

July 1, 2002

Honorable Sili Sataua  
Director of Education  
American Samoa Department of Education  
Pago Pago, American Samoa 96799

Dear Dr. Sataua:

This is to inform you that we have conditionally approved American Samoa's Eligibility Document Submission for Federal Fiscal Year (FFY) 2002 under Part B of the Individuals with Disabilities Education Act (IDEA). Our determination that you are eligible for a conditional approval is based on our receipt of the following documents submitted by American Samoa to the Office of Special Education Programs:

1. The Part B Eligibility Document Submission for FFY 2002 including the Eligibility Documents submitted April 14, 2000, subsequent revisions to those Eligibility Documents and the Submission Statement submitted May 31, 2002; and
2. The June 24, 2002 letter from American Samoa to OSEP, in which American Samoa assures that as soon as possible, but no later than July 1, 2003, American Samoa will complete all of the changes set forth in the June 20, 2002 issues chart including: §300.452(a), §300.453(a)(1) and (a)(2), and §300.142(a), (a)(1), (a)(2), (a)(3), and (a)(4).

In the June 24, 2002 letter, American Samoa also assures that it will take steps to ensure that, throughout the period of this grant award, all public agencies in American Samoa that provide special education and related services to children with disabilities will operate their programs in a manner fully consistent with Part B. American Samoa further assures that it will provide OSEP with a copy of a memorandum notifying all public agencies of the changes that impact on public agencies' provision of special education and related services that OSEP requires as a result of its review of American Samoa's eligibility documents.

Please note that as part of your Eligibility Document Submission for FFY 2002, American Samoa has made an assurance, under 34 CFR §80.11(c), that it will comply with all applicable Federal statutes and regulations in effect with respect to the periods for which it receives grant funding. Any changes made by American Samoa, after OSEP approval, to information that is a part of American Samoa's eligibility documentation, must meet the public participation requirements of the IDEA and must be approved by OSEP before implementation.

Page 2 - Honorable Sili Sataua

Enclosed is a grant award for funds currently available under the Department of Education FFY 2002 Appropriations Act for the Part B Section 611 (Grants to States) program. These funds are for use primarily in school year 2002-2003 and are available for obligation by States from July 1, 2002 through September 30, 2004.

The amount shown in your award for the Section 611 program is only part of the total funds that will be awarded to you for FFY 2002. Of the \$7,528,533,000 appropriated for Section 611 in FFY 2002, \$2,456,533,000 is available for awards on July 1, 2002, and \$5,072,000,000 will be available on October 1, 2002.

The funding formula for the Section 611 program is the same as was implemented for FFY 2000. Subject to certain maximum and minimum funding requirements, State allocations are based on the amount that each State received from FFY 1999 funds, the general population in the age range for which each State ensures a free appropriate public education (FAPE) to all children with disabilities, and the number of children living in poverty in the age range for which each State ensures FAPE to all children with disabilities.

Enclosure A provides a short description of how Section 611 funds were allocated and how those funds can be used. In addition, Table I in Enclosure A shows funding levels for distribution of Section 611 funds.

This award is based on submission of a complete eligibility document package, a signed assurance statement regarding resolution of issues identified in OSEP's review of that eligibility document package, and implementation of the provisions of the Individuals with Disabilities Education Act. The complete eligibility document package and assurances must be made available for public inspection.

We appreciate your ongoing commitment to the provision of quality educational services to children with disabilities.

Sincerely,

Stephanie S. Lee  
Director  
Office of Special Education Programs

Enclosures

cc: Jane French