

**Commonwealth of the Northern Mariana Islands
Public School System**

Special Education Program



**General Supervision Monitoring Procedures
Individuals with Disabilities Education Improvement Act of 2004**

Updated December 2014



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Purpose of the General Supervision Monitoring Procedures

The purpose of the Special Education General Supervision Monitoring Procedures is to describe the Public School System's general supervision system and monitoring components and to provide guidelines and steps to carry out monitoring activities of the Special Education Program.

Authority

The Commonwealth of the Northern Mariana Islands (CNMI) Public School System (PSS) has a responsibility to have in place a system of general supervision that includes monitoring the implementation of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA). The primary focus of the Public School System's monitoring activities is to improve results and functional outcomes for all children with disabilities and to ensure that the Public School System is meeting the requirements of Part B of the IDEA, particularly those requirements that are most closely related to improving educational results for children with disabilities.

PSS Organization Overview

The CNMI Public School System (PSS) is a unitary education system that includes kindergarten, elementary, junior high school and high school. The Public School System is also the designated lead agency for the Early Intervention Program (IDEA Part C) and Head Start Program. The Special Education Program is a program under the supervision of the Office of Student Support Services. The delivery of special education and related services is provided within the schools under the supervision of the school principals. The Commissioner of Education is the direct supervisor of the school principals. Included as **Appendix A**, the *PSS Organizational Chart*, is the June 16, 2014 CNMI State Board of Education approved PSS organizational chart that displays the supervisory relationships of the programs and personnel positions within PSS.

PSS General Supervision Overview¹

The PSS accountability under IDEA is demonstrated through a system of general supervision; in particular, comprehensive monitoring of the implementation of IDEA in the CNMI with a focus on improving results for children and youth with disabilities. The PSS general supervision system components include:

1. State Performance Plan (SPP)
2. Policies, Procedures, and Effective Implementation
3. Data on Processes and Results
4. Targeted Technical Assistance and Professional Development
5. Effective Dispute Resolution
- 6. Integrated Monitoring Activities**

¹ Source: *Developing and Implementing an Effective System of General Supervision: Part B*, January 2007, National Center for Special Education Accountability Monitoring.



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7. Improvement, Correction, Incentives, and Sanctions
8. Fiscal Management

Through the general supervision activities, PSS supervises the programs that directly provide the necessary services and supports to fulfill the requirements of IDEA and achieve the expected results. The eight PSS general supervision system components:

1. Supports practices that improve educational results and functional outcomes for children and youth with disabilities;
2. Uses multiple methods to identify and correct noncompliance as soon as possible but no later than one year after the noncompliance is identified; and
3. Utilizes mechanisms to encourage and support improvement and to enforce compliance.

Integrated Monitoring System Components

The PSS implements effective monitoring activities that are integrated across several components of the general supervision system. The integrated monitoring activities assess the level of performance of the IDEA requirements resulting in the identification and correction of noncompliance as soon as possible but no later than one year after the noncompliance has been identified.

Multiple data sources and methods are used to monitor the Special Education Program to ensure continuous examination of performance for compliance and results. Data sources include the database, file reviews, interviews, observations, the dispute resolution system (complaints, mediation, and due process hearings), and other sources, such as fiscal audits.

PSS monitoring activities for the Special Education Program include on-site, off-site, and focused monitoring procedures conducted through internal and external processes of programs and services provided for children with disabilities. The internal process is facilitated by personnel within the Special Education Program. The external process is facilitated by the PSS Federal Programs Monitor or a contracted consultant, as designated by the Commissioner of Education. As shown in the *PSS Organizational Chart* (Appendix A), the Federal Programs Monitor reports directly to the Commissioner of Education.

Data from the monitoring activities are incorporated into the reporting of compliance and performance on State Performance Plan (SPP) targets. **Appendix B: SPP Indicators** provides a list of the indicators for reporting compliance and performance. This analysis process ensures that the monitoring system is designed to maximize the use of monitoring resources to include effective professional development and targeted technical assistance. Overall, the general supervision system includes planned analysis and review of all available monitoring data from all monitoring sources.



Definitions

1. Identification of Noncompliance: A Finding

A *finding*, the identification of noncompliance, is a *Written Notification of Findings*, included as **Appendix C**, from the Commissioner of Education to a School Principal that contains the conclusion that the school is in noncompliance, and that includes:

- a. *Area of Noncompliance*: The IDEA statute or regulation citation.
- b. *Data and Evidence*: A description of the quantitative and/or qualitative data supporting the monitor's conclusion that there is noncompliance with that statute or regulation.
- c. *Actions Required for Verification of Correction*: A statement that requires correction as soon as possible, but in no case later than one year from the written notification. The actions specified are the required correction for child-specific instances and verification of updated data for demonstration of correctly implementing the regulations specific to the citation.
- d. *Additional Corrective Actions and Improvement Activities*: Activities and timelines to support needed improvements.

A “*finding*” of noncompliance is issued when noncompliance is identified through the PSS integrated monitoring procedures when any noncompliance of the Part B requirements is identified under any of those processes.

2. Correction of Noncompliance

The PSS ensures that noncompliance is corrected as soon as possible, but in no case later than one year from the identification of noncompliance. The correction of noncompliance timeline begins on the date of the *Written Notification of Findings* when the Commissioner of Education informs a School Principal that the school is in noncompliance. (refer to sample form in **Appendix C**)

Consistent with OSEP Memorandum 09-02, dated October 17, 2008, included as **Appendix D**, verification of correction of noncompliance includes:

- a. Accounting for the correction of all child-specific instances of noncompliance; and
- b. Correctly implementing the specific regulatory requirements through the review of updated data demonstrating 100% compliance.

For child-specific noncompliance that is not a timeline requirement, the school must ensure correction of the noncompliance in *each individual case*, unless:

- a. The requirement no longer applies; or
- b. The child is no longer within the jurisdiction of the school.

Demonstration of timely correction of noncompliance occurs when the required evidence of correction shows 100% correction of all individual child-specific instances and required updated/subsequent data.



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3. Internal Monitor

An Internal Monitor is defined as an employee of the Special Education Program who performs the duties and responsibilities of a compliance monitor. The individual typically reports to the Special Education Coordinator.

4. External Monitor

An External Monitor is defined as a person or entity outside of the Special Education Program, which could be the PSS Federal Monitor or a contracted consultant, as designated by the Commissioner of Education. The PSS shall ensure that the external monitor is knowledgeable regarding IDEA Part B regulations, the monitoring procedures, and the PSS Special Education Program.

5. On-Site Comprehensive School-Based Monitoring

The Special Education Compliance Monitor, the Internal Monitor, conducts a comprehensive school based on-site monitoring of schools on a cyclical basis, typically 5 schools per year, as shown in **Appendix E: School Monitoring Cycle**. At least 10% or not less than 5 IEP files are randomly selected and are reviewed using the *Compliance Monitoring IEP Record Review Checklist (Appendix F)*. The IEP Record Review Checklist includes the IDEA statutory and regulatory citations, with the related SPP indicators for reporting compliance data in the annual performance reports. The file review also serves as a “verification” mechanism to verify the accuracy and reliability of the database. The On-Site Comprehensive School-Based Monitoring process also includes classroom observations and/or school personnel and parent/guardian interviews to verify the data and information, including services provided, as documented in the IEP files reviewed.

6. Off-Site Monitoring of Monitoring Priorities

Using the June 30th data of each year, the PSS External Monitor conducts off-site monitoring of five (5) prioritized IDEA timeline requirements from the special education database for all students with disabilities. In addition, to ensure data accuracy of the database for the five (5) prioritized IDEA timeline requirements, the External Monitor will conduct an IEP file review of 10% of the total number of students with IEPs from the Central Office files. **Appendix G: External Monitoring of Monitoring Priorities** is the sample form used to compile the results of the prioritized timeline data review from the database and file verification. The purpose of the off-site monitoring is to ensure that the PSS Special Education Program is implementing the regulatory requirements of IDEA through a review of the timeliness of (1) IEPs in the effect by the third birthday; (2) initial evaluations; (3) initial IEP meetings; (4) annual IEP reviews; and (5) reevaluations. The off-site monitoring process is also used to verify the accuracy and reliability of the special education database.



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7. Focused Monitoring

The Special Education Program conducts *Focused Monitoring* which is a process that purposefully selects “priority areas” and/or schools to examine for compliance and results while not specifically examining other areas and/or schools for compliance. Focused Monitoring is used to identify and correct persistent noncompliance with IDEA requirements related to the focused priority, as well as any noncompliance identified during focused monitoring that are outside the focus area. The Focused Monitoring process utilizes data from file reviews, the database, the dispute resolution system, on-site and off-site monitoring and previous corrective action plans, to select “priority areas” or schools that demonstrate difficulty implementing regulatory requirements (those with significant noncompliance or low performance). Monitoring is focused on the specific processes related to the indicators that put school/s on the Focus Monitoring list and is aimed at helping the school improve their compliance and performance on those indicators.

8. Corrective Action Plan (CAP)

All noncompliance identified through the monitoring processes must be corrected as soon as possible, but in no case later than one year of identification, as documented in the *Written Notification of Findings*. A Corrective Action Plan (CAP) is a plan of actions, strategies, timelines and evidence data used to verify correction. The CAP may include recommended improvement activities to guide the school in improving areas of noncompliance or low performance. Data analysis or a “drill down” process is used to determine the root cause of a noncompliance or other issues. The drill down process looks to determine if the issue is a broad “systemic” issue or an isolated incidence that does not require a broad corrective action plan.

Integrated Monitoring Activities and Procedures

The PSS monitoring activities for the Special Education Program include the *On-Site Comprehensive School-Based Monitoring*, *Off-Site Monitoring of Monitoring Priorities*, and *Focused Monitoring* procedures conducted through internal and external processes of programs and services provided for children with disabilities. **Appendix H: CNMI Identification and Correction of Noncompliance Process for Determination** is a flowchart to visually display CNMI’s monitoring process and activities from identification to correction of the identified noncompliance. This graphic representation shows the review process of data and information for the compliance review conducted for the monitoring activities.

On-Site Comprehensive School-Based Monitoring

Appendix I: Guidance for On-Site Visit outlines the steps for conducting the On-Site Comprehensive School-Based Monitoring. This quick reference sheet follows the sequence of activities below:



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Pre-On-Site Monitoring Activities:

Step 1. The Special Education Compliance Monitor verifies which schools are scheduled for the on-site visit. (refer to Appendix E: *School Monitoring Cycle* for schedule) At least two (2) weeks prior to the visit, the Commissioner of Education issues a written communication to the school principal as notification of the monitoring schedule. A sample communication is included as **Appendix J: *Sample Communication to School Administrator***. The notification will include:

- The scheduled dates of the monitoring visit;
- A scheduled time and date for an entrance meeting with the school principal (and any other school staff that the principal chooses to include);
- The logistical support that the Special Education Program Compliance Monitor may require. This could include negotiating time and access for a working area or room that will provide confidential student record reviews, time and access to appropriate school personnel, time and access to observe special education students and programs, and access to telephones, fax machines or copy machines as needed to support the compliance monitoring review visit; and
- The scheduled time and date for an exit meeting with the school principal (and any other school staff that the principal chooses to include).

The school is provided a copy of the *Compliance Monitoring IEP Record Review Form*, and any other guidance needed to facilitate the monitoring process.

Step 2. The school principal is requested to submit, if necessary, additional documentation needed prior to the on-site monitoring visit.

Step 3. Using the Special Education database, the Special Education Compliance Monitor randomly selects 10% or not less than 5 IEP files to be reviewed at the school using the school copy of the IEPs. The principal is provided the list of student IEP files to be reviewed.

On-Site Comprehensive School-Based Monitoring Activities:

Step 1. Using the *Compliance Monitoring IEP Record Review Form*, the Special Education Compliance Monitor conducts the review.

Step 2. If needed, the Special Education Compliance Monitor will conduct classroom observations and/or interviews with school personnel and parents/guardians to verify information in the IEP files. (refer to **Appendix K *Sample Questionnaires*** for guidelines for interviews)

Post On-Site Monitoring Activities:

Step 1. Not more than 15 days upon completion of the on-site monitoring visit, the Special Education Compliance Monitor will provide a preliminary monitoring report to the School Principal. The school is given 5 school days to respond in writing to any inaccuracies to the data



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in the preliminary monitoring report, including providing documentation that substantiates the data was not correct if the school does not agree with the data reported.

Step 2. Not more than 30 days upon completion of the on-site monitoring visit, which includes any written response from the school regarding the accuracy of the preliminary monitoring report, the Special Education Compliance Monitor will submit the final Monitoring Report to the PSS Commissioner of Education.

Step 3. Not more than 35 days upon completion of the on-site monitoring visit, the Commissioner of Education will issue a written communication to the School Principal regarding results of the On-Site Comprehensive School-Based Monitoring and the required enforcement, which may include a letter of commendation for demonstrating 100% compliance with the IDEA requirement or a *Written Notification of Findings* with the required Corrective Action Plan (CAP). (refer to the Enforcement Section of this Manual for list of incentives and sanctions)

Corrective Action Plan (CAP) Development:

All noncompliance identified through the monitoring processes must be corrected as soon as possible, but in no case later than one year of identification documented through a *Written Notification of Findings* issued by the Commissioner of Education. Within 15 days of receiving the *Written Notification of Findings*, the School Principal will submit to the Special Education Compliance Monitor, a completed Section IV of the Corrective Action Plan (CAP) to address the school's need for improving performance and results. Section IV of the Corrective Action Plan may also include the following: (refer to Appendix C for sample form)

- A Review of Policies, Procedures and School Practices
- Training and Technical Assistance
- Modifying administrative structures including direct supervision
- Revision to Duties and Responsibilities

At the discretion of the Commissioner of Education, with recommendations from the Compliance Monitor, the school may be directed to include specific improvement activities to prevent the re-occurrence of the noncompliance. The Corrective Action Plan is reviewed by the Compliance Monitor, and revised if necessary.

Tracking Corrective Action Plan (CAP) Implementation and Verification of Correction:

In accordance with evidence of change requirements and established timelines in the Corrective Action Plan, the School Principal must report data and information to the Special Education Compliance Monitor, as stipulated in the CAP.

The Special Education Compliance Monitor verifies whether the child-specific noncompliance is corrected by examining records and other documents submitted, as well as updated data to verify correction of the noncompliance to ensure the school is correctly implementing the specific regulatory requirements. Updated data to verify correction must be 100% compliant. Additional



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data may be collected when warranted. The verification process may include additional on-site visits.

Written Notice of Timely Correction: As defined in the CAP consistent with OSEP Memorandum 09-02, if correction of noncompliance has occurred within the specified timelines, the Commissioner of Education will issue a *Written Notice of Timely Correction* to the school.

Written Notice of Failure to Correct: As defined in the CAP consistent with OSEP Memorandum 09-02, if the noncompliance is not corrected within the specified timelines, the Commissioner of Education will issue a *Written Notice of Failure to Timely Correct the Noncompliance* to the school principal. As outlined in the Enforcement Section of the Manual, the Commissioner of Education will initiate sanctions and further action if necessary.

Off-Site Monitoring of Monitoring Priorities

Pre-Off-Site Monitoring Activities:

Step 1. On June 30 each year, a printout of all the data from the special education database related to the following five (5) prioritized IDEA timeline requirements will be provided to the External Monitor:

Review Item #	Description of Prioritized IDEA Timeline Requirements	IDEA Regulation Citation	Related State Performance Plan Indicator
1.	IEP in effect no later than the child's third birthday.	34 CFR §300.124	12
2.	Initial evaluation completed within 60 days of receiving parent consent to evaluate.	34 CFR §300.301(c)(1)(i)	11
3.	Initial IEP meeting held within 30 days of the initial eligibility determination.	34 CFR §300.323(c)(1)	5
4.	IEP reviewed at least annually.	34 CFR §300.324(b)(1)(i)	5
5.	A reevaluation occurred at least once every 3 years, unless the parent and public agency agreed that a reevaluation was unnecessary.	34 CFR §300.303(b)(2)	5

Step 2. During the first week of July each year, the External Monitor meets with the Special Education Compliance Monitor to provide a list of documents needed for the off-site data review, including the list of student IEP files to review representing 10% of the total number of students with IEPs. The IEP files to be reviewed will be from the Central Office files.



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Step 3. No later than 2 weeks from request of documents, the Special Education Compliance Monitor prepares the necessary documents, including the student IEP files, for the External Monitor to have access to.

Off-Site Monitoring Activities:

Step 1. Using the “*Off-Site External Monitoring Priorities Checklist*” (Appendix G) and the Special Education Database printout, the External Monitor conducts the off-site data review.

Step 2. The External Monitor also reviews the Audit Reports and State Complaint Log, which may include: complaints, mediations, resolution sessions, and due process hearings.

Step 3. If needed, the External Monitor conducts interviews with Central Office personnel, Special Education Coordinator, Special Education Compliance Monitor, Special Education data manager and /or School Principal, to verify information in the database and in the files. If necessary, the External Monitor may visit the schools to verify the information gathered from the database and/or files.

Post Off-Site Monitoring Activities:

Step 1. Not more than 15 days upon completion of the off-site data review, the External Monitor will provide a preliminary monitoring report to the Special Education Compliance Monitor. The Special Education Compliance Monitor is given 5 school days to respond in writing to any inaccuracies to the data in the preliminary monitoring report, including providing documentation that substantiates the data was not correct if there is a disagreement with the data reported.

Step 2. Not more than 30 days upon completion of the off-site data review, which includes any written response from the Special Education Compliance Monitor regarding the accuracy of the preliminary monitoring report, the External Monitor will submit the final Monitoring Report to the PSS Commissioner of Education.

Step 3. Not more than 35 days upon completion of the off-site data review, the Commissioner of Education will issue a written communication to the School Principal regarding results of the Off-Site Monitoring of Monitoring Priorities and the required enforcement, which may include a letter of commendation for demonstrating 100% compliance with the IDEA requirement or a *Written Notification of Findings* with the required Corrective Action Plan (CAP). (refer to the Enforcement Section of this Manual for list of incentives and sanctions)

Corrective Action Plan (CAP) Development:

All noncompliance identified through the monitoring processes must be corrected as soon as possible, but in no case later than one year of identification documented through a *Written Notification of Findings* issued by the Commissioner of Education. Within 15 days of receiving the *Written Notification of Findings*, the School Principal will submit to the Special Education



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Compliance Monitor, a completed Section IV of the Corrective Action Plan (CAP) to address the school's need for improving performance and results. Section IV of the Corrective Action Plan may also include the following: (refer to Appendix C for sample form)

- A Review of Policies, Procedures and School Practices
- Training and Technical Assistance
- Modifying administrative structures including direct supervision
- Revision to Duties and Responsibilities

At the discretion of the Commissioner of Education with recommendations from the Compliance Monitor and External Monitor, the School may be directed to include specific improvement activities to prevent the re-occurrence of the noncompliance. The Corrective Action Plan is reviewed by the Compliance Monitor, and revised if necessary.

Tracking Corrective Action Plan (CAP) Implementation and Verification of Correction:

In accordance with evidence of change requirements and established timelines in the Corrective Action Plan, the School Principal must report data and information to the Special Education Compliance Monitor, as stipulated in the CAP.

The Special Education Compliance Monitor verifies whether the child-specific noncompliance is corrected by examining records and other documents submitted, as well as updated data to verify correction of the noncompliance to ensure the school is correctly implementing the specific regulatory requirements. Updated data to verify correction must be 100% compliant. Additional data may be collected when warranted. The verification process may include additional on-site visits.

Written Notice of Timely Correction: As defined in the CAP consistent with OSEP Memorandum 09-02, if correction of noncompliance has occurred within the specified timelines, the Commissioner of Education will issue a *Written Notice of Timely Correction* to the school.

Written Notice of Failure to Correct: As defined in the CAP consistent with OSEP Memorandum 09-02, if the noncompliance is not corrected within the specified timelines, the Commissioner of Education will issue a *Written Notice of Failure to Timely Correct the Noncompliance* to the school principal. As outlined in the Enforcement Section of the Manual, the Commissioner of Education will initiate sanctions and further action if necessary.

Focused Monitoring

The Special Education Program conducts *Focused Monitoring* which is a process that purposefully selects "priority areas" and/or schools to examine for compliance and results while not specifically examining other areas and/or schools for compliance. It is used to identify and correct persistent noncompliance with IDEA requirements. Further, a finding is made when



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noncompliance is identified during focused monitoring with a requirement outside of the focus area.

Step 1. At the beginning of each school year, no later than October, the Special Education Compliance Monitor determines what “priority areas” and/or schools will get a focused monitoring visit. Based on previous year’s data from file reviews, the database, dispute resolution system, on-site and off-site monitoring, and corrective action plans, schools that are selected are schools that demonstrate difficulty implementing regulatory requirements (those with significant noncompliance or low performance).

Step 2. The Special Education Compliance Monitor will follow steps in the Pre-On-Site Monitoring Activities, On-Site Monitoring Activities and Post-On-Site Monitoring Activities, including the process for issuing *Written Notification of Findings* that includes issuing a finding of noncompliance when noncompliance is identified during focused monitoring with a requirement outside of the focus area.

Enforcement: Incentives and Sanctions

Incentives:

The following incentives may be used to acknowledge the school’s 100% compliance with the requirements as a result of conducting the monitoring activities:

- Designation of STAR School and Public Award Presentation;
- Letter of commendation/acknowledgement to the PSS Commissioner;
- Program recognition in the local newspaper and/or during community activities; and/or
- Personalized incentives, as appropriate for the individual.

Sanctions:

The PSS reserves the right to use any appropriate enforcement actions to correct deficiencies related to compliance with IDEA requirements. Deficiencies are defined as failure to correct findings of noncompliance identified by the PSS and documented in the *Written Notice of Failure to Correct* based on the results of implementing the integrated monitoring activities.

The Special Education Program will work closely with the school to correct the noncompliance, however, if the school does not correct the noncompliance within the specified timeline, with verified correction no later than one year of identification, the Special Education Program will notify the Commissioner of Education to take appropriate actions as per Board of Education Policy Part 400-Employee Discipline, Subpart A- Forms of Discipline: **Appendix L**.

- 60-30.2-401 Formal Reprimand
- 60-30.2-402 Reduction in Rank or Pay
- 60-30.2-404 Suspension
- 60-30.2-406 Dismissal



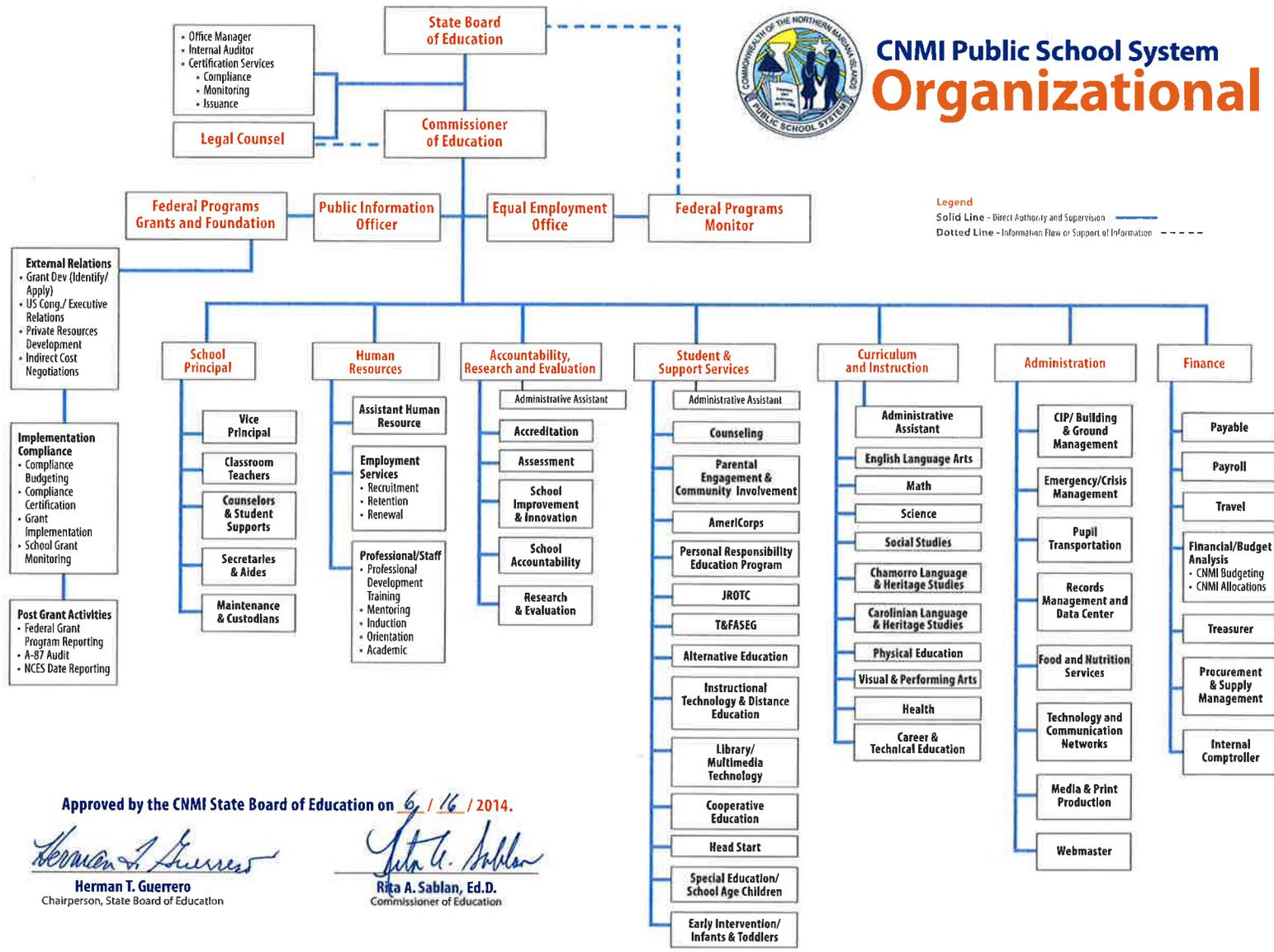
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APPENDIX A

PSS Organizational Chart



CNMI Public School System Organizational Chart



Legend
 Solid Line - Direct Authority and Supervision
 Dotted Line - Information Flow or Support of Information

Approved by the CNMI State Board of Education on 6/16/2014.

Herman T. Guerrero
Herman T. Guerrero
 Chairperson, State Board of Education

Rita A. Sablan
Rita A. Sablan, Ed.D.
 Commissioner of Education



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APPENDIX B

IDEA Part B State Performance Plan (SPP) Indicators

IDEA Part B State Performance Plan (SPP) Indicators*

1. **Graduation** Percent of youth with IEPs graduating from high school with a regular diploma.
2. **Dropout** Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the CNMI dropping out of high school.
3. **Statewide Assessment** Participation and performance of children with disabilities on statewide assessments.
4. **Suspension/Expulsion** Rate of Suspension and Expulsion.
5. **LRE Placement** Percent of children with IEPs aged 6-21: inside the regular class 80% or more of the day; inside the regular class less than 40% of the day; in separate schools; residential facilities; or homebound/hospital placements.
6. **Preschool Settings** Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers.
7. **Preschool Skills** Percent of preschool children with IEPs who demonstrate improved: positive social-emotional skills; acquisition and use of knowledge and skills; and use of appropriate behaviors to meet their needs.
8. **Parent Involvement** Percent of parents with child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
9. **Disproportionate Representation in Special Education** Percent of districts with disproportionate of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
10. **Disproportionate Representation in Specific Disability Categories** Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
11. **Child Find** Percent of children with parental consent to evaluate, who were evaluated within 60 days.
12. **Part C to B Transition** 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 birthday.
13. **Secondary Transition w/IEP Goals** 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 postsecondary goals.
14. **Secondary Transition/Post-School Outcomes – Competitive Employment, Enrolled in School** Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within 1 year of leaving high school.
15. **Hearing Requests that went to Resolution** Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.
16. **Mediations** Percent of mediations held that resulted in mediation agreements.
17. **State Systemic Improvement Plan (SSIP)** A comprehensive, ambitious, yet achievable multi-year plan for improving results for children with disabilities.





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APPENDIX C

Written Notification of Findings Form and Sample

CNMI PSS SPECIAL EDUCATION PROGRAM

**WRITTEN NOTIFICATION OF FINDINGS
and
CORRECTIVE ACTION PLAN**

School Year: _____

Date of Notification of Findings: _____

School: _____

I. Area of Non-Compliance (IDEA Statue or Regulation)

II. Data and Evidence (Qualitative or Quantitative) to support the conclusion

III. Actions Required for Verification of Corrections per timeline indicated below *but in no case later than one year from this notice*

Noncompliance	Timeline	Required Evidence of Change School Will:	Date Evidence Submitted
Noncompliance: (Child Specific Instance)			
			1. <input type="checkbox"/> _____
IV. Verification of Correction through submission of Updated Data			

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**WRITTEN NOTIFICATION OF FINDINGS
and
CORRECTIVE ACTION PLAN**

School Year: _____

Date of Notification of Findings: _____

School: _____

IV. Additional Corrective Actions and Improvement Activities: Using a *Root Cause Analysis*, determine what additional activities are needed to improve your schools results.

Areas of Need	Strategies	Timeline
Review Policies, Procedures and School Practices		
Training and Technical Assistance		
Revise administrative structures including direct supervision		
Revisions to Duties and Responsibilities		
Other:		

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**WRITTEN NOTIFICATION OF FINDINGS
and
CORRECTIVE ACTION PLAN**

School Year: 2009-2010

Date of Notification of Findings: April 22, 2010

School: Island Elementary

I. Area of Non-Compliance (IDEA Statue or Regulation)

§300.324: Development Review and Revision of IEP

- Annual IEPs not conducted within the required timeline
- No Documentation for the delays

II. Data and Evidence (Qualitative or Quantitative) to support the conclusion

Data Source: Central Office Database

1 Annual IEP not conducted within the required timeline.

	Previous IEP Date	Expected IEP Date
Suzzy Q.	3/2/09	3/2/10

5 IEPs completed over timeline with NO Documentation of Delay form submitted.

	Expected IEP Date	Actual Date	Document of Delay
Billy B.	2/3/10	2/10/10	NO
Julie S.	2/24/10	5/15/10	NO
Anna P.	3/1/10	3/2/10	NO
Carl K.	3/4/10	3/20/10	NO
Tom T.	3/5/10	3/20/10	NO

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**WRITTEN NOTIFICATION OF FINDINGS
and
CORRECTIVE ACTION PLAN**

School Year: 2009-2010

Date of Notification of Findings: **April 22, 2010**

School: **Island Elementary**

III. Actions Required for Verification of Corrections per timeline indicated below *but in no case later than one year from this notice*

Noncompliance	Timeline	Required Evidence of Change School Will:	Date Evidence Submitted																								
Noncompliance: (Child Specific Instance)																											
<p>1 IEP is already overdue therefore must be completed.</p> <table border="1"> <thead> <tr> <th></th> <th align="center">Previous IEP Date</th> <th align="center">Expected IEP Date</th> </tr> </thead> <tbody> <tr> <td>Suzzy Q.</td> <td align="center">3/2/09</td> <td align="center">3/2/10</td> </tr> </tbody> </table>		Previous IEP Date	Expected IEP Date	Suzzy Q.	3/2/09	3/2/10	By April 29, 2010	Submit copy of completed IEP with <i>Document for Delay</i> form attached.	1. <input type="checkbox"/> _____																		
	Previous IEP Date	Expected IEP Date																									
Suzzy Q.	3/2/09	3/2/10																									
<p>5 IEPs completed over timeline with NO Documentation of Delay form attached:</p> <table border="1"> <thead> <tr> <th></th> <th align="center">Expected IEP Date</th> <th align="center">Actual Date</th> <th align="center">Document of Delay</th> </tr> </thead> <tbody> <tr> <td>Billy B.</td> <td align="center">2/3/10</td> <td align="center">2/10/10</td> <td></td> </tr> <tr> <td>Julie S.</td> <td align="center">2/24/10</td> <td align="center">5/15/10</td> <td></td> </tr> <tr> <td>Anna P.</td> <td align="center">3/1/10</td> <td align="center">3/2/10</td> <td></td> </tr> <tr> <td>Carl K.</td> <td align="center">3/4/10</td> <td align="center">3/20/10</td> <td></td> </tr> <tr> <td>Tom T.</td> <td align="center">3/5/10</td> <td align="center">3/20/10</td> <td></td> </tr> </tbody> </table>		Expected IEP Date	Actual Date	Document of Delay	Billy B.	2/3/10	2/10/10		Julie S.	2/24/10	5/15/10		Anna P.	3/1/10	3/2/10		Carl K.	3/4/10	3/20/10		Tom T.	3/5/10	3/20/10		By April 29, 2010	Must Submit Documentation for Delay	2. <input type="checkbox"/> _____
	Expected IEP Date	Actual Date	Document of Delay																								
Billy B.	2/3/10	2/10/10																									
Julie S.	2/24/10	5/15/10																									
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CNMI PSS SPECIAL EDUCATION PROGRAM

**WRITTEN NOTIFICATION OF FINDINGS
and
CORRECTIVE ACTION PLAN**

School Year: 2009-2010

Date of Notification of Findings: **April 22, 2010**

School: **Island Elementary**

III. Actions Required for Verification of Corrections per timeline indicated below *but in no case later than one year from this notice*

Noncompliance	Timeline	Required Evidence of Change School Will:	Date Evidence Submitted
---------------	----------	---	----------------------------

IV. Verification of Correction through Submission of Updated Data

As per IDEA regulations, all IEPs must meet the regulatory requirement that IEPs must be reviewed and revised no later than 1 year of the current IEP.

In order to be considered verified corrected, you are required to submit the next 5 IEPs within the annual timeline.

Upon completion of IEPs.

IEPs must be reviewed and revised within 1 year of the current IEP. A copy of the IEPs must be submitted to Central Office no later than 5 days following the IEP meeting.

1. _____

List of next 5 IEPs	Previous IEP Date	Expected IEP Date
Jonny M.	4/15/09	4/15/10
Esther L.	4/18/09	4/18/10
Libbie K.	4/23/09	4/23/10
Tony W.	5/1/09	5/1/10
Andrew E.	5/13/09	5/13/10

CNMI PSS SPECIAL EDUCATION PROGRAM

**WRITTEN NOTIFICATION OF FINDINGS
and
CORRECTIVE ACTION PLAN**

School Year: 2009-2010

Date of Notification of Findings: April 22, 2010

School: Island Elementary

IV. Additional Corrective Actions and Improvement Activities: Using a *Root Cause Analysis*, determine what additional activities are needed to improve your schools results.

Areas of Need	Strategies	Timeline
Review Policies, Procedures and School Practices	<p>Provide Central Office with a copy of the School Based SOP.</p> <p>Provide Central Office with the monthly calendars with IEPs logged in.</p> <p>Provide Central Office with the monthly IEP meeting notification.</p> <p>Provide Central office with <i>Documentation of Delay</i> form documenting reason for delay.</p>	At the beginning of the school year, no later than November 2010
Training and Technical Assistance	<p>Principal to submit a request for “mentors” to assist with IEP development.</p> <p>Central Office to provide phone numbers for all SPED teachers.</p> <p>Central Office to provide sample IEPs.</p> <p>Central Office to provide online websites for IEP development etc.</p>	At the beginning of the school year, no later than September 2010
Revise administrative structures including direct supervision	<p>Develop School Based Standard Operating Procedures (SOP) for IEP development and reviews. SOP may include:</p> <ul style="list-style-type: none"> • Principal to assist the SPED teacher and teacher aides with monthly calendaring of IEPs. Provide teachers with a 12 month calendar. • SPED teacher OR teacher aide to calendar ALL IEPs at the beginning of the year. • Teacher OR Teacher Aide to schedule IEP meetings with enough time to allow for 	At the beginning of the school year, no later than November 2010

CNMI PSS SPECIAL EDUCATION PROGRAM

**WRITTEN NOTIFICATION OF FINDINGS
and
CORRECTIVE ACTION PLAN**

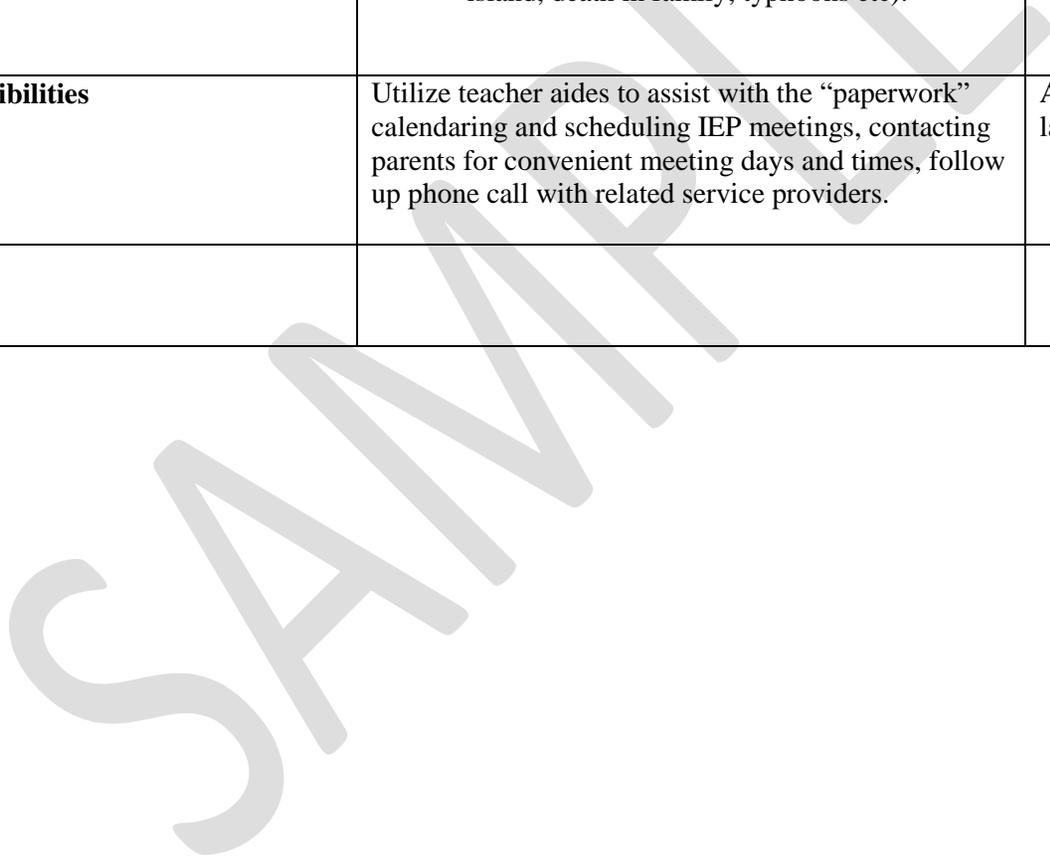
School Year: 2009-2010

Date of Notification of Findings: **April 22, 2010**

School: Island Elementary

IV. Additional Corrective Actions and Improvement Activities: Using a *Root Cause Analysis*, determine what additional activities are needed to improve your schools results.

Areas of Need	Strategies	Timeline
	possible delays due to circumstances beyond your control (parent canceling due to leaving island, death in family, typhoons etc).	
Revisions to Duties and Responsibilities	Utilize teacher aides to assist with the “paperwork” calendaring and scheduling IEP meetings, contacting parents for convenient meeting days and times, follow up phone call with related service providers.	At the beginning of the school year, no later than November 2010
Other:		





Commonwealth of the Northern Mariana Islands
Public School System
Special Education Program

APPENDIX D

OSEP Memorandum 09-02, October 17, 2008



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

OCT 17 2008

Contact Person	
Name:	Ruth Ryder
Telephone:	(202) 245-7513

OSEP 09-02

TO : Chief State School Officers
Lead Agency Directors

FROM : William W. Knudsen *William W. Knudsen*
Acting Director
Office of Special Education Programs

SUBJECT : Reporting on Correction of Noncompliance in the Annual
Performance Report Required under Sections 616 and 642 of the
Individuals with Disabilities Education Act.

Introduction

Pursuant to sections 616(d) and 642 of the Individuals with Disabilities Education Act (IDEA), the Department reviews each State's Annual Performance Report (APR) and, based on data provided in the State's APR, information obtained through monitoring visits, including verification visits, and any other public information, determines if the State: Meets Requirements, Needs Assistance, Needs Intervention, or Needs Substantial Intervention. In making determinations in 2007 and 2008, the Office of Special Education Programs (OSEP) considered, among other factors, whether a State demonstrated substantial compliance on all compliance indicators either through reporting a very high level of performance (generally 95% or better) or correction of noncompliance.¹

The purpose of this memorandum is twofold. First, the memorandum reiterates the steps a State must take in order to report that the previously identified noncompliance has been corrected. Second, the memorandum describes how we will factor evidence of correction into our analysis of whether the State has demonstrated substantial compliance for purposes of determinations under sections 616 and 642 of the IDEA (beginning with the Department's 2010 determinations based on a review of the FFY 2008 APRs). This memorandum also addresses concerns

¹ For Indicators B-15 and C-9, which measure timely correction of noncompliance, the only way for States to demonstrate substantial compliance is by demonstrating timely correction.

identified in our review of States' FFY 2005 and FFY 2006 APRs about identification and correction of noncompliance and low performance in compliance areas.

Issue 1 – Demonstrating Correction

As noted in OSEP's prior monitoring reports and verification visit letters, in order to demonstrate that previously identified noncompliance has been corrected, a State must:

- (1) Account for all instances of noncompliance, including noncompliance identified: (a) through the State's on-site monitoring system or other monitoring procedures such as self-assessment; (b) through the review of data collected by the State, including compliance data collected through a State data system; and (c) by the Department;
- (2) Identify where (in what local educational agencies (LEAs) or early intervention services (EIS) programs) noncompliance occurred, the percentage level of noncompliance in each of those sites, and the root cause(s) of the noncompliance;²
- (3) If needed, change, or require each LEA or EIS program to change, policies, procedures and/or practices that contributed to or resulted in noncompliance; and
- (4) Determine, in each LEA or EIS program with identified noncompliance, that the LEA or EIS program is correctly implementing the specific regulatory requirement(s). This must be based on the State's review of updated data such as data from subsequent on-site monitoring or data collected through a State data system.

If an LEA or EIS program did not correct identified noncompliance in a timely manner (within one year from identification), the State must report on whether the noncompliance was subsequently corrected. Further, if an LEA or EIS program is not yet correctly implementing the statutory/regulatory requirement(s), the State must explain what the State has done to identify the cause(s) of continuing noncompliance, and what the State is doing about the continued lack of compliance including, as appropriate, enforcement actions taken against any LEA or EIS program that continues to show noncompliance.

Regardless of the specific level of noncompliance, if a State finds noncompliance in an LEA or EIS program, the State must notify the LEA or EIS program in writing of the noncompliance, and of the requirement that the noncompliance be corrected as soon as possible, but in no case more than one year from identification (i.e., the date on which the State provided written notification to the LEA or EIS program of the noncompliance). In determining the steps that the LEA or EIS program must take to correct the noncompliance and to document such correction, the State may consider a variety of factors, including whether the noncompliance: (1) was extensive or found in only a small percentage of files; (2) resulted in the denial of a basic right under the IDEA (e.g., an extended delay in an initial evaluation with a corresponding delay in the child's receipt of a free appropriate public education or early intervention services, or a failure to provide services in accordance with the individualized education program or individualized family service plan); and (3) represents an isolated incident in the LEA or EIS program, or reflects a long-standing failure to meet the IDEA requirements. Thus, while a State may

² Please note that while we are not requesting that States provide, in the APR, lists of specific LEAs or EIS programs found out of compliance, we may review documentation of correction that the State required of the LEA or EIS program when we conduct a verification visit or other monitoring activity in a State.

determine the specific nature of the required corrective action, the State must ensure that any noncompliance is corrected as soon as possible, but in no case more than one year from identification.

For any noncompliance concerning a child-specific requirement that is not subject to a specific timeline requirement (State Performance Plan (SPP)/APR Indicators B-9, B-10, B-13, C-8A and C-8B), in addition to the steps above, the State also must ensure that the LEA or EIS program has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA or EIS program. Similarly, for any noncompliance concerning a child-specific timeline requirement (SPP/APR Indicators B-11, B-12, C-1, C-7, and C-8C), in addition to the steps enumerated above, the State must ensure that the LEA or EIS program has completed the required action (e.g., the evaluation or initiation of services), though late, unless the child is no longer within the jurisdiction of the LEA or EIS program. In ensuring that each individual case of noncompliance has been corrected, the State does not need to review each child's record in the LEAs or EIS programs where the noncompliance occurred, but rather may review a reasonable sample of the previously noncompliant files to verify that the noncompliance was corrected.

Issue 2 – Factoring Correction into Evaluation of Substantial Compliance

For purposes of the Department's IDEA section 616 determinations issued since June 2007, we considered a State to be in substantial compliance relative to a compliance indicator if the State's data indicate a very high level of compliance (generally 95% or above), or if the State nonetheless demonstrated correction of identified noncompliance related to that indicator. In the interest of fairness to all States, we will evaluate whether a State demonstrated correction of identified noncompliance related to an indicator when we make our 2009 determinations based on the FFY 2007 APRs, and will use the same approach we used in 2007 and 2008. However, some States are reporting very low levels of compliance year after year, while also reporting that they have corrected previously identified noncompliance. This concerns us because it indicates that systemic correction of noncompliance did not occur. Thus, in the interest of improving LEA and EIS program performance and ultimately improving results for infants, toddlers, children and youth with disabilities, beginning with our 2010 determinations:

- (1) We will no longer consider a State to be in substantial compliance relative to a compliance indicator based on evidence of correction of the previous year's noncompliance if the State's current year data for that indicator reflect a very low level of compliance (generally 75% or below); and
- (2) We will credit a State with correction relative to a child-specific compliance indicator only if the State confirms that it has addressed each instance of noncompliance identified in the data for an indicator that was reported in the previous year's APR, as well as any noncompliance identified by the Department more than one year previously. The State must specifically report for each compliance indicator whether it has corrected all of the noncompliance identified in its data for that indicator in the prior year's APR as well as that identified by the Department more than one year previously.

For example --

- Reporting correction of noncompliance identified in on-site monitoring findings alone will not be sufficient to demonstrate correction if the data reported in a State's prior year's APR showing noncompliance were collected through the State's data system, and the monitoring findings do not include all of the instances of noncompliance identified through the prior year's data.
- In order to report correction of noncompliance identified in data based on a statewide sample, the State would need to track the noncompliance identified in the sample data reported in its prior year's APR back to the specific LEAs or EIS programs with noncompliance and report correction for those LEAs or EIS programs.

In other words, a State's demonstration of correction needs to be as broad in scope as the noncompliance identified in the prior year's data.

We hope that you find the information in this memorandum helpful in collecting and reporting data for your future SPP/APR submissions. OSEP is committed to supporting your efforts to improve results for infants, toddlers, children and youth with disabilities and looks forward to working with your State over the next year. If you have any questions, would like to discuss this further, or would like to request technical assistance, please do not hesitate to call your OSEP State Contact.

cc: Part B State Directors
Part C Coordinators



Commonwealth of the Northern Mariana Islands
Public School System
Special Education Program

APPENDIX E

School Monitoring Cycle

ON-SITE COMPREHENSIVE SCHOOL-BASED MONITORING

School Monitoring Cycle

The 20 PSS schools are grouped by five (5) in scheduling the on-site monitoring on a cyclical basis. School year 2014-2015 shall begin the cycle of on-site monitoring visits with the 5 schools listed as Group 1. Subsequent school years will follow the schedule of schools to be visited in order of the groups (Group 2 will be in 2015-2016, Group 3 in 2016-2017, and so forth).

During the Group 4 year for on-site monitoring, the early childhood program, which includes the Head Start Program, will be added to the monitoring schedule as a “school” for review.

Group 1 Schools

- Dr. Rita H. Inos Jr/Sr High School
- Kagman High School
- Marianas High School
- Saipan Southern High School
- Tinian Junior/Senior High School

Group 2 Schools

- Tinian Elementary School
- SanVicente Elementary School
- Kagman Elementary School
- Garapan Elementary School
- William S. Reyes Elementary School

Group 3 Schools

- Hopwood Junior High School
- Chacha Oceanview Junior High School
- Dandan Middle School
- Tanapag Middle School
- SanAntonio Middle School

Group 4 Schools

- Early Childhood
- Sinapalo Elementary School
- Koblerville Elementary School
- Oleai Elementary School
- Gregorio T. Camacho Elementary School



Commonwealth of the Northern Mariana Islands
Public School System
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APPENDIX F

Compliance Monitoring IEP Record Review Checklist

Compliance Monitoring IEP Record Review Form

School Name:
Review Date:
Review Person:
Additional Review Person (if applicable):
Number of Files Reviewed:

10% of the school's total files (with a minimum of 5 files) will be reviewed at each visit.

Review Item With IDEA Regulatory Citation	Comment	IEP Form / Document	File	File	File	File	File	<u>Authority</u> Related SPP Indicator IDEA Statute
<i>CLUSTER: EARLY CHILDHOOD TRANSITION</i>								
C 1.01 Did preschool staff attend a transition conference at least 90 days before the child's third birthday? (300.124(c))	NA – if child is 5 years of age or older							SPP Indicator 12 Section 1412(a)(9)
C 1.02 Was the IEP/IFSP implemented no later than the child's third birthday? (300.124(b))	NA – if child is 5 years of age or older							SPP Indicator 12 Section 1412(a)(9)
<i>CLUSTER: PARENT INVOLVEMENT</i>								
I 2.01 Was written parental consent obtained prior to conducting an initial evaluation? (300.300)	NA if both evaluations being considered are reevaluations	Consent for Evaluation						SPP Indicator 8 Section 1414(a)(1)(D)
I 2.02 Was written parental consent received before initial provision of special education? (300.300)		Consent for Evaluation						SPP Indicator 8 Section 1414(a)(1)(D)
C/R 2.03 Was parent consent requested before a reevaluation? (300.300)	NA if only evaluation is initial	Consent for Eval SpEd-16						SPP Indicator 8 Section 1414(c)
C 2.04 Was the meeting scheduled at a mutually-agreed upon time and place? (300.322)		Notification of Meeting						SPP Indicator 8
C 2.05 Did the notice indicate the purpose, time and location of the meeting and who would be in attendance? (300.322)		Notification of Meeting						SPP Indicator 8

Compliance Monitoring IEP Record Review Form

	Review Item With IDEA Regulatory Citation	Comment	IEP Form / Document	File	File	File	File	File	Authority Related SPP Indicator IDEA Statute
C	2.06 Did the notice inform the parents of their right to bring other individuals to the IEP meeting who have special expertise or knowledge about the child? (300.321, 300.322)		Consent for Evaluation						SPP Indicator 8
C	2.07 If neither parent attended: (300.322) Date of notice: _____ Date of meeting: _____	NA if the parent attended	Consent for Evaluation						SPP Indicator 8
C	2.08 Did the parent attend the IEP meeting? (300.322)	NA if notice was provided early enough for the parent to have an opportunity to attend (see above).	IEP Pg. 1						SPP Indicator 8
	2.09 If the parent did not attend, is there a record of attempts to convince the parents to attend, including: (a) detailed records of phone calls/results; (b) copies of correspondence/results; and (c) detailed records of visits made to home or work/results?(300.322(d))	NA if the parent attended	Contact Documentation Log						SPP Indicator 8 Section 614(f)
	2.10 Did the school provide needed accommodations to ensure parent participation, including interpreters? (300.322(e))	NA if parents are not deaf/hard of hearing or the parents' native language is English. Also NA if parent has no physical impairment that requires modifications or change of location.	Notification of Meeting						SPP Indicator 8
C	2.11 Did the parent receive a copy of the child's IEP, at no cost to the parent? (300.322(f))		Meeting Minutes						SPP Indicator 8
C	2.12 Does the IEP contain a statement of how the parent would be regularly informed, at least as often as parents of nondisabled children are informed, of the extent to which their child's progress is sufficient to enable the child to achieve the annual goals by the end of the year? (300.320(a)(3))		IEP Participation and Planning						SPP Indicator 8 Section 614 (d)(1)(A)(i)(III)
	2.13 Was the parent involved in making the placement decision for their child? (300.501(c))		IEP Document						SPP Indicator 8 Section 614(e)

School: _____ Review Date: _____

Compliance Monitoring IEP Record Review Form

Review Item With IDEA Regulatory Citation	Comment	IEP Form / Document	File _____	File _____	File _____	File _____	File _____	Authority Related SPP Indicator IDEA Statute
I	2.14 *Did the parent receive the procedural safeguards notice (300.504): (a) upon initial referral for evaluation:	Consent for Evaluation						SPP Indicator 8 Section 615(d)(1)(A)(i)
	(b) upon receipt of first State complaint or first due process complaint; and	Complaint Form						SPP Indicator 8
	(c) upon notification of an IEP meeting; and	Notification of Meeting						SPP Indicator 8
C	2.15 Was evaluation information solicited from the child's parents? (300.305)	NA if requested and not provided. Evaluation Review and/or Meeting Minutes						SPP Indicator 8 Section 614(c)(1)(A)(i)
<i>CLUSTER: FREE APPROPRIATE PUBLIC EDUCATION IN THE LEAST RESTRICTIVE ENVIRONMENT</i>								
I/R	3.01 Was the initial evaluation or reevaluation conducted within 60 days of receiving parent consent for evaluation? (300.301(c)(1)) Date of Evaluation: _____ Date of Reevaluation: _____	Review parental consent and date of testing on evaluation report (60 calendar days)	Consent for Evaluation					SPP Indicator 11 Section 614 (a)(1)(c)(I)
	3.02 Was the evaluation/reevaluation conducted in accordance with 34 CFR §§300.301 through 300.306? (See Worksheet A)		Psy Report & Elig. Summary					SPP Indicator 11 Sections 614(b) and 614(c)
	3.03 If the child was suspected of having a SLD, did the evaluation include an observation of the child's academic performance in the regular classroom by a team member other than the child's regular classroom teacher? (300.310)	NA if child is not LD and was not suspected of being LD.	Classroom Observation or Psy Report					SPP Indicator 11 Section 614 (c)(1)(A)(iii)
	3.04 If the child was suspected of having a specific learning disability, did the written evaluation report include the content required in 34 CFR §300.311? (See Worksheet B)	NA if child was not suspected of having a specific learning disability.	IEP Pg. 1, Elig. Summary, Psy Report					SPP Indicator 11 Section 614 (b)(6)(B)
	3.05 Was the eligibility determination made by a group of qualified professionals, including the parent? (300.306, 300.308)		Eligibility Summary					SPP Indicator 11 Section 614 (6)(4)(A)

School: _____ Review Date: _____

Compliance Monitoring IEP Record Review Form

Review Item With IDEA Regulatory Citation	Comment	IEP Form / Document	File _____	File _____	File _____	File _____	File _____	Authority Related SPP Indicator IDEA Statute
3.06 Did the parent receive a copy of the evaluation report and the documentation of determination of eligibility? (300.306)		Meeting Minutes						SPP Indicator 11 Section 614 (b)(4)(B)
3.07 Did the eligibility determination team determine that lack of progress was not lack of instruction in reading or math or LEP and the child otherwise met the eligibility criteria in §300.7? (300.306(b))		Child Study Team Summary and/or Eligibility Summary						SPP Indicator 11 Section 614(b)(5)(A)
C 3.08 If the child was dismissed from special education, was the dismissal pursuant to an evaluation under 300.303 and 300.304? (300.306)	NA if child still receives special education.	IEP Pg. 1 or Evaluation Review						SPP Indicator 11
C 3.09 In determining eligibility, did the team draw upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior? (300.306)		Eligibility Summary						SPP Indicator 11
C 3.10 In determining eligibility, did the team ensure that information obtained from all the sources above was documented and carefully considered? (300.306)		Eligibility Summary						SPP Indicator 11 Sections 614(b)(2) 614(b)(3)
C 3.11 If the child was suspected of having a SLD, did the eligibility team include (1) the child's parents; (2) a regular teacher; and (3) at least one person qualified to conduct individual diagnostic evaluations? (300.308)	NA if child is not LD and was not suspected of being LD	IEP Pg. 1						SPP Indicator 11
C 3.12 Was the child's IEP in effect before special education and related services were provided to the child? (300.323)		IEP Pg. 1 & IEP Goals & Objectives						SPP Indicator 5
C 3.13 Was the child's IEP implemented ASAP following the IEP meeting? (300.323)		IEP Document						SPP Indicator 5
C 3.14 Is the child's IEP accessible to each regular education teacher, special education teacher, related service provider and other service provider who is responsible for its implementation? (300.323)								SPP Indicator 5

School: _____ Review Date: _____

Compliance Monitoring IEP Record Review Form

	Review Item With IDEA Regulatory Citation	Comment	IEP Form / Document	File _____	File _____	File _____	File _____	File _____	Authority Related SPP Indicator IDEA Statute
C	3.15 If the child is aged 3-5, does the child have an IEP/IFSP developed in accordance with State regulations? (300.323)	NA if the child is >5							SPP Indicator 12 Section 614 (d)(2)(B)
C	3.16 If the child is aged 3-5 and has an IFSP, did the parents receive a detailed explanation of the differences between an IEP and IFSP? (300.323)	NA if the child is >5							SPP Indicator 12
C	3.17 If the child is aged 3-5 and has an IFSP, did the school obtain written parental consent for an IFSP? (300.323)	NA if the child is >5							SPP Indicator 12
C	3.18 Was the IEP meeting conducted within 30 days of eligibility determination? (300.323(c)) Date of eligibility determination: _____ Date of IEP: _____		Eligibility Summary & IEP Pg.1						SPP Indicator 5 Section 614 (d)(3)(e)
C	3.19 Was the IEP reviewed at least annually? (300.324) Date of current IEP: _____ Date of previous IEP: _____	NA if IEP is the initial IEP	IEP Document						SPP Indicator 5
C	3.20 If the child was reevaluated, was the IEP reviewed to consider the evaluation results? (300.305); (300.324(b)(ii))(B)	NA if the child was not reevaluated within one year of the IEP date.	Evaluation Review & Meeting Minutes						SPP Indicator 5
C	3.21 Did the IEP team include at least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)? (300.321)	NA if the child is not, or will not be, participating in the regular education environment.	IEP Pg. 1						SPP Indicator 5 Section 614(d)(1)(B)(ii)
C	3.22 Did the IEP team include a representative of the PSS who: (a) is qualified to provide or supervise the provision of special education; (b) is knowledgeable about the general curriculum; and (c) is knowledgeable about the availability of resources of PSS? (300.321)		IEP Pg. 1						SPP Indicator 5 Section 614(d)(1)(B)(iv)

Compliance Monitoring IEP Record Review Form

	Review Item With IDEA Regulatory Citation	Comment	IEP Form / Document	File _____	File _____	File _____	File _____	File _____	Authority Related SPP Indicator IDEA Statute
C	3.23 Did the IEP team include at least one special education teacher of the child, or if appropriate, at least on special education provider of the child? (300.321)		IEP Pg. 1						SPP Indicator 5 Section 614(d)(1)(B)(iii)
C	3.24 Did the IEP team include an individual who could interpret the instructional implications of evaluation results? (300.321)		IEP Pg. 1						SPP Indicator 5 Section 614(d)(1)(B)(v)
C	3.25 Did the IEP team include others (at the discretion of the parent or agency) who had knowledge/special expertise regarding the child (including related services personnel)? (300.321)	NA if the parents or agency did not choose to include anyone.	IEP Pg. 1						SPP Indicator 5 Section 614(d)(1)(B)(vi)
C	3.26 Did the IEP team include the child? (300.321(a)(7))	For children <14, NA if it is not appropriate to include the child.	IEP Pg. 1						SPP Indicator 13 Section 614(d)(1)(B)(vii)
C	3.27 Did the IEP team include a representative of any private school the child attends, or may attend? (300.325)	NA if the child does not, or will not, attend a private school (including nonpublic)	IEP Pg. 1						SPP Indicator 5
C	3.28 In developing the IEP, did the IEP team consider the strengths of the child and the concerns of the parents for enhancing the education of the child? (300.324)		IEP General Curriculum Modification & Accommodation						SPP Indicator 5 Section 614(d)(3)(A)(i)
C	3.29 In developing the IEP, did the IEP team consider the most recent evaluation of the child? (300.324)								SPP Indicator 5 Section 614(d)(3)(A)(i)
C	3.30 If the child's record indicated behavioral issues, did the IEP team consider strategies, including positive behavioral interventions, to address the behavior? (300.324)	NA if the child's record includes no record of behavior-related issues.	Contact Documentation Log, IEP General Curriculum Mods. & Adaptations, Behavior Management Plan (BMP)						SPP Indicator 4 Section 614(d)(3)(B)(i)
C	3.31 If the child's record indicated behavioral issues, does the IEP include a behavior plan and/or goals/objectives to address social/emotional needs? (300.324)	NA if the child's record includes no record of behavior-related issues.	(BMP) and/or IEP Document						SPP Indicator 4 Section 614(d)(3)(B)(i)

Compliance Monitoring IEP Record Review Form

Review Item With IDEA Regulatory Citation	Comment	IEP Form / Document	File _____	File _____	File _____	File _____	File _____	Authority Related SPP Indicator IDEA Statute
C 3.32 If the child has LEP, did the IEP consider the language needs of the child as those needs relate to the child's IEP? (300.324)	NA if the child is not LEP	IEP Pg. 1						SPP Indicator 5 Section 614(d)(3)(B)(ii)
C 3.33 If the child is blind or visually impaired, does the IEP provide for instruction in Braille or use of Braille? (300.324)	NA if the IEP team determined that instruction in Braille or the use of Braille is not appropriate or the child is not blind or visually impaired.	IEP Document						SPP Indicator 5 Section 614(d)(3)(B)(iii)
C 3.34 If the child is blind or visually impaired and the IEP does not provide form instruction in Braille or use of Braille, were the child's reading/writing skills, needs and appropriate media considered? (300.324)	NA if the child is not blind or visually impaired.	IEP Document						SPP Indicator 5 Section 614(d)(3)(B)(iii)
C 3.35 Did the IEP team consider the communication needs of the child? (300.324)		IEP Document						SPP Indicator 5 Section 614(d)(3)(B)(iv)
C 3.36 If the child is deaf or hard of hearing, did the IEP team consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's communication mode? (300.324)	NA if the child is not deaf or hard of hearing.	IEP Document						SPP Indicator 5 Section 614(d)(3)(B)(iv)
C 3.37 If the child is deaf or hard of hearing, does the school ensure that any hearing aids worn in school by the child are functioning properly? (300.105(b))	NA if the child does not wear a hearing aid	IEP Document						SPP Indicator 5 Section 614(d)(3)(B)(iv)
C 3.38 Did the IEP team consider whether the child requires assistive technology devices and services? (300.324)		IEP Document						SPP Indicator 5 Section 614(d)(3)(B)(v)
C 3.39 Does the IEP contain a statement of any of the needed services related to the considerations above? (300.320)	NA if the IEP team determined no services were necessary related to the considerations above.	IEP Goals & Objectives						SPP Indicator 5 Section 614(d)(3)(B)(iv)

Compliance Monitoring IEP Record Review Form

	Review Item With IDEA Regulatory Citation	Comment	IEP Form / Document	File _____	File _____	File _____	File _____	File _____	Authority Related SPP Indicator IDEA Statute
C	3.40 Does the IEP contain a statement of the child's present levels of academic achievement and functional performance, including how the child's disability affects involvement and progress in the general curriculum? (300.320)		IEP Goals & Objectives						SPP Indicator 5 Section 614(d)(1)(A)(i)(I)
C	3.41 Does the IEP contain a statement of measurable annual goals, including academic and functional goals designed to meeting the child's other educational needs that result from the disability? (300.320)		IEP Goals & Objectives						SPP Indicator 5 Section 614(d)(1)(A)(i)(II)
C	3.42 Does the IEP contain a statement of the special education and related services the child needs? (300.320)		IEP Pg. 1						SPP Indicator 5 Section 614(d)(1)(A)(i)(IV)
C	3.43 Are all needed services included in the IEP? (Evaluation/IEP comparison)? (300.320)	Review forms in order followed by evaluation reports (if needed)	IEP Document						SPP Indicator 5 Section 614(d)(1)(A)(i)(IV)
C	3.44 Does the IEP contain a statement of the supplementary aids and services to be provide to the child, or on behalf of the child? (300.320)		IEP Goals & Objectives						SPP Indicator 5 Section 614(d)(1)(A)(I)(IV)
C	3.45 Does the IEP contain a statement of the program modifications or supports for school personnel that will be provided to, or on behalf of, the child? (300.320)		IEP Goals & Objectives, IEP General Curriculum Mod & Adaptation						SPP Indicator 5 Section 614(d)(1)(A)(I)(IV)
C	3.46 Does the IEP contain an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class? (300.320)		IEP Participation and Planning						SPP Indicator 5 Section 614(d)(1)(A)(i)(V)
C	3.47 Does the IEP contain the projected date for the beginning of the services and modifications, supplementary aids and services? (300.320)		IEP Goals & Objectives or Meeting Minutes						SPP Indicator 5 Section 614(d)(1)(A)(i)(VII)
C	3.48 Does the IEP contain the anticipated frequency of each of the services and modifications, supplementary aids and services? (300.320)		IEP Goals & Objectives						SPP Indicator 5 Section 614(d)(1)(A)(i)(VII)

School: _____ Review Date: _____

Compliance Monitoring IEP Record Review Form

	Review Item With IDEA Regulatory Citation	Comment	IEP Form / Document	File _____	File _____	File _____	File _____	File _____	Authority Related SPP Indicator IDEA Statute
C	3.49 Does the IEP contain the anticipated location of each of the services and modifications, supplementary aids and services? (300.320)		IEP Goals & Objectives						SPP Indicator 5 Section 614 (d)(1)(A)(i)(VII)
C	3.50 Does the IEP contain the anticipated duration of each of the services and modifications, supplementary aids and services? (300.320)		IEP Goals & Objectives						SPP Indicator 5 Section 614(d)(1)(A)(i)(VII)
C	3.51 Does the IEP contain a statement of how the child's progress toward the annual goals will be measured? (300.320)		IEP Participation and Planning						SPP Indicator 5 Section 614(d)(1)(A)(i)(III)
C	3.52 Does the IEP include a statement that the student has been informed of his or her rights under Part B of IDEA, if any, that will transfer to the student on reaching the age of majority? (300.320(c))	NA if the child will not be within one year of the age of majority during the time the IEP is in effect.	IEP Participation and Planning						SPP Indicator 13 Section 614(d)(1)(A)(i)(VIII)(cc)
C	3.53 Does the child participate in regular physical education or if not, does the IEP include adaptive physical education? (300.108)		IEP Participation and Planning						SPP Indicator 5
C	3.54 Does the student participate in State-wide assessments? (300.320)	NA if District-wide assessments are not given in the child's grade or child is exempted.	IEP Participation and Planning						SPP Indicator 3 Section 614 (d)(1)(A)(I)(VI)
C	3.55 Does the IEP document modifications/accommodations (including assistive technology) needed for participation in State-wide assessments? (300.347)	NA if no modifications or accommodations are needed or child is exempted.	IEP Participation and Planning						SPP Indicator 3 Section 614 (d)(1)(A)(i)(VI)(aa)
C	3.56 Is the child exempt from participation in State-wide assessments? (300.320)	NA if child participated	IEP Participation and Planning						SPP Indicator 3 Section 614 (d)(1)(A)(i)(VI)(bb)
C	3.57 Does the IEP include justification for exemption?	NA if child participated	IEP Participation and Planning						SPP Indicator 3 Section 614 (d)(1)(A)(i)(VI)(bb)(AA)
C	3.58 Does the IEP include the method by which exempted student will be assessed, including alternate assessment? (300.320)	NA if child participates in regular assessment	IEP Participation and Planning						SPP Indicator 3 Section 614 (d)(1)(A)(i)(VI)(bb) (BB)

Compliance Monitoring IEP Record Review Form

Review Item With IDEA Regulatory Citation	Comment	IEP Form / Document	File _____	File _____	File _____	File _____	File _____	Authority Related SPP Indicator IDEA Statute
3.59 If the parent has received prior written notice, does the notice contain the required content? (300.503) (See Worksheet C)	NA if prior written notice was required.	Notice of Action						SPP Indicator 8 Section 614 (d)(1)(A)(i)(VI)
3.60 Does the child have a surrogate parent? (300.519)	NA if the child's parent is involved in decision-making.	IEP Pg. 1 or Legal Document						SPP Indicator 8
C 3.61 Was the placement decision made by a group of persons, including the parents, other persons knowledgeable about the child, the meaning of the evaluation data and the placement option? (300.116)		IEP Pg. 1						SPP Indicator 5
C 3.62 Was the placement decision made in conformity with the LRE provisions of 300.114-300.118? (300.116) (See Worksheet D)		IEP Pg. 1						SPP Indicator 5
C 3.63 Was the child's placement determined at least annually? (300.116)		IEP Document						SPP Indicator 5
C 3.64 Was the placement based on the child's IEP? (300.116)		IEP Document						SPP Indicator 5
C 3.65 Was the placement as close as possible to the child's home? (300.116)		IEP Pg. 1						SPP Indicator 5
C 3.66 Is the child educated in the school that he or she would attend if not disabled? (300.116)	NA if IEP calls for some other arrangement	IEP Pg. 1						SPP Indicator 5
C 3.67 Did the placement decision consider any potential harmful effect on the child or on the quality of services that he or she needs? (300.116)		IEP Pg. 1 & Meeting Minutes						SPP Indicator 5
C 3.68 Did the IEP team remove a child with a disability from education in age-appropriate regular classrooms solely because needed modifications in the general curriculum were not available? (300.116)		IEP Pg. 1						SPP Indicator 5
C 3.69 If the child is placed in regular education for a full day, is the child receiving all special education and related services specified in the IEP? (300.101)	NA if child is NOT in regular education 100% of the time	IEP Pg. 1						SPP Indicator 5
C 3.70 Does the child receive a full educational day (e.g., is not dismissed early or arrives late because of bus schedules)?	NA if, for specified medical reasons, the child cannot attend a full day.	IEP Document						SPP Indicator 5

School: _____ Review Date: _____

Compliance Monitoring IEP Record Review Form

	Review Item With IDEA Regulatory Citation	Comment	IEP Form / Document	File	File	File	File	File	Authority Related SPP Indicator IDEA Statute
C	3.71 ESY was considered? (300.106)	NA if consideration determined unnecessary by IEP team	IEP Participation and Planning						SPP Indicator 5
C	3.72 ESY addressed in IEP? (300.106)	NA if determined not needed	IEP Participation and Planning						SPP Indicator 5
C	3.73 ESY was provided as indicated in the IEP? (300.106)	NA if ESY was determined unnecessary	Quarterly Progress Report						SPP Indicator 5
<i>CLUSTER: SECONDARY TRANSITION (Not applicable for children <16 during the effective period of the IEP being reviewed)</i>									
C	4.01 Did the notice of the IEP meeting inform the parent that post secondary goals and transition services would be considered at the meeting? (300.321(b))	NA if the child is <16 during the period the IEP being developed will be in effect.	Notification of Meeting						SPP Indicator 13
C	4.02 Did the notice of the IEP meeting include inviting the student? (300.321(b))		Notification of Meeting						SPP Indicator 13
C	4.03 Did the notice of the IEP meeting inform the parent of any other agencies that would be invited to send a representative? (300.321(b))	NA if the child is <16 during the period the IEP being developed will be in effect.	Notification of Meeting						SPP Indicator 13
C	4.04 Did the IEP team include the child if the child will be 16 or older while the IEP is in effect? (300.321(a))	NA if the child is <14 or the team used other methods to consider the child's preferences and interests.	IEP Pg. 1						SPP Indicator 13
C	4.05 Did the IEP team consider the child's preferences and interests related to transition planning? (300.321)	NA if the child attended the IEP meeting	IEP Participation and Planning						SPP Indicator 13
	4.06 If child did not attend IEP meeting, did PSS take other steps to ensure the child's interests and preferences were considered? (300.321)		Notification of IEP						SPP Indicator 13
C	4.07 Did the IEP team invite a representative of any other agency that is likely to be responsible for providing or paying for transition services? (300.321)	NA if child is <16.	IEP Pg. 1 & Notification of Meeting						SPP Indicator 13
C	4.08 Does the IEP contain appropriate postsecondary goals based upon age appropriate transition assessments related to training, education, employment and where appropriate, independent living skills? (300.320)		IEP Participation and Planning						SPP Indicator 13

Compliance Monitoring IEP Record Review Form

	Review Item With IDEA Regulatory Citation	Comment	IEP Form / Document	File _____	File _____	File _____	File _____	File _____	Authority Related SPP Indicator IDEA Statute
C	4.09 Does the IEP contain a statement of transition services (including courses of study) needed to assist the child in reaching his/her post-secondary goals? (300.320)	NA if child is <16.	IEP Participation and Planning						SPP Indicator 13
C	4.10 Is (are) there annual IEP goal(s) related to the student's transition services needs?	NA if child is <16. If NO, ask	IEP Participation and Planning						SPP Indicator 13
C	4.11 Does the IEP contain annual goal(s) that will reasonably enable the child to meet the post secondary goal(s)? (300.320)		IEP Participation and Planning						SPP Indicator 13
C	4.12 Does the IEP contain measurable post secondary goal(s) that cover education or training, employment, and as needed, independent living? (300.320)		IEP Participation and Planning						SPP Indicator 13
	4.13. Is (are) the post-secondary goal(s) updated annually?		IEP Participation and Planning						SPP Indicator 13



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APPENDIX G

External Monitoring of Monitoring Priorities Form

Commonwealth of the Northern Mariana Islands (CNMI) Public School System (PSS)
External Monitoring of Monitoring Priorities

#	Review Item: Description of Prioritized IDEA Timeline Requirements	IDEA Regulation & Related SPP Indicator	Data Sources & Results of Review		Comments
			Data Base	File Verification	
1	Was the IEP in effect i no later than the child's third birthday?	§300.124 Indicator 12			
2	Was the initial evaluation conducted within 60 days of receiving parent consent for evaluation? Date of PSS's receipt of Parental Consent: _____ Date of Initial Evaluation: _____	§300.301(c)(1)(i) Indicator 11			
3	Was the initial IEP meeting conducted within 30 days of the initial eligibility determination? Date of Initial Eligibility Determination: _____ Date of Initial IEP: _____	§300.323(c)(1) Indicator 5			
4	Was the IEP reviewed at least annually? Date of current IEP: _____ Date of previous IEP: _____	§300.324(b)(1)(i) Indicator 5			
5	Was the reevaluation conducted within 3 years of previous evaluation? Date of Expected Reevaluation: _____ Date of Reevaluation: _____	§300.303(b)(2) Indicator 5			



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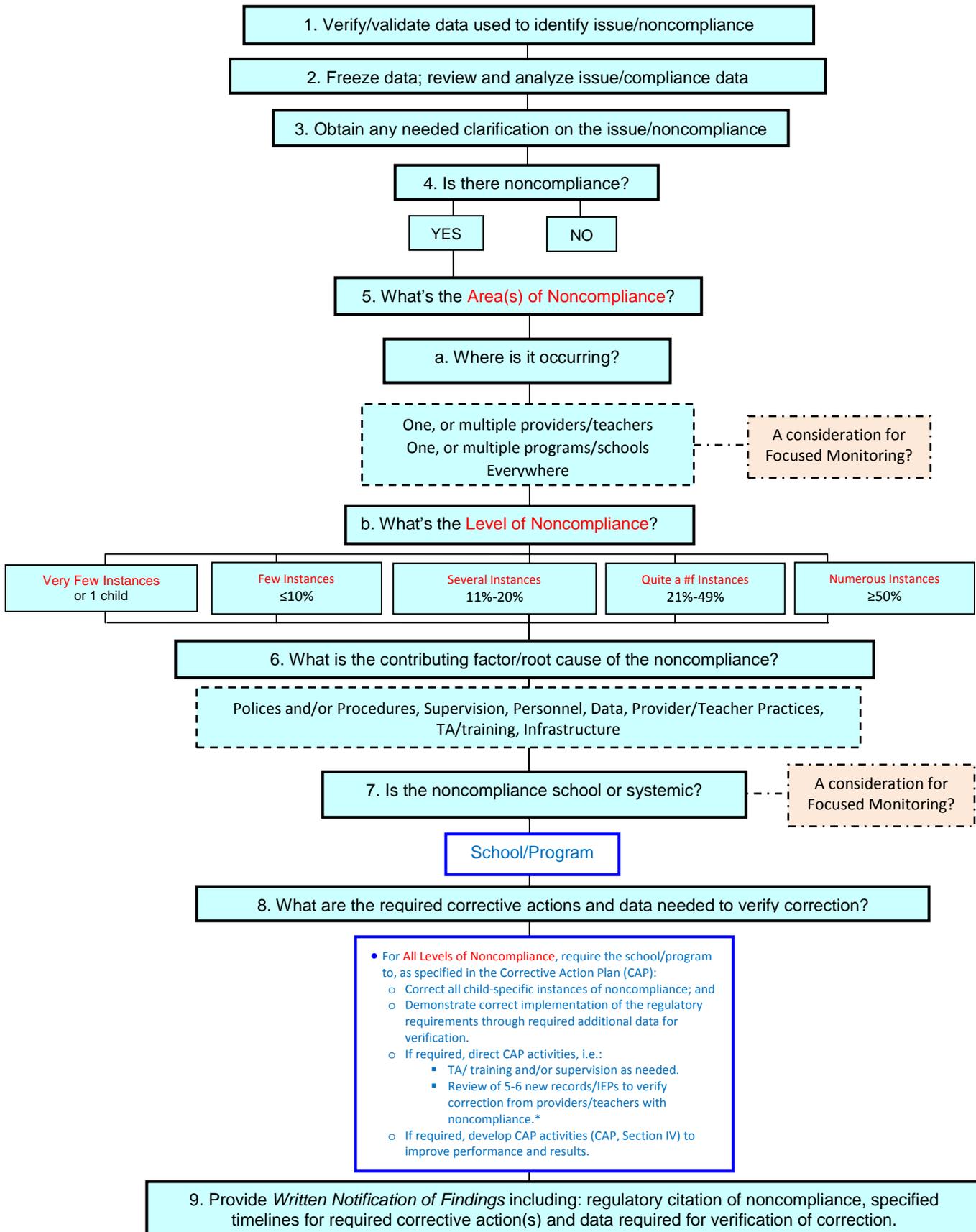
APPENDIX H

CNMI Identification and Correction of Noncompliance Process for Determination

CNMI PSS Integrated Monitoring Activities

CNMI Identification and Correction of Noncompliance Process for Determination

(Adapted from handouts from the June 2010 WRRC Pacific General Supervision Academy)



* In order to verify correction of noncompliance, as required by OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02) the state must verify that each LEA or EIS program with noncompliance identified: (1) is correctly implementing the specific regulatory requirements; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA. For requirements that are subject to a timeline requirement, the state must ensure that each child received the required evaluation, service, etc., although late.



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Public School System
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APPENDIX I

Guidance for On-Site Visit

GUIDANCE FOR CONDUCTING AN ON-SITE VISIT

Prior to School Site Visit

1. Schedule school visits.
2. Sends memo to School Principal, at least 2 weeks prior to visit, informing of the visit.

First Day of School Site Visit

1. Check in with Building Administrator.
 - a. Introduce team and indicate approximate length of visit.
 - b. Arrange for a space to work in.
 - c. Interview principal regarding unique programs in their school.
 - d. Interview principal regarding potential problem areas related to special education.
2. Review IEP files and other pertinent resources.
3. If needed, interview school personnel and/or parent/guardian to verify information in the IEP files.
4. If needed, conduct classroom observations.
5. Hold exit meeting with school principal to highlight the activities conducted and review the schedule of post-on-site activities.

After the School Site Visit (Post-On-Site Activities)

1. Not more than 15 days following the on-site visit, provide a preliminary report to the school principal.
2. The school principal has 5 school days to respond in writing any inaccuracies.
3. Not more than 30 days after the school site visit, the Compliance Monitor finalizes the Compliance Monitoring Report and submits it to the Commissioner of Education.
4. Not more than 35 days after the school site visit, the COE will issue written communication to the principal to commend the school for being in 100% compliance or to document findings of noncompliance through the *Written Notification of Findings* with the required Corrective Action Plan (CAP).
5. Tracking to monitor the CAP implementation and verification of correction.



Commonwealth of the Northern Mariana Islands
Public School System
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APPENDIX J

Sample Communication to School Administrator

Sample Communication for Scheduled On-Site Visit

Date

MEMORANDUM

To: Principal, (Name of School)

From: Commissioner of Education

Subject: On-Site Comprehensive School-based Monitoring Visit Schedule

The Public School System is required under the federal Individuals with Disabilities Education Act (IDEA) to monitor special education programs throughout the Commonwealth. (Name of School) has been scheduled for a compliance monitoring review from (Beginning Date) to (Ending Date).

The Compliance Monitor is tasked with the responsibility to conduct the scheduled review. The Compliance Monitor will contact you directly to negotiate a scheduled entrance interview meeting and to describe what is expected to occur during the scheduled visit. The Compliance Monitor will also negotiate any logistical support that is needed to conduct this review.

Upon completion of the review, the Compliance Monitor will meet with you to verbally share the data and information gathered during the visit. The exit meeting will provide you with an opportunity to share any issues or concerns you may have with the data and information gathered. Within 15 days of the visit, you will receive a written preliminary monitoring report. You will be given 5 school days to respond in writing to any inaccuracies to the data in the preliminary report. This is the opportunity to resolve differences, if there are any, between the preliminary report data and any disputes that you may have with these data. As a result, a final monitoring report will be issued, stipulating the required actions, if any.

Our goal is to improve the educational results for your students with disabilities and together we hope to accomplish this through the On-Site Comprehensive School-based Monitoring Visit.

Thank you for keeping “students first,” which includes your students with disabilities.

RITA A. SABLAN, ED.D.

Cc: Associate Commissioner, Student and Support Services
Director, Special Education Program
Compliance Monitor, Special Education Program



Commonwealth of the Northern Mariana Islands
Public School System
Special Education Program

APPENDIX K

Sample Questionnaires



Commonwealth of the Northern Mariana Islands
Public School System
Special Education Program

Regular Education Teacher Questionnaire

Teacher: _____

Date: _____

School: _____

Subject/Grade: _____

INSTRUCTIONS: Thank you in advance for your participation in this questionnaire. The information provided will be used to document areas of compliance and non-compliance around services provided by special education. This information will be used to set goals in order to improve on the system. Please answer these questions and return this form to your school principal.

1. At the beginning of this school year, how did you determine who your special education students were? _____

2. How many special education students do you have? _____
3. Do you know where to find your special education students' folders, with the IEP goals and objectives, any modifications and accommodations, each student's placement and the related services they receive? _____
4. Are you invited to attend IEP meetings and do you attend? _____
If you are not able to attend an IEP meeting, are you asked to provide written input regarding your knowledge about the student's academic and behavioral abilities, levels, strengths and weaknesses? _____

5. How do special education students in your class participate in regular academic activities? _____

6. Are you supported in providing appropriate education for the special education students in your classroom? Describe how you are or are not supported. _____

7. How could special education assist you to work with your students which have IEPs? _____

8. Do you know how a student is referred for special education services at your school? _____

9. Do you have any recommendations to improve special education at your school? _____



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Special Education Teacher Questionnaire

Teacher: _____

Date: _____

School: _____

Subject/Grade: _____

INSTRUCTIONS: Thank you in advance for your participation in this questionnaire. The information provided will be used to document areas of compliance and non-compliance around services provided by special education. This information will be used to set goals in order to improve on the system. Please answer these questions and return this form to your school principal.

1. How many students are you currently serving in special education? _____
2. Are your special education students' folders placed in a secure and confidential location that is accessible to you, to special education teachers and general education teachers? _____

3. Do all students have a current IEP? _____
4. Are all IEP meetings conducted at times and places mutually convenient to parents and school personnel? _____
5. If special and general education teachers are not able to attend an IEP meeting, are they asked to provide written input regarding their knowledge about the student's academic and behavioral abilities, levels, strengths and weaknesses? _____
6. Are special and general education teachers supported in providing appropriate education for the special education students? Describe how special and general education teachers are or are not supported. _____

7. During IEP meetings in which you participated, did each student's IEP contain goals and objectives to meet all needs for specially designed instruction? _____

8. Are all of your students educated with children who are not disabled to the maximum extent appropriate? _____
9. Do you routinely use IEPs to plan your lessons? _____
10. Do special and general education teachers know how a student is referred for special education services at your school? _____
11. Do you have any recommendations to improve special education at your school? _____



Commonwealth of the Northern Mariana Islands
Public School System
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Para-Professional Questionnaire

Staff Member: _____

Date: _____

School: _____

Assignment: _____

INSTRUCTIONS: Thank you in advance for your participation in this questionnaire. The information provided will be used to document areas of compliance and non-compliance around services provided by special education. This information will be used to set goals in order to improve on the system. Please answer these questions and return this form to your school principal.

1. At the beginning of each school year, are you provided with an orientation as to your duties and responsibilities? Who does this? _____

2. Are you invited to attend IEP meetings and do you attend? _____

3. Do you meet with general education and special education teachers to provide them with input on student progress? How often? _____

4. Do general education and special education teachers meet with you to provide you with input and guidance to support the student or students you are working with? How often? _____

5. Do you feel supported in providing appropriate support services for special education students? Describe how you are or are not supported. _____

6. Do you have any recommendations to improve special education at your school? _____



Commonwealth of the Northern Mariana Islands
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Special Education Program

Parent Questionnaire

Student: _____

Date: _____

School/Grade: _____

Parent: _____

INSTRUCTIONS: Thank you in advance for your participation in this questionnaire. The information provided will be used to document areas of compliance and non-compliance around services provided by special education. This information will be used to set goals in order to improve on the system. Please answer these questions and return this form to your school principal.

1. What assistance does your child receive from special education? _____

2. As you attend parent-teacher conferences that are scheduled for all students, or a special meeting regarding your child, do the teachers know that your child is in special education? Do they know what his IEP goals and objectives are? Do they know the accommodations and modifications (if any) that your child is supposed to receive? _____

3. Did you participate in developing your child's current IEP ? _____

4. At the IEP meeting, are special and general education teachers knowledgeable about your child's academic and behavioral abilities, levels, strengths and weaknesses? _____

5. How are your ideas and suggestions used in developing your child's education program? _____



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Parent Questionnaire (page 2)

6. How has special education helped your child? _____

7. What questions do you have about special education? _____



Commonwealth of the Northern Mariana Islands
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Special Education Program

Student Questionnaire

Name: _____ Date: _____

School: _____ Grade: _____

INSTRUCTIONS: Thank you in advance for your participation in this questionnaire. The information provided will be used to document areas of compliance and non-compliance around services provided by special education. This information will be used to set goals in order to improve on the system. Please answer these questions and return this form to your school principal.

1. What does "IEP" stand for? What is it? _____

2. Have you attended your IEP meeting? _____ If yes, continue all questions. If no, skip to questions 7-11.
3. What was discussed in your IEP meeting? _____

4. Did you share what you wanted to do after high school? _____ What was it? _____

5. Were your ideas and suggestions used in developing your IEP? _____

6. What assistance do you receive form special education? _____

7. How has special education helped you in school? ___ Describe. _____

8. What do you feel you need to be successful in school? _____

9. What concerns do you have that special education could help with? _____

10. What questions do you have about special education? _____



Commonwealth of the Northern Mariana Islands
Public School System
Special Education Program

APPENDIX L

Board of Education Policy 400-Employee Discipline

Part 400 - Employee Discipline
Subpart A - Forms of Discipline

60-30.2-401 Formal Reprimand

A formal reprimand is delivered by a written letter that instructs the employee that there has been one or more deficiencies in performance, describes the misconduct and warns that a failure to improve may result in more serious discipline. A copy of the letter is provided to the Human Resources Officer for posting in the employees file. Reprimands are to be used only for minor misconduct.

60-30.2-402 Reduction in Rank or Pay

A reduction in rank or a reduction in pay may be accomplished only by an official personnel action. A reduction in rank occurs when ones relative standing in the organizational structure has been lowered.

60-30.2-404 Suspension

A suspension occurs when an employee is placed in a non-duty and non-pay status for a portion of the contract term that counts as part of the three hundred eighty days assigned for work. There is no distinction any longer between suspensions for five days and those for more than five days in the procedure followed for implementation.

60-30.2-406 Dismissal

A teacher is dismissed when his or her contract of employment is terminated. Dismissal is referred to herein by various terms, such as discharge and termination.

Subpart B - Who May Initiate Discipline?

60-30.2-408 Principals

The authority to initiate the discipline of teachers and librarians is granted to the principals or program directors to whom they are assigned.

60-30.2-410 Human Resources Officer

The authority to initiate the discipline of any employee not supervised by a principal or program director is granted to the Human Resources Officer.

60-30.2-412 Management Official

The person with the authority to initiate discipline shall be referred to herein as the management official.

Subpart C - When Discipline is Warranted

60-30.2-414 Standard

Discipline may be imposed for the violation of any standards of conduct set forth in the regulations in this subchapter or for the failure to continue to remain qualified for certification under these regulations. The statement in some sections that a violation may lead to dismissal is not intended to suggest that dismissal may not be warranted for the violation of any other section.

Part 400 - Employee Discipline
Subpart A - Forms of Discipline

60-30.2-416 Factors to Be Considered in Initiating Discipline

- (a) Discipline is warranted only when the conduct is such that it has or will have an adverse effect on the employees ability to perform his or her duties and responsibilities.
- (b) In this regard, the management official, in determining whether to initiate discipline and what level of discipline is warranted, should consider the following factors:
- (1) The age and maturity of the students that may be affected by a violation,
 - (2) The size and population of the school and its community,
 - (3) The likelihood that the employees conduct has had, or will have, an adverse effect on students, other employees, or the school community,
 - (4) The effect on student-teacher relationships,
 - (5) Any disruption of the educational process,
 - (6) The severity of any adverse effect,
 - (7) The proximity or remoteness in time of the conduct,
 - (8) Any extenuating or aggravating circumstances surrounding the conduct,
 - (9) The likelihood the conduct would recur,
 - (10) The impact of publicity,
 - (11) The motive for the conduct, and
 - (12) The extent to which disciplinary action may have an adverse or chilling effect upon the exercise of constitutional rights by other employees.
- (c) **The management official shall not file any notice of charges without those charges being reviewed and approved first by the Equal Employment Officer (EEO).**

Subpart D - When Disciplinary Measures Must Be Followed

60-30.2-418 Not for Reprimands

Before any employee is dismissed, suspended, reduced in rank or reduced in pay the disciplinary procedure set forth in this subchapter must be followed. A formal reprimand does not require that these procedures be followed.

60-30.2-420 Not for Non-renewal

The non-renewal of an employment contract does not require compliance with the disciplinary procedures.

Subpart E - Initiating Discipline

60-30.2-422 Notice of the Charges

The management official must provide written notice to the employee of the charges by citing the regulation violated, explaining the evidence against the employee and stating the proposed disciplinary action. The employee must also be informed, in writing, of the opportunity to be heard in a pre-discipline hearing. **A copy of the notice shall be provided to the Commissioner and the EEO.**

60-30.2-424 Pre-discipline Hearing

A hearing shall be held within ten days of delivering notice to the employee. The date set shall take into consideration how much time may be needed by the employee to prepare for the pre-

Part 400 - Employee Discipline
Subpart A - Forms of Discipline

discipline hearing. The hearing shall be before the Commissioner or his or her designee. At the hearing, the employee shall have the opportunity to present his or her side of the story, to convince the Commissioner that the proposed discipline is a mistake, or that the reasons for the discipline are either not supported by the facts or are less compelling than they appear. The employee may waive this hearing or decide only to present his or her position in writing rather than in person.

60-30.2-426 Commissioners Decision

The Commissioner, or his designee, who conducted the pre-discipline hearing shall decide in writing within ten days of the hearing whether any regulation has been violated, the facts that support the finding of a violation, whether discipline is warranted and, if so, what discipline is appropriate. The decision shall state when the discipline takes effect. Only the charges contained in the notice can be the basis for any disciplinary action.

60-30.2-428 Suspension Pending Decision

The employee cannot be suspended without pay before the pre-discipline decision. The management official should permit the employee to continue to work during this period, utilizing a temporary reassignment, if necessary. In the event that continued employment will pose a risk of harm to students or co-employees, or a risk of disrupting the educational process, then the management official may suspend the employee with pay.

60-30.2-430 Discipline After Decision

Once the pre-discipline decision has been rendered, the disciplinary action can take place even though a formal due process hearing is requested. The Commissioner has the discretion whether to postpone the discipline, whether suspension is appropriate (with or without pay) or whether to effectuate the decision prior to the formal hearing.