



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

JUN 6 2008

Honorable Mario Katosang
Minister of Education
Ministry of Education
Republic of Palau
Post Office Box 189
Koror, Palau 96940

Dear Minister Katosang:

Thank you for the timely submission of the Republic of Palau's (ROP's) FFY 2006 Annual Performance Report (APR) and revised State Performance Plan (SPP) under Part B of the Individuals with Disabilities Education Act (IDEA), as amended in 2004. We also acknowledge the revisions to the ROP's APR received on April 14, 2008. We appreciate the ROP's efforts in preparing these documents.

The Department has determined that, under IDEA section 616(d), the ROP needs assistance in meeting the requirements of Part B of the IDEA. The Department's determination is based on the totality of the ROP's data and information including the ROP's FFY 2006 APR and revised SPP, other ROP-reported data, and other publicly available information. See the enclosure entitled "How the Department Made Determinations under Section 616(d) of the IDEA in 2008" for further details.

Specific factors affecting OSEP's determination of needs assistance for the Republic of Palau included that, the ROP reported 67% compliance with Indicator 11. For this reason, we were unable to determine that ROP met requirements under section 616(d). OSEP notes other areas that reflect a high level of performance, which included that the ROP reported 100% compliance for Indicators 15 and 16, timely correction of prior noncompliance for Indicator 13, and valid and reliable data for all indicators. We commend the ROP for its overall improvement in performance and hope that the ROP will be able to demonstrate that it meets requirements in its next APR.

The enclosed table provides OSEP's analysis of the ROP's FFY 2006 APR and revised SPP and identifies, by indicator, OSEP's review of any revisions made by the ROP to its targets, improvement activities (timelines and resources) and baseline data in the ROP's SPP. It also identifies, by indicator, the ROP's status in meeting its targets, whether the ROP's data reflect progress or slippage, and whether the ROP corrected noncompliance and provided valid and reliable data.

The ROP's determination for the FFY 2005 APR also was needs assistance. In accordance with section 616(e) of the IDEA and 34 CFR §300.604, if a State is determined to need assistance for two consecutive years, the Secretary must take one or more of the following actions: 1) Advise the State of available sources of technical assistance that may help the State address the areas in which the State needs assistance; 2) Direct the use of State-level funds on the area or areas in which the State needs assistance; or 3) Identify the State as a high-risk grantee and impose special conditions on

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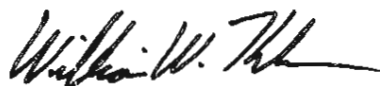
the State's Part B grant award. Pursuant to these requirements, the Secretary is advising the State of available sources of technical assistance related to Indicator 11 (timely initial evaluations). A list of sources of technical assistance related to the SPP/APR indicators is available by clicking on the "Technical Assistance Related to Determinations" box on the opening page of the SPP/APR Planning Calendar website at <http://spp-apr-calendar.rrfcnetwork.org/>. You will be directed to a list of indicators. Click on specific indicators for a list of centers, documents, web seminars and other sources of relevant technical assistance for that indicator. For the indicators listed above, the ROP must report with its FFY 2007 APR submission (due February 1, 2009) on: 1) the technical assistance sources from which the ROP received assistance and 2) what actions the ROP took as a result of that technical assistance. The extent to which the ROP takes advantage of available technical assistance for this indicator may affect the actions we take under section 616 should your State not be identified as meets requirements next year. We encourage States to take advantage of available sources of technical assistance in other areas as well, particularly if the State is reporting low compliance data for an indicator.

As required by section 616(e)(7) and 34 CFR §300.606, the ROP must notify the public that the Secretary of Education has taken the above enforcement action. This notification must be sufficient to notify the public within the ROP and may include such mechanisms as posting on the agency's website, distribution through the media and distribution through public agencies.

If you included revisions to baseline, targets or improvement activities in your APR submission, and OSEP accepted those revisions, please ensure that you update your SPP accordingly and that the updated SPP is made available to the public.

OSEP is committed to supporting the ROP's efforts to improve results for children with disabilities and looks forward to working with the ROP over the next year. If you have any questions, would like to discuss this further, or want to request technical assistance, please do not hesitate to call Richard Steffan, your OSEP State Contact, at 202-245-6759.

Sincerely,



William W. Knudsen
Acting Director
Office of Special Education Programs

Enclosures

cc: State Director of Special Education