



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

JUL - 1 2012

Honorable Faoa A. Sunia
Acting Director of Education
American Samoa Department of Education
PO Box DOE,
Pago Pago, American Samoa 96799

Dear Mr. Sunia:

We have approved American Samoa's application for Federal Fiscal Year (FFY) 2012 funds under Part B of the Individuals with Disabilities Education Act (IDEA Part B). Our approval is based on review of the application submitted by American Samoa's Department of Education to the U.S. Department of Education, Office of Special Education Programs (OSEP), on May 9 and June 18, 2012, including assurances provided in Section II and incorporated by reference to this letter as noted in Enclosure A.

American Samoa's FFY 2011 IDEA Part B grant awards are being released subject to special conditions identified in the U.S. Department of Education's June 21, 2012 letter to American Samoa regarding the Single Audit Act, included as Enclosure C, which are being imposed pursuant to the Department's authority in 34 CFR §80.12, and which are specifically incorporated into these grant awards by this reference. The Special Conditions associated with the high-risk designation that remain in effect while American Samoa continues to address the Department's remaining fiscal and programmatic concerns require American Samoa to: (1) submit semiannual reports regarding the current status of its implementation of various measures required under the comprehensive Corrective Action Plan to address and resolve the problems that led to its designation as a high-risk grantee; (2) submit semiannual Payroll Corrective Action Plan internal control maintenance reports regarding monitoring of its payroll operations and internal controls to ensure they are operating as intended; and (3) conduct single audits and submit reports on an annual basis in a timely and complete manner.

Please note that as part of your application for FFY 2012, American Samoa has made an assurance, pursuant to 34 CFR §80.11(c), that it will comply with all applicable Federal statutes and regulations in effect during the FFY 2012 grant period. Any changes made by American Samoa, after OSEP approval, to information that is a part of a State's application, must meet the public participation requirements in 34 CFR §300.165.

Enclosed is American Samoa's FFY 2012 grant award for funds currently available under the Consolidated Appropriations Act, 2012 -- P.L. 112-74 for the IDEA Part B Section 611 (Grants to States) program. These funds are available for obligation by States from July 1, 2012 through September 30, 2014 in accordance with 34 CFR §76.709.

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 2012. Of the \$11,577,855,236 appropriated for Section 611 in FFY 2012, \$2,294,472,236 is available for awards on July 1, 2012, and \$9,283,383,000 will be available for awards on October 1, 2012. Under the Section 611 formula, subject to certain maximum and minimum funding requirements, State allocations are based on the amount that

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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.¹

Enclosure B provides a short description of how Section 611 funds were allocated and how those funds can be used. In addition, Table I in Enclosure B shows funding levels for distribution of Section 611 funds and the parameters for within-State allocations.

The enclosed grant award of FFY 2012 funds is made with the continued understanding that this Office may, from time to time, require clarification of information within your application, if necessary. These inquiries may be necessary to allow us to appropriately carry out our administrative responsibilities related to IDEA Part B.

As a reminder, no later than August 31, 2012, all prime recipients of IDEA (Part B or Part C) funds, must report subaward information as required by The Federal Funding Accountability and Transparency Act of 2006 (FFATA), as amended in 2008. FFATA guidance is found at <http://www2.ed.gov/policy/gen/leg/recovery/rms-web-conferences.html> Please contact your State's Recovery Act Facilitator if you have further questions.

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

Sincerely,



Melody Musgrove, Ed.D.
Director
Office of Special Education Programs

Enclosures

- Enclosure A
- Enclosure B
- Enclosure C

cc: American Samoa Director of Special Education

¹ The amount that a State's allocation may increase from one year to the next is capped at the amount the State received in the prior year multiplied by the sum of 1.5 percent and the percentage increase in the total amount appropriated for Part B of IDEA from the prior year. Additionally, the maximum amount that a State may receive in any fiscal year is calculated by multiplying the number of children with disabilities ages 3 through 21 served during the 2004-2005 academic year in that State by 40 percent of the annual per pupil expenditure (APPE), adjusted by the rate of annual change in the sum of 85 percent of the children aged 3 through 21 for whom that State ensures FAPE and 15 percent of the children living in poverty. Because there are multiple caps, in any year the "effective cap" on a State's allocation is the lowest cap for that State.