



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

July 1, 2013

Honorable Vaitinasa Salu Hunkin-Finau
Director of Education
Post Office Box DOE
Pago Pago, American Samoa 96799

Dear Dr. Salu Hunkin-Finau:

We have approved American Samoa's application for Federal Fiscal Year (FFY) 2013 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 the American Samoa Department of Education (ASDOE) to the U.S. Department of Education, Office of Special Education Programs (OSEP), on May 3, 2013, and amended on June 3, 2013, including assurances provided in Section II and incorporated by reference to this letter as noted in Enclosure A.

American Samoa's FFY 2013 IDEA Part B grant awards are being released subject to Special Conditions identified in the U.S. Department of Education's June 17, 2013 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. By accepting the enclosed grant awards, American Samoa agrees to comply with the Special Conditions identified in the Department's enclosed June 17, 2013 letter. 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 timely 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 timely 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; (3) conduct single audits and submit reports on an annual basis in a timely and complete manner; and (4) provide the Department and/or its representatives prompt access to any requested staff, locations, records, and information. In addition, as noted in the Special Conditions, the Department has determined that the Corrective Action Plan must be amended to include measures that require the Government of American Samoa to establish and implement procurement procedures that ensure that service personnel who either work for, or contract with, the American Samoa Department of Health for IDEA services are retained in a timely manner.

Please note that as part of your application for FFY 2013, 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 2013 grant period. Any changes made by American Samoa, after OSEP approval, to information that is a part of American Samoa's application, must meet the public participation requirements in 34 CFR §300.165.

Enclosed is American Samoa's FFY 2013 grant award for funds currently available under the Consolidated and Further Continuing Appropriations Act, 2013 -- P.L. 113-6 for the IDEA Part B Section 611 (Grants to States) program. These funds are available for obligation by States from July 1, 2013 through September 30, 2015 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 2013. Of the \$10,974,865,803 appropriated for Section 611 in FFY 2013, \$1,691,482,803 is available for awards on July 1, 2013, and \$9,283,383,000 will be available for awards on October 1, 2013. Under the Section 611 formula, in a year in which the amount available for allocations to States decreases from the prior year, but is greater than the 1999 level, any amount available for allocations to States above the 1999 level is allocated based on the relative increases in funding that the States received between 1999 and the prior year.

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 2013 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.

In addition, you should have received a letter notifying you of an issue OSEP identified in our review of Section V of American Samoa's FFY 2013 Part B IDEA application. Specifically, we identified an apparent failure to maintain State financial support. As noted in that letter, this issue will not affect the amount of American Samoa's FFY 2013 Part B IDEA grant. However, it remains a serious matter that could impact the amount of a future year's Part B Section 611 award if a final determination is made that American Samoa failed to maintain State financial support for special education and related services. OSEP will be in contact with American Samoa to discuss this matter.

As a reminder, 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. First-tier subaward information must be reported by the end of the following month from when the award was made or obligated. FFATA guidance is found at <http://www2.ed.gov/policy/gen/leg/recovery/rms-web-conferences.html>. Please contact your State's Fiscal Accountability Facilitator if you have further questions.

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

Sincerely,

A handwritten signature in black ink that reads "Melody Musgrove Ed.D." in a cursive script.

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

Enclosures

Enclosure A
Enclosure B
Enclosure C

cc: American Samoa Director of Special Education