



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

June 25, 2020

Honorable Alfred Ada
Commissioner of Education
Commonwealth of the Northern Mariana Islands Public School System
P.O. Box 501370 CK
Saipan, Commonwealth of the Northern Mariana Islands 96950

Dear Commissioner Ada:

I am writing to advise you of the U. S. Department of Education's (Department) 2020 determination under section 616 of the Individuals with Disabilities Education Act (IDEA). The Department has determined that the Commonwealth of the Northern Mariana Islands needs assistance in implementing the requirements of Part B of the IDEA. This determination is based on the totality of the Commonwealth of the Northern Mariana Islands' data and information, including the Federal fiscal year (FFY) 2018 State Performance Plan/Annual Performance Report (SPP/APR), other Entity-reported data, and other publicly available information.

The Office of Special Education Programs (OSEP) is continuing to use both results and compliance data in making determinations for outlying areas, freely associated States, and the Bureau of Indian Education (the Entities) in 2020, as it did for determinations in 2019.¹ The Commonwealth of the Northern Mariana Islands' 2020 determination is based on the data reflected in the Entity's "2020 Part B Results-Driven Accountability Matrix" (RDA Matrix). The RDA Matrix is individualized for each Entity and consists of:

- (1) a Compliance Matrix that includes scoring on Compliance Indicators and other compliance factors;
- (2) a Results Matrix that includes scoring on Results Elements;
- (3) a Compliance Score and a Results Score;
- (4) an RDA Percentage based on both the Compliance Score and the Results Score; and
- (5) the Entity's Determination.

¹ OSEP has used results data on the participation and performance of children with disabilities on the National Assessment of Educational Progress (NAEP) in making determinations for States (but not Entities) since 2014. Although the BIE is the only Entity that administers the NAEP, OSEP has not used NAEP data in making the BIE's determinations because the BIE's NAEP data were previously not available. However, given that the BIE's NAEP data are now available, OSEP is considering using the NAEP data in making the BIE's 2021 determination under IDEA section 616(d).

The RDA Matrix is further explained in a document, entitled “How the Department Made Determinations under Section 616(d) of the Individuals with Disabilities Education Act in 2020: Freely Associated States, Outlying Areas, and the Bureau of Indian Education-Part B” (HTDMD).

The specifics of the determination procedures and criteria are set forth in the HTDMD and reflected in the RDA Matrix for the Commonwealth of the Northern Mariana Islands. In making Part B determinations in 2020, OSEP used results data related to:

- (1) the participation of children with disabilities (CWD) on regular Statewide assessments;
- (2) the percentage of CWD who graduated with a regular high school diploma; and
- (3) the percentage of CWD who dropped out.

You may access the results of OSEP’s review of the Commonwealth of the Northern Mariana Islands’ SPP/APR and other relevant data by accessing the EMAPS SPP/APR reporting tool using your Entity-specific log-on information at <https://emaps.ed.gov/suite/>. When you access your Entity’s SPP/APR on the site, you will find, in applicable Indicators 1 through 16, the OSEP Response to the indicator and any actions that the Entity is required to take. The actions that the Entity is required to take are in two places:

- (1) actions related to the correction of findings of noncompliance are in the “OSEP Response” section of the indicator; and
- (2) any other actions that the Entity is required to take are in the “Required Actions” section of the indicator.

It is important for you to review the Introduction to the SPP/APR, which may also include language in the “OSEP Response” and/or “Required Actions” sections.

You will also find all of the following important documents saved as attachments:

- (1) the Commonwealth of the Northern Mariana Islands’ RDA Matrix;
- (2) the HTDMD document;
- (3) a spreadsheet entitled “2020 Data Rubric Part B,” which shows how OSEP calculated the Commonwealth of the Northern Mariana Islands’ “Timely and Accurate State-Reported Data” score in the Compliance Matrix; and
- (4) a document entitled “Dispute Resolution 2018-2019,” which includes the IDEA section 618 data that OSEP used to calculate the Commonwealth of the Northern Mariana Islands’ “Timely State Complaint Decisions” and “Timely Due Process Hearing Decisions” scores in the Compliance Matrix.

As noted above, the Commonwealth of the Northern Mariana Islands’ 2020 determination is Needs Assistance. A State’s or Entity’s 2020 RDA Determination is Needs Assistance if the RDA Percentage is at least 60% but less than 80%. A State’s or Entity’s determination would also be Needs Assistance if its RDA Determination percentage is 80% or above but the Department has imposed Special or Specific Conditions on the State’s or Entity’s last three IDEA Part B grant awards (for FFYs 2017, 2018, and 2019), and those Specific Conditions are in effect at the time of the 2020 determination.

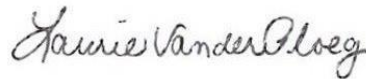
States and Entities were required to submit Phase III Year Four of the SSIP by April 1, 2020. OSEP appreciates the Commonwealth of the Northern Mariana Islands' ongoing work on its SSIP and its efforts to improve results for students with disabilities. We have carefully reviewed and responded to your submission and will provide additional feedback in the upcoming weeks. Additionally, OSEP will continue to work with the Commonwealth of the Northern Mariana Islands as it implements the fifth year of Phase III of the SSIP, which is due on April 1, 2021.

As a reminder, the Commonwealth of the Northern Mariana Islands must make its SPP/APR available to the public by posting it on its agency's website. Within the upcoming weeks, OSEP will be finalizing an Entity Profile that:

- (1) includes the Entity's determination letter and SPP/APR, OSEP attachments, and all Entity attachments that are accessible in accordance with Section 508 of the Rehabilitation Act of 1973; and
- (2) will be accessible to the public via the ed.gov website.

OSEP appreciates the Commonwealth of the Northern Mariana Islands' efforts to improve results for children and youth with disabilities and looks forward to working with the Commonwealth of the Northern Mariana Islands over the next year as we continue our important work of improving the lives of children with disabilities and their families. Please contact your OSEP State Lead if you have any questions, would like to discuss this further, or want to request technical assistance.

Sincerely,



Laurie VanderPloeg
Director
Office of Special Education Programs

cc: Commonwealth of the Northern Mariana Islands Director of Special Education