



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

JAN 31 2011

Dear Minister Emesiochl:

This letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) verification visit to the Republic of Palau (ROP) Ministry of Education during the week of September 27, 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 ROP's systems for general supervision, collection of the ROP's reported data, and fiscal management, as well as the ROP'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 ROP's general supervision, data, and fiscal systems. The Enclosure to this letter describes the scope of OSEP's review of the ROP'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 ROP's systems because this information is available in the ROP'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 identified noncompliance in the following areas: (1) the ROP did not issue findings of noncompliance related to least restrictive environment requirements at 34 CFR §300.114, as required by 34 CFR §300.120; (2) the ROP did not document findings of noncompliance related to reevaluation (34 CFR §300.303(b)), and review and revision of individualized education programs (IEPs) (34 CFR §300.324(b)) even when the Offsite Data Review demonstrated noncompliance in those areas. In addition, when the ROP identifies noncompliance through its Offsite Data Review, it does not verify that the school is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through onsite monitoring or a State data system; (3) the ROP does not have mechanisms for interagency coordination between the Ministry of Health and the Workforce Investment Act office, as required by 34 CFR §300.154(b), and the ROP's Memorandum of Understanding with the Head Start Program does not contain the required elements for fiscal responsibility and dispute resolution procedures, as required by 34 CFR

§300.154(b)(3); (4) the ROP has not developed written policies requiring and directing the timely obligation and liquidation of Part B funds in accordance with the requirements in 34 CFR §76.709 and §80.23(b) of the EDGAR; and (5) the ROP does not have procedures that are reasonably designed to calculate properly the ROP's financial support for special education and related services as required in section 612(a)(18)(A) of the IDEA and 34 CFR §300.163(a).

OSEP would like to recognize several effective practices being implemented in the ROP that are designed to improve results for children and youth with disabilities. The ROP supports high quality preschool education by providing training to staff and parents in the Creative Curriculum program, and implements best practices such as the Universal Design for Learning to provide students with severe cognitive disabilities access to the general curriculum. To improve post-school outcomes for students with disabilities, the ROP helped create a certificate program at Palau Community College for students with disabilities, and provides after-school tutoring and a GEAR-UP program to prepare students for post-secondary education. The ROP also provides career development and vocational programs to prepare students for employment.

Additionally, OSEP appreciates the cooperation and assistance provided by the ROP staff and others, including staff from the ROP's Special Education Advisory Council in providing feedback and input on the ROP's systems for special education. We look forward to collaborating with all stakeholders and actively working with the ROP 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, Dr. Richard Steffan, at (202) 245-6759.

Sincerely,



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

Enclosure

cc: Helen Sengebau  
State Director of Special Education