordance with 34 CFR §300.553 (now 34 CFR §300.117);</li> <li>(b) initial evaluations and reevaluations are timely, in accordance with 34 CFR §§300.300 and 300.536(b) (now 34 CFR §§300.101 and 300.303(b)), including: (i) data and information about the number and dates of referrals of children for initial evaluations over the past year; (ii) information showing the dates when those evaluations were completed; (iii) an analysis of the availability of personnel to conduct evaluations when referrals are made; and (iv) data and information demonstrating that children with behavior problems are referred and evaluated;</li> <li>(c) initial evaluations and reevaluations are conducted in accordance with 34 CFR §§300.125; 300.531-300.533; and 300.542 (now 34 CFR §§300.111(a), 300.121, 300.301, 300.304, 300.305, and 300.310);</li> <li>(d) the parent receives a copy of the evaluation report and documentation of the determination of eligibility in accordance with 34 CFR §300.534(a)(2) (now 34 CFR §300.306(a)(2));</li> <li>(e) eligibility determinations are appropriate in accordance with 34 CFR §300.535 (now 34 CFR §300.306(c));</li> <li>(f) the IEP is made available to all of a child's teachers, and the teachers are informed of their responsibilities in implementing the IEP in accordance with 34 CFR §300.342(b) (now 34 CFR §300.323);</li> <li>(g) IEPs for children with behavior issues and limited English proficiency are in compliance with 34 CFR §300.346(a)(2)(i)-(ii) (now 34 CFR §300.324(a)(2)(i)-(ii));</li> <li>(h) IEPs are in compliance with 34 CFR §300.347(a)(3) and (a)(6) (now 34 CFR §300.320(a)(4) and (a)(7)) regarding supplementary aids and services and program modification and supports and the projected date for the beginning of the services and the anticipated frequency, location and duration of services and modifications of each of the services;</li> <li>(i) Prior written notice is provided to parents in accordance with 34 CFR</li> </ul>

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		<p>§300.503 (now same);</p> <ul style="list-style-type: none"> <li>(j) IEPs are in compliance with 34 CFR §300.309 (now 34 CFR §300.106), regarding provision of extended school year (ESY) services to children with disabilities;</li> <li>(k) IEPs are in compliance with 34 CFR §300.344(a)(4) (now 34 CFR §300.321(a)(4)) regarding the participation of a qualified LEA representative in IEP meetings; and</li> <li>(l) IEPs are in compliance with 34 CFR §§300.308 and 300.346(a)(2)(v) (now 34 CFR §§300.105 and 300.324(a)(2)(v)) regarding the provision of assistive technology devices and services required for a free appropriate public education.</li> </ul> <p>CNMI addressed issues (a) through (l) through activities such as training, revising procedures, and monitoring. CNMI submitted with the FFY 2005 APR copies of monitoring checklists dated February 15, 2006 and April 28, 2006 to document its findings, and these monitoring checklists included questions addressing the requirements in items (a) through (l) above. CNMI reported compliance with requirements under items (d), (f), (j), (k), and (l), and no further action is required for these items. CNMI reported noncompliance with requirements under items (a), (b), (c), (e), (g), (h), and (i), and CNMI must provide data demonstrating correction of this noncompliance in the FFY 2006 APR, due February 1, 2008.</p> <p>OSEP's March 20, 2006 FFY 2004 SPP response letter required CNMI to include in the February 1, 2007 APR documentation that CNMI ensured the correction of identified noncompliance, as soon as possible but in no case later than one year from identification.</p> <p>CNMI provided data for this indicator indicating 47% compliance, but did not break these data down by indicator or substantive finding areas. CNMI must review its improvement strategies and revise them, if appropriate, to ensure that they will enable CNMI to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in 20 U.S.C. 1232d(b)(3)(E), and 34 CFR §§300.149 and 300.600. In its response to Indicator 15 in the FFY 2006 APR, due February 1, 2008, the State must disaggregate by APR indicator the status of timely correction of the noncompliance findings identified by the State during FFY 2005. In addition, the State must, in responding to Indicators 11 and 13, specifically</p>

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		identify and address the noncompliance identified in this table under those indicators.
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.</p> <p>[Compliance Indicator]</p>	<p>There were no written complaints in FFY 2004 or FFY 2005.</p>	<p>CNMI revised the improvement activities for this indicator in its APR and OSEP accepts those revisions. CNMI must add these improvement activities to the SPP.</p>
<p>17. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.</p> <p>[Compliance Indicator]</p>	<p>There were no requests for due process hearings in FFY 2005.</p>	<p>CNMI revised the improvement activities for this indicator in its APR and OSEP accepts those revisions. CNMI must add these improvement activities to the SPP.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator; New]</p>	<p>Not applicable because CNMI reported fewer than 10 due process hearing requests that went to resolution received in FFY 2005.</p>	<p>CNMI is not required to provide or meet targets until any FFY in which CNMI receives 10 or more due process hearing requests that were resolved through resolution session settlement agreements.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>Not applicable because CNMI reported fewer than 10 mediations requested in FFY 2005.</p>	<p>CNMI revised the improvement activities for this indicator in its APR and OSEP accepts those revisions. CNMI must add these improvement activities to the SPP.</p> <p>CNMI is not required to provide targets for this indicator until any FFY in which CNMI receives 10 or more requests for mediation.</p>
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>CNMI's FFY 2005 reported data for this indicator are 94%. This represents slippage from CNMI's FFY 2004 reported data of 100%. CNMI did not meet its FFY 2005 target of 100%.</p>	<p>CNMI revised the improvement activities for this indicator in its APR and OSEP accepts its revisions. CNMI must add these improvement activities to the SPP.</p> <p>In addition to the accuracy issues identified by CNMI, OSEP notes that CNMI did not provide valid and reliable data for Indicators 3B and 3C.</p> <p>OSEP's March 29, 2006 FFY 2004 SPP response letter stated that OSEP looked forward to data in the APR, due February 1, 2007, demonstrating the</p>

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		<p>effectiveness of CNMI's strategies for ensuring the collection of timely and accurate data. CNMI must provide OSEP with updated information about its training and monitoring activities with respect to the collection and reporting of timely, accurate, valid and reliable data in the FFY 2006 APR, due February 1, 2008.</p> <p>CNMI must review its improvement strategies and revise them, if appropriate, to ensure that they will enable CNMI to include data in the FFY 2006 APR, due February 1, 2008, that demonstrate compliance with the requirements in IDEA section 618 and 34 CFR §§76.720 and 300.601(b).</p>