



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

MAR - 2 2011

Honorable Claire Poumele  
Director of Education  
American Samoa Department of Education  
P.O. Box 656  
Pago Pago, American Samoa 96799

Dear Director Poumele:

This letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) verification visit with the American Samoa Department of Education (ASDOE) in San Francisco, California, during the week of November 8, 2010. As indicated in our letter to you dated July 22, 2010, OSEP is conducting verification visits to a number of States and outlying areas as part of our Continuous Improvement and Focused Monitoring System (CIFMS) for ensuring compliance with, and improving performance under Part B of the Individuals with Disabilities Education Act (IDEA). Section 616 of the IDEA requires the Department to monitor States and outlying areas with a focus on: (1) improving early intervention and educational results and functional outcomes for infants, toddlers, children, and youth with disabilities; and (2) ensuring that States and outlying areas meet the program requirements, particularly those most closely related to improving early intervention and educational results for children and youth with disabilities.

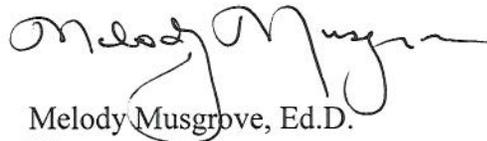
The purpose of the verification visit is to review the ASDOE's systems for general supervision, collection of the ASDOE's reported data, and fiscal management, as well as the ASDOE's systems for improving child and family outcomes and protecting child and family rights. OSEP developed critical elements that were used to guide its evaluation of the ASDOE's general supervision, data, and fiscal systems. The Enclosure to this letter describes the scope of OSEP's review of the ASDOE's systems and briefly outlines relevant statutory and regulatory requirements for each critical element. Generally, the Enclosure to this letter does not include descriptions of the ASDOE's systems because this information is available in the ASDOE's State Performance Plan. OSEP's analysis of each critical element and any required actions, if noncompliance was identified during the verification visit, are provided in the Enclosure to this letter.

OSEP has identified noncompliance and required corrective actions in the following areas: (1) ensuring an effective method is in place for identifying noncompliance in its early learning centers, as required by 34 CFR §300.600; (2) applying the correct standard when monitoring to ensure the duration of special education and related services on the individualized education programs for children with disabilities is consistent with 34 CFR §300.320(a)(7); (3) establishing effective mechanisms for interagency coordination with American Samoa's Department of Corrections, as required by 34 CFR §300.154(b); (4) including in its Memorandum of Understanding with American Samoa's Department of Health, the required elements for fiscal responsibility and dispute resolution procedures, as required by 34 CFR §300.154(b)(3); (5) issuing a written decision for State complaints within 60 days after the receipt of the complaint

consistent with 34 CFR §300.152(a); (6) issuing timely due process hearing decisions consistent with 34 CFR §300.515; (7) ensuring that Part B funds are appropriately allocated for children with disabilities consistent with 34 CFR §300.704; and (8) ensuring the appropriate use of IDEA Part B funds related to the procurement of needed equipment and materials in a timely manner to ensure that a FAPE is made available for all children with disabilities, consistent with 34 CFR §300.101.

OSEP appreciates the cooperation and assistance provided by the ASDOE staff and others, including staff from the ASDOE's Special Education Advisory Council in providing feedback and input on the ASDOE's systems for special education. We look forward to collaborating with all stakeholders and actively working with the ASDOE to improve results for children and youth with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call your OSEP State Contact, Richard Steffan, at (202) 245-6759.

Sincerely,

A handwritten signature in black ink, appearing to read "Melody Musgrove". The signature is fluid and cursive, with a long horizontal stroke at the end.

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

Enclosure

cc: Miss Fa'auai Vaitautolu  
Deputy Director