



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

Honorable Masa-Aki Emesiochl  
Minister of Education  
Palau Ministry of Education  
Post Office Box 189  
Koror, Republic of Palau 96940

**JUN 20 2011**

Dear Minister Emesiochl:

Thank you for the timely submission of the Republic of Palau's Federal fiscal year (FFY) 2009 Annual Performance Report (APR) and revised State Performance Plan (SPP) under Part B of the Individuals with Disabilities Education Act (IDEA).

The Department has determined that, under IDEA section 616(d)(2)(A)(i), the Republic of Palau meets the requirements of Part B of IDEA. The Department's determination is based on the totality of the Republic of Palau's data and information, including the Republic of Palau's FFY 2009 APR and revised SPP (including targets and improvement activities for each year through FFY 2012), other Republic of Palau-reported data, information obtained through verification visits and other publicly available information. However, we did not consider whether a State was in compliance with the requirement in section 612(a)(18)(A) to maintain State financial support for special education and related services. This is a key component of a State's eligibility for a grant under Part B of the IDEA. However, because the statute provides a specific remedy when a State is not in compliance with this provision (and the Department is taking action consistent with the statute) and recognizing that this is the first time that a number of States have failed to meet this requirement, the Department decided not to include compliance with this provision in the determinations process this year. The Department is actively considering including a State's compliance with this requirement in the 2012 determinations. See the enclosure entitled "How the Department Made Determinations under Section 616(d) of the IDEA in 2011: Part B" for further details.

Specific factors affecting the determination made by the Office of Special Education Programs (OSEP) that the Republic of Palau meets requirements under IDEA section 616(d) include that: (1) the Republic of Palau provided valid and reliable FFY 2009 data reflecting the measurement for each indicator; (2) the Republic of Palau reported high levels of compliance or correction for Indicators 11, 16, and 20; and (3) the Republic of Palau reported under Indicator 15 both a high level of compliance in timely correcting FFY 2008 findings of noncompliance and that it verified the correction of FFY 2008 findings of noncompliance consistent with the guidance in OSEP Memorandum 09-02, dated October 17, 2008. We commend the Republic of Palau for its performance.

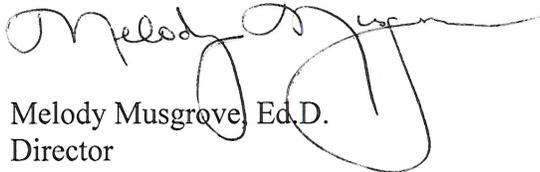
The enclosed table provides OSEP's analysis of the Republic of Palau's FFY 2009 APR and revised SPP and identifies, by indicator, OSEP's review of any revisions the Republic of Palau made to its targets, improvement activities (timelines and resources) and baseline data in the State's SPP. The table also identifies, by indicator: (1) the Republic of Palau's reported FFY

2009 data; (2) whether such data met the Republic of Palau's FFY 2009 targets and reflect progress or slippage from the prior year's data; and (3) whether the Republic of Palau corrected findings of noncompliance. In addition, OSEP is responding to the Republic of Palau's Verification Visit issues in the enclosed table.

As you know, pursuant to 34 CFR §300.602(b)(1)(i)(A), the SEA must report annually to the public on the performance of each local educational agency (LEA) located in the jurisdiction on the targets in the SPP. Because your jurisdiction is a unitary entity (i.e., the SEA is the only LEA), you may meet this public reporting requirement by posting your FFY 2009 APR on the Republic of Palau's educational agency's Web site and making it available to the public, consistent with 34 CFR §300.602(b)(1)(i)(B). For further information regarding these requirements, see "The Right IDEA" Web site at: <http://therightidea.tadnet.org/determinations>. Finally, please ensure that your updated SPP is posted on the Republic of Palau's educational agency's Web site and made available to the public, consistent with 34 CFR §300.602(b)(1)(i)(B).

OSEP is committed to supporting the Republic of Palau's efforts to improve results for children and youth with disabilities and looks forward to working with the Republic of Palau over the next year. If you have any questions, would like to discuss this further, or want to request technical assistance, please contact Dr. Richard Steffan, your OSEP State Contact, at 202-245-6759.

Sincerely,



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

Enclosures

cc: Republic of Palau Director of Special Education