

FSM Part B FFY 2008 APR, Indicator 15, Attachment A, April 2010 Resubmission

OSEP's June 6, 2008 FFY 2006 SPP/APR response table also required FSM to provide information in its final report due July 17, 2008 and in its FFY 2007 APR, due February 2, 2009, addressing the following issues related to OSEP's July 17, 2007 verification letter:

OSEP Response Statement	Required Response from FSM OSEP Response Statement	FSM's Response
<p>(1) correction of the following noncompliance identified by FSM in Chuuk:</p> <ul style="list-style-type: none"> a) all children with disabilities who are in need of special education and related services are identified, located, evaluated and provided appropriate placements based on their special education needs as required at 34 CFR §300.111; b) to the maximum extent appropriate, children with disabilities are educated with children who are not disabled, and special education classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (34 CFR §300.114); c) a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services as required by 34 CFR §300.115, and ensuring that placement decisions are made pursuant to 34 CFR §300.116. <p>FSM provided a progress report addressing these areas of noncompliance. FSM reported correction of the noncompliance related to timely initial evaluations in Chuuk.</p>	<p>In its FFY 2008 APR, due February 1, 2009, FSM must submit data demonstrating compliance with 34 CFR §§300.111; 300.114; 300.115 and 300.116, including a description of the process used to ensure consistent implementation of the revised Child Find Plan and weekly case review process, data on the percentage of IEPs reviewed that included justifications for the IEP Team placement decisions, and information on whether a continuum of alternative placements is available in Chuuk.</p>	<p>In the December 4, 2009 FSM Grant Special Conditions Progress Report, FSM provided an update on the implementation of Chuuk's Child Find Plan. The plan covered three main areas: (1) Outreach Activities; (2) Case Management Reviews; and (3) Expansion of Programs and Services. As reported, in May 2009, the newly hired Special Education Coordinator provided the leadership for the program to address all "intakes" that resulted from Child Find activities in the community and schools and demonstrated consistent implementation of the weekly case review process. Specific data were reported on the actions taken for the 102 "intakes" reported in the FFY 2007 APR. Chuuk was able to report that all 102 "intakes" were addressed with 44% (45/102) requiring a parent consent for initial evaluation. Of the 45 parent consent to evaluate received, 42 completed the initial evaluations and 3 had documented timeframe exceptions (34 CFR §300.301(d)). FSM therefore reported 100% (42/42) completion of initial evaluations.</p> <p>During the November 2009 OSEP verification and monitoring on-site visit to FSM, it was agreed that the review of IEPs will be done through a sample group that is representative of the children with disabilities served in Chuuk. The IEP reviews will include a verification of IEP timeline and completeness, which will include appropriate justification of IEP Team placement decisions following the FSM Special Education Handbook procedures that align with the IDEA requirements for LRE and the continuum of alternative placements.</p> <p>As agreed, the number and representation of the sample group and the process for the IEP reviews to be implemented will be provided in the FFY 2008 APR, with the data and information of the results of the IEP reviews and the completion of all corrections, if needed, will be reported in the May 2010 FSM Grant Special Conditions Final Report. Refer to FSM's Response to (3).</p>
<p>(2) correction of noncompliance in Chuuk in the following areas:</p> <ul style="list-style-type: none"> a) Chuuk's implementation of FSM-NDOE's procedures for providing a free appropriate public education to all children with disabilities as required by 34 CFR §300.101(a). b) children with disabilities who are homebound have an IEP in accordance with the requirements at 34 CFR §§300.320 through 300.328, including that IEPs include a statement of the child's academic goals as required by 34 CFR §300.320(a)(2)(i) and a statement of the special education and related services to be provided to the child as required by 34 CFR §300.320(a)(4). c) there are sufficient homebound teachers to provide needed academic services as required by 34 CFR §§300.101(a), 300.323(c) and 300.156. d) transportation services are provided to all children with disabilities who require such services to benefit from special education as required by 34 	<p>FSM must submit a report demonstrating compliance with these requirements with the FFY 2008 APR, due February 1, 2010. The report must include updated data and information demonstrating compliance with 34 CFR §§300.17; 300.34(2); 300.34.(c)(16) and 300.101(a) including whether transportation services are provided to all children with disabilities who require such services to benefit from special education, and whether the number of personnel who provide homebound special education and related services is sufficient to meet the requirements in the IEPs of the children who</p>	<p>As reported in the December 4, 2009 FSM Grant Special Conditions Progress Report, verification of required transportation services and home services will be included in the sample IEP file reviews, with the results of the IEP reviews reported in the May 2010 FSM Special Conditions Final Report. Refer to FSM's Response to (3).</p>

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<p>CFR §§300.17; 300.34(a); 300.34(c)(16) and 300.101(a).</p> <p>FSM provided a progress report addressing these areas of noncompliance.</p>	<p>received these services.</p>																													
<p>(3) FSM reviewed with the special education staff of Chuuk all IEPs to ensure that they were developed in accordance with Part B requirements at 34 CFR §§300.320 through 300.328 and that evaluations have been completed in accordance with the requirements at 34 CFR §§300.301 through 300.311.</p> <p>FSM did not provide the required information.</p>	<p>In its FFY 2008 APR, due February 1, 2010, FSM must submit data demonstrating compliance with 34 CFR §§300.320 through 300.328 and §§300.301 through 300.311. The report must include: (a) the number of IEPs that were evaluated, the results of the review, and the steps that were taken as a result of the review; (b) the number of evaluations of children that were reviewed, the results of the review; and (c) what steps FSM took as a result of the review. FSM must also report on whether the IEPs reviewed met all IEP requirements.</p>	<p>As reported in the December 4, 2009 FSM Grant Special Conditions Progress Report, FSM's FFY 2008 APR due by February 1, 2010 will include the results of the selection process and the number of IEPs to serve as the "sample" for review, <u>with the final data and information on the "sample" review findings and actions taken to address the findings reported in the May 2010 FSM Special Conditions Final Report</u>. The "sample" size will be representative of all IEPs in Chuuk, with consideration for representation across disability categories, initial IEPs, school levels (preschool, elementary, and secondary), regions in Chuuk, homebound services, transportation services, and participation in the nation-wide assessment through an alternate assessment based on alternate achievement standards.</p> <p>IEP REVIEWS</p> <p>Using the January 10, 2010 FSM Student Information Tracking System (SITS) report for Chuuk, there is a total of 627 "active" and "98" pending student cases for Chuuk. The "active" student cases are students with IEPs and the "pending" student cases are for those students who are in the "referral" step of the special education process. The sample group for the IEP reviews will use the January 10, 2010 list of 627 students. The breakdown of the reviews will be at least 10% of the IEP files from each region for a total of 70 IEP files to be reviewed. The breakdown as follows:</p> <table border="1" data-bbox="1060 961 2005 1279"> <thead> <tr> <th>Region</th> <th># of Schools with "Active" Students with IEPs</th> <th>Total # of "Active" Students with IEPs in SITS</th> <th># in Sample Group for IEP Reviews</th> </tr> </thead> <tbody> <tr> <td>NN</td> <td>10 (includes Early Childhood)</td> <td>216</td> <td>24</td> </tr> <tr> <td>SN</td> <td>12</td> <td>138</td> <td>16</td> </tr> <tr> <td>FK</td> <td>7</td> <td>94</td> <td>10</td> </tr> <tr> <td>MK</td> <td>8</td> <td>159</td> <td>17</td> </tr> <tr> <td>NW</td> <td>3</td> <td>20</td> <td>3</td> </tr> <tr> <td>TOTAL</td> <td>40</td> <td>627</td> <td>70</td> </tr> </tbody> </table> <p>With representation of the sample group by regions, the other representation considerations of the sample group include:</p> <ul style="list-style-type: none"> • 50% (35/70) students identified as having learning disabilities. • 6% (4/70) students identified as having multiple disabilities. • 14% (10/70) students with IEPs early childhood program. • 10% (7/70) students with IEPs receiving home services. 	Region	# of Schools with "Active" Students with IEPs	Total # of "Active" Students with IEPs in SITS	# in Sample Group for IEP Reviews	NN	10 (includes Early Childhood)	216	24	SN	12	138	16	FK	7	94	10	MK	8	159	17	NW	3	20	3	TOTAL	40	627	70
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		<ul style="list-style-type: none"> • 6% (4/70) students with IEPs requiring transportation. <p>The process for the IEP reviews will include the following:</p> <ul style="list-style-type: none"> • <u>February 2010</u>: FSM NDOE technical assistance visit to Chuuk to establish the IEP Review Team in Chuuk. This will be coordinated with the Chuuk special education coordinator. The visit will include specific documentation of reviews using the NDOE Child Record Review Checklist and the Individual Student Action Form for any correction required. • <u>February 2010</u>: The Chuuk IEP Review Team will complete the IEP reviews of the 70 students with IEPs in the sample group. • <u>March-April 2010</u>: With the leadership of the Chuuk special education coordinator, the Chuuk IEP Review Team will facilitate the required corrections, if any, as a result of the individual IEP reviews of the sample group. • <u>May 2010</u>: Chuuk special education coordinator will provide FSM NDOE with the results of the IEP reviews and the completion of all required corrections, if needed. <p><u>EVALUATION REVIEWS</u></p> <p>Using the January 10, 2010 FSM Student Information Tracking System (SITS) report for Chuuk, the reported "98" pending student cases for Chuuk will be used to assess timely completion of required action from referral to evaluation to IEP development. The process will follow the sample group for the IEP reviews. Of the 98 "pending" cases, 50% (49/98) will be the sample group for completion of initial evaluations:</p> <table border="1" data-bbox="1060 889 2003 1203"> <thead> <tr> <th>Region</th> <th># of Schools with "Pending" Cases</th> <th>Total # of "Pending" Cases In SITS</th> <th>Total # of "Pending" Cases for Review</th> </tr> </thead> <tbody> <tr> <td>NN</td> <td>6 (includes Early Childhood & Private Schools)</td> <td>47</td> <td>23</td> </tr> <tr> <td>SN</td> <td>6</td> <td>36</td> <td>18</td> </tr> <tr> <td>FK</td> <td>1</td> <td>7</td> <td>4</td> </tr> <tr> <td>MK</td> <td>4</td> <td>8</td> <td>4</td> </tr> <tr> <td>NW</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>TOTAL</td> <td>17</td> <td>98</td> <td>49</td> </tr> </tbody> </table>	Region	# of Schools with "Pending" Cases	Total # of "Pending" Cases In SITS	Total # of "Pending" Cases for Review	NN	6 (includes Early Childhood & Private Schools)	47	23	SN	6	36	18	FK	1	7	4	MK	4	8	4	NW	0	0	0	TOTAL	17	98	49
Region	# of Schools with "Pending" Cases	Total # of "Pending" Cases In SITS	Total # of "Pending" Cases for Review																											
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MK	4	8	4																											
NW	0	0	0																											
TOTAL	17	98	49																											
(4) FSM addresses in its monitoring procedures other requirements related to assessments included in the Related Requirements document attached to the SPP/APR package, and the requirements at 34 CFR §300.320(a)(6)(i). <u>FSM provided the required information.</u>	FSM provided the required information in the FFY 2007 APR.	No Response Required.																												

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<p>(5) FSM is correcting noncompliance as soon as possible, but no later than one year from the date that FSM identifies noncompliance. FSM provided progress data addressing this area of noncompliance.</p>	<p>In its FFY 2008 APR, due February 1, 2010, FSM must provide data indicating that 100% of noncompliance is corrected in a timely manner. In addition, FSM must submit with its FFY 2008 APR a copy of its monitoring procedures that specifically address the correction of noncompliance as soon as possible, but not later than one year from the date that FSM identifies noncompliance.</p>	<p>As discussed during the November 2009 OSEP verification and monitoring on-site visit to FSM and reported in the December 4, 2009 FSM Grant Special Conditions Progress Report, significant progress has been made to address all noncompliance in Chuuk. This has been largely attributed to the change in leadership in the Chuuk special education program with the hiring of the special education coordinator in May 2009. As discussed, the May 2010 FSM Special Conditions Final Report will include data and information regarding the status of any outstanding noncompliance of the 8 total reported in the March 2009 FSM NDOE Focused Monitoring Report.</p>
<p>(6) The dates and topics of training provided to special education and related services staff in Chuuk. <u>FSM provided the required information.</u></p>	<p>FSM provided the required information in the FFY 2007 APR.</p>	<p>No Response Required.</p>
<p>(7) FSM reviewed interagency agreements between the Education Division and the Health Division to ensure compliance with the requirements at 34 CFR §300.154(a)-(c), including information regarding whether the interagency agreements include procedures for timely referrals of children with suspected disabilities for evaluation to comply with 34 CFR §300.301(c)(1), and copies of any final interagency agreements.</p> <p>FSM did not provide a copy of the Interagency Agreement as required by OSEP.</p>	<p>FSM must submit a copy of the revised National Interagency Agreement with its FFY 2008 APR, due February 1, 2010.</p>	<p>FSM submitted a copy of the revised National Interagency Agreement to the OSEP State Contact in December 2009.</p>
<p>(8) FSM is implementing the revised Student Information Tracking System (SITS) and training staff about the revised system. <u>FSM provided the required information.</u></p>	<p>FSM provided the required information in the FFY 2007 APR.</p>	<p>No Response Required.</p>
<p>(9) FSM is accurately identifying and reporting data on children with disabilities in Chuuk. <u>FSM provided the required information.</u></p>	<p>FSM provided the required information in the FFY 2007 APR.</p>	<p>No Response Required.</p>

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<p>(10) FSM is distributing its written procedures to parents, with a copy of the procedures to be provided to OSEP. <u>FSM provided the required information.</u></p>	<p>FSM provided the required information in the FFY 2007 APR.</p>	<p>No Response Required.</p>
<p>(11) FSM is in compliance with requirements related to the fiscal management of Part B funds in Chuuk, and the results of on-site and off-site fiscal audits of Chuuk, including:</p> <ul style="list-style-type: none"> a) written procedures to ensure that Chuuk complies with FSM national procurement requirements and Federal procurement requirements applicable to the Part B program, including procurement requirements in OMB Circular A-87, OMB Circular A-102 and 34 CFR Part 80, Subpart C. The procedures should include how Chuuk will maintain: (a) separate accounting records for special education expenses; (b) all documents related to procurements; and (c) a paper trail to justify expenses paid with Part B funds (including reimbursements for expenses related to the provision of special education and related services for children with disabilities); b) procedures for auditing the use of Part B funds in Chuuk; c) proposed timelines for FSM-NDOE to audit the use of Part B funds in Chuuk; d) a plan for providing training to staff in Chuuk about appropriate accounting and procurement procedures; and e) data and information regarding the progress of the fiscal management of Part B funds in Chuuk, including the results of on-site fiscal audits. 	<p>In its FFY 2008 APR due, February 1, 2010, FSM must provide information demonstrating implementation of FSM's Fiscal Management Plan, including updated data and information regarding the fiscal management of Part B funds in Chuuk, the results of on-site and off-site fiscal audits of Chuuk, and outcomes of the Fiscal Management training.</p>	<p>As discussed during the November 2009 OSEP verification and monitoring on-site visit to FSM and reported in the December 4, 2009 FSM Grant Special Conditions Progress Report the the FSM FFY 2008 APR due February 1, 2010 will include the training plan with specific training dates and draft agenda. The May 2010 Special Conditions Report will include the outcomes/impact data and information of the training, which might require reporting in June 2010 to give time after the scheduled training for Chuuk to implement changes, if applicable, to their financial management system to report impact data.</p> <p>As required, FSM provides the following required information of the training plan with specific training dates and draft agenda:</p> <p>The FSM Fiscal Management Training has been scheduled for March 24-26, 2010 in Chuuk. The training is co-sponsored by FSM National Department of Finance and FSM National Department of Education Special Education Program.</p> <p>Purpose: To improve fiscal management practices to ensure timeliness of service deliveries, proper management and accounting of funds, and prevent audit question costs or non-compliances.</p> <p>Expected Outcomes:</p> <ol style="list-style-type: none"> 1. Participants will be provided copies of the FSM National and Chuuk State Fiscal Management MOU and fiscal management procedures; 2. Participants will be able to describe the established procedures, required documentations, and timelines for basic fiscal transactions; 3. Participants will be able to describe their respective roles and functions in the fiscal management process of their respective state pertaining to IDEA Part B grant funds; and 4. Participants will understand the general allowable and non-allowable costs pertaining to IDEA funds. <p>Training Agenda:</p> <p>Wednesday, March 24, 2010:</p> <p>8:00-8:30am Sign in, Coffee & Networking 8:30-10:30 Welcome & Introduction (Arthur & Director Sanfio Sony) Overview of Training Agenda (Arthur & Juliet) Overview of fiscal policies and requirements:</p> <ol style="list-style-type: none"> 1. US IDEA

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		<p>2. FSM National</p> <p>10:30-12noon Procurement & maintenance of records: Fixed Assets, Travel, and Supplies (Juliet & Arthur)</p> <p>12-1:30pm Lunch</p> <p>1:30-3:30 Procurement & maintenance of records: Consumables, Contract, others (Juliet & Arthur)</p> <p>3:30-4:00 Summary & Reflection/Discussions on 2004-2008 Audit reports/findings (Juliet & Arthur)</p> <p>4:00-4:30 Day 1 reflections</p> <p>Thursday, March 25, 2010:</p> <p>8:00-8:30am Sign in, Coffee & Networking</p> <p>8:30-10:30 Overview of OSEP/National on-site monitoring findings & recommendations (Arthur & Juliet)</p> <p>10:30-12:00 Review procedures and practices for processing: (Juliet)</p> <ol style="list-style-type: none"> 1. Requisitions, 2. Miscellaneous payment, 3. Reprogramming request. <p>12:00-1:30 Lunch</p> <p>1:30-2:30 Documentation, logging, and tracking of procurement documents (Juliet)</p> <p>2:30-4:00 Fund status reconciliation and reporting (Juliet & Arthur)</p> <p>4:00-4:30 Day 2 reflections</p> <p>Friday, March 26, 2010:</p> <p>8:00-8:30 Sign in, Coffee & Networking</p> <p>8:30-11:30 Monitoring manual updates: Fiscal monitoring procedures</p> <p>11:30-1:00 Lunch</p> <p>1:00-2:30 Reimbursement process: issues and solutions</p> <p>2:30:3:00 Wrap up/Closing</p> <p>(Short breaks will be taken throughout the days as may be needed)</p> <p>Agencies Expected to Participate:</p> <ol style="list-style-type: none"> 1. FSM Department of Finance, Division of Treasury 2. FSM Department of Education, Division of Special Services 3. Chuuk & Kosrae Finance Field Offices; 4. Yap & Pohnpei Finance Offices 5. Special Education Coordinators 6. Special Education Finance Specialists
