



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

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

JUN 27 2012

Dear Minister Emesiochl:

Thank you for the timely submission of the Republic of Palau's Federal fiscal year (FFY) 2010 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 2010 APR and revised SPP, other Republic of Palau-reported data, and other publicly available information. See the enclosure entitled "How the Department Made Determinations under Section 616(d) of the IDEA in 2012: 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 2010 data reflecting the measurement for each indicator; and (2) the Republic of Palau reported high levels of compliance or correction for Indicators 11, 13, 15, and 20. We commend the Republic of Palau for its performance.

The enclosed table provides OSEP's analysis of the Republic of Palau's FFY 2010 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 Republic of Palau's SPP. The table also identifies, by indicator: (1) the Republic of Palau's reported FFY 2010 data; (2) whether such data met the Republic of Palau's FFY 2010 targets and reflect progress or slippage from the prior year's data; and (3) whether the Republic of Palau corrected findings of noncompliance.

As you know, pursuant to IDEA section 616(b)(2)(C)(ii)(I) and 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 as soon as practicable, but no later than June 1, 2012. 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 2010 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

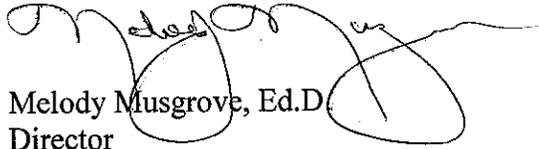
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next year. If you have any questions, would like to discuss this further, or want to request technical assistance, please contact Dr. Richard Steffan, your OSEP State Contact, at 202-245-6759.

Sincerely,

A handwritten signature in black ink, appearing to read "Melody Musgrove", written over a large, stylized circular flourish.

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

Enclosures

cc: Republic of Palau Director of Special Education

## **How the Department Made Determinations under Section 616(d) of the Individuals with Disabilities Education Act in 2012: Part B**

In making our determination for each State under section 616(d) of the Individuals with Disabilities Education Act (IDEA), we considered the totality of the information we have about a State. This includes the State's FFY 2010 Annual Performance Report (APR)/State Performance Plan (SPP); information from monitoring, including verification visit findings; and other public information, such as the State's performance under any existing special conditions on its FFY 2011 grant or a compliance agreement, longstanding unresolved audit findings, and other State compliance with the IDEA.

### FFY 2010 APR/SPP and Other Information

In reviewing a State's FFY 2010 APR/SPP, we considered both the submission of valid and reliable data and the level of compliance, including correction of noncompliance, as described below, as included in the State's final APR/SPP. We also reviewed other information (described below) that reflects the State's compliance with IDEA requirements.

With respect to data, for Indicators 1 through 5, and 7 through 19, we examined whether the State provided valid and reliable FFY 2010 data (*i.e.*, the State provided all the required data, the data were for the correct year and were consistent with the required measurement and/or the approved SPP, and we did not have other information (such as verification visit findings or inconsistent data within the APR) demonstrating that the data were not valid and reliable or the State indicated that the data were not valid and reliable).

With respect to compliance, we examined Indicators 4B, 9, 10, 11, 12, 13, 15, 16, 17, and 20 and looked for evidence that the State demonstrated substantial compliance through reporting FFY 2010 data that reflected a very high level of compliance. (For Indicators 4B, 9, and 10 a very high level of compliance is generally at or below 5%. For Indicators 11, 12, 13, 16, 17 and 20 a very high level of compliance is generally at or above 95%.) In addition, for Indicators 11, 12, and 13, a State could demonstrate substantial compliance if the State's FFY 2010 compliance data were 75% or above and the State reported that it had fully corrected FFY 2009 findings of noncompliance made under those respective indicators. For Indicators 4B, 9, and 10, a State could demonstrate substantial compliance if the State's FFY 2010 compliance data were 25% or below and the State reported that it had fully corrected FFY 2009 findings of noncompliance made under those respective indicators. As indicated in OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02), beginning with the Department's determinations in 2010, for Indicators 9, 10, 11 and 12, and beginning with the Department's determinations in 2012 for Indicators 4B and 13, we considered a State to have demonstrated correction of previously identified noncompliance for any findings identified in FFY 2007, FFY 2008, and FFY 2009 if the State verified correction of those findings consistent with OSEP Memo 09-02. In addition, we did not consider a State to be in substantial compliance for a compliance indicator based on correction of FFY 2009 findings of noncompliance if its reported FFY 2010 data were low (generally below 75%, or, for Indicators 4B, 9 and 10, above 25%), consistent with OSEP Memo 09-02.

Indicator 15 evaluates the "timely" correction of FFY 2009 findings, so for this indicator we specifically examined whether the State reported a very high level of compliance (generally 95% or better) in timely correcting FFY 2009 findings of noncompliance, and that the State reported that it verified the correction of its FFY 2009 findings of noncompliance consistent with OSEP Memo 09-02. We did not consider Indicators 16 and 17 if the State reported less than 100% compliance, but

fewer than 10 complaints or 10 fully adjudicated hearings, in recognition of the inequities in basing decisions regarding dispute resolution indicators on small numbers.

Generally, and absent any other issues (see below), we considered a State to “meet requirements” if the State: (1) Provided valid and reliable FFY 2010 data, as described above, for all indicators; and (2) Demonstrated substantial compliance, as described above, for compliance Indicators 4B, 9, 10, 11, 12, 13, 15, 16, 17, and 20. If a State did not meet the standards for substantial compliance for only one compliance indicator and there were no other factors (see below), we considered the State to “meet requirements” if the compliance level for that indicator was high (generally at or above 90%, or, for Indicators 4B, 9 and 10, at or below 10%). In no case, however, did we consider a State to “meet requirements” if it failed to provide valid and reliable FFY 2010 data (as defined above) for Indicators 1 through 5 and 7 through 19. We also considered whether the State, when it reported under Indicator 4A: (1) Made clear that, if it identified any districts as having significant discrepancies in the discipline of children with disabilities, it reviewed the districts’ policies, procedures, and practices related to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, as required in section 612(a)(22)(B); and (2) If the State identified any noncompliance in policies, procedures or practices in these areas as a result of this review, it corrected the noncompliance.

Generally, and absent any other issues (see below), we considered a State to be “in need of intervention” for one of three reasons that are explained further in this paragraph: very low compliance data, failure to provide valid and reliable data for a compliance indicator, or longstanding noncompliance that was the subject of Departmental enforcement for a key IDEA requirement. First, we identified a State as “in need of intervention” if the State’s FFY 2010 compliance data demonstrated: (1) Very low performance for Indicators 4B, 9, 10, 11, 12, 13, 16 or 17 (generally below 50%, or in the case of Indicators 4B, 9, and 10, above 50%), regardless of whether it reported correction of previously identified findings of noncompliance; or (2) Very low performance for Indicator 15 (generally below 50%). Second, we identified a State as “in need of intervention” if it did not provide valid and reliable (as defined above) FFY 2010 compliance data for Indicators 4B, 9, 10, 11, 12, 13, 15, 16 or 17. Finally, we also identified a State as “in need of intervention” if the State has been subject to Departmental enforcement for multiple years for failing to comply with key IDEA requirements, the noncompliance has been long-standing, and the State’s data in response to the Department’s enforcement actions demonstrate continued noncompliance.

We would identify a State as “in need of substantial intervention” if its substantial failure to comply significantly affected the core requirements of the program, such as the delivery of services to children with disabilities or the State’s exercise of general supervision, or if the State informed the Department that it was unwilling to comply with an IDEA requirement. In making this determination, we would consider the impact of any longstanding unresolved issues on the State’s current implementation of the program. We would also consider identifying a State “in need of substantial intervention” for failing to submit its APR/SPP.

Absent any other issues (see below), we determined that States that did not “meet requirements” and were not “in need of intervention” or “in need of substantial intervention” were “in need of assistance.”

#### Monitoring Data and Other Public Information

We also considered other public information available to the Department, including information from monitoring including verification visits, and other public information, such as the State’s

performance under any existing special conditions on its FFY 2011 grant or a compliance agreement, longstanding unresolved audit findings, and other State compliance data under the IDEA. We did not consider a State to “meet requirements” if the State had unresolved special conditions that were imposed as a result of the State being designated as a “high risk” grantee, outstanding OSEP monitoring findings (including verification visit findings) that affected the State’s data under APR indicators, longstanding audit issues, or a compliance agreement. We also did not determine a State to “meet requirements” if we had documentation that the State had not complied with the requirement in section 612(a)(18)(A) to maintain State financial support for special education and related services. The Department receives this documentation and requests for waivers of this requirement at various times, often well beyond the end of the fiscal year in which the State failed to maintain effort. The Department considers information related to a State’s compliance with the requirement in section 612(a)(18)(A) in making determinations when it has final information from the State on its noncompliance and waiver request, if any.

In determining whether the State should be identified as “in need of assistance,” “in need of intervention,” or “in need of substantial intervention,” we considered the length of time the problem had existed, the magnitude of the problem, and the State’s response to the problem, including progress the State had made to correct the problem.

#### Possible Changes to Determination Factors in the Future

As a part of our efforts to focus attention more on the results of State’s implementation of Parts B and C of the IDEA, OSEP is reexamining its process for making determinations under section 616 of the IDEA. We are considering how we can include State performance on results indicators in addition to those factors (described previously) that are currently considered. We will provide further details regarding our plans in the near future.

**Republic of Palau Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma. [Results Indicator]</p>	<p>Republic of Palau (ROP) revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions.  ROP's FFY 2010 reported data for this indicator are 5%. These data represent slippage from the FFY 2009 data of 9%. ROP did not meet its FFY 2010 target of 45%.</p>	<p>OSEP looks forward to ROP's data demonstrating improvement in performance in the FFY 2011 APR, due February 1, 2013.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions.  ROP's FFY 2010 reported data for this indicator are 10%. These data represent progress from the FFY 2009 data of 18%. ROP did not meet its FFY 2010 target of 7%.</p>	<p>OSEP looks forward to ROP's data demonstrating improvement in performance in the FFY 2011 APR.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments:  A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup. [Results Indicator]</p>	<p>Not applicable.</p>	<p>Not applicable.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments:  B. Participation rate for children with IEPs. [Results Indicator]</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions.  ROP's FFY 2010 reported data for this indicator are 100% for reading and 100% for math. These data represent progress from the FFY 2009 data of 95.7% for reading and remain unchanged from the FFY 2009 data of 100% for math. ROP met its FFY 2010 targets of 93%.  ROP provided a Web link to FFY 2010 assessment results reported in the APR and 618 data tables. However, ROP does not publicly report assessment results for nondisabled students, and therefore is not required to publicly report assessment results for students with disabilities pursuant to 34 CFR §300.160(f).</p>	<p>OSEP appreciates ROP's efforts to improve performance.</p>
<p>3. Participation and performance of children with disabilities on</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP</p>	<p>OSEP looks forward to ROP's data demonstrating improvement</p>

**Republic of Palau Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.</p> <p>[Results Indicator]</p>	<p>accepts those revisions.</p> <p>ROP’s FFY 2010 reported data for this indicator are 19.6% for reading and 17.4% for math. These data represent progress from the FFY 2009 data of 12.5% for reading and 12.5% for math. ROP did not meet its FFY 2010 targets of 43% for reading and 28% for math.</p> <p>ROP provided a Web link to FFY 2010 assessment results reported in the APR and 618 data tables. However, ROP does not publicly report assessment results for nondisabled students, and therefore is not required to publicly report assessment results for students with disabilities pursuant to 34 CFR §300.160(f).</p>	<p>in performance in the FFY 2011 APR.</p>
<p>4. Rates of suspension and expulsion:</p> <p>A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and</p> <p>[Results Indicator]</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>ROP’s FFY 2010 reported data for this indicator are 0%. These data remain unchanged from the FFY 2009 data of 0%. ROP met its FFY 2010 target of 0%.</p> <p>ROP reported its definition of “significant discrepancy.”</p>	<p>OSEP appreciates ROP’s efforts to improve performance.</p>
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and</p>	<p>Not applicable.</p>	<p>Not applicable.</p>

**Republic of Palau Part B FFY 2010 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
procedural safeguards. [Compliance Indicator]																						
5. Percent of children with IEPs aged 6 through 21 served: A. Inside the regular class 80% or more of the day; B. Inside the regular class less than 40% of the day; or C. In separate schools, residential facilities, or homebound/hospital placements. [Results Indicator]	ROP revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions. ROP's reported data for this indicator are: <table border="1" data-bbox="552 513 1583 987"> <thead> <tr> <th></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Inside the regular class 80% or more of the day</td> <td align="center">40</td> <td align="center">34</td> <td align="center">40</td> <td align="center">-6.00%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">15</td> <td align="center">17</td> <td align="center">13</td> <td align="center">-2.00%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">2</td> <td align="center">3</td> <td align="center">2</td> <td align="center">-1.00%</td> </tr> </tbody> </table> These data represent slippage from the FFY 2009 data. ROP did not meet any of its FFY 2010 targets for this indicator.		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	40	34	40	-6.00%	B. % Inside the regular class less than 40% of the day	15	17	13	-2.00%	C. % In separate schools, residential facilities, or homebound/hospital placements	2	3	2	-1.00%	OSEP looks forward to ROP's data demonstrating improvement in performance in the FFY 2011 APR.
	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>																		
A. % Inside the regular class 80% or more of the day	40	34	40	-6.00%																		
B. % Inside the regular class less than 40% of the day	15	17	13	-2.00%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	2	3	2	-1.00%																		
6. Percent of children aged 3 through 5 with IEPs attending a: A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and B. Separate special education class, separate school or residential facility. [Results Indicator; New]	ROP is not required to report on this indicator in the FFY 2010 APR.	ROP must provide FFY 2011 baseline data, an FFY 2012 target, and improvement activities through FFY 2012 in the SPP that it submits with the FFY 2011 APR.																				

**Republic of Palau Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>																																
<p>7. Percent of preschool children age 3 through 5 with IEPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator]</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>ROP's reported data for this indicator are:</p> <table border="1" data-bbox="548 412 1583 1425"> <thead> <tr> <th data-bbox="554 412 959 513"><u>Summary Statement 1</u></th> <th data-bbox="959 412 1163 513"><u>FFY 2009 Data</u></th> <th data-bbox="1163 412 1373 513"><u>FFY 2010 Data</u></th> <th data-bbox="1373 412 1583 513"><u>FFY 2010 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="554 513 959 647"><b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)</td> <td align="center" data-bbox="959 513 1163 647">100</td> <td align="center" data-bbox="1163 513 1373 647">100</td> <td align="center" data-bbox="1373 513 1583 647">100</td> </tr> <tr> <td data-bbox="554 647 959 816"><b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)</td> <td align="center" data-bbox="959 647 1163 816">100</td> <td align="center" data-bbox="1163 647 1373 816">100</td> <td align="center" data-bbox="1373 647 1583 816">100</td> </tr> <tr> <td data-bbox="554 816 959 919"><b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)</td> <td align="center" data-bbox="959 816 1163 919">100</td> <td align="center" data-bbox="1163 816 1373 919">66.7</td> <td align="center" data-bbox="1373 816 1583 919">100</td> </tr> <tr> <th data-bbox="554 919 959 1019"><u>Summary Statement 2</u></th> <th data-bbox="959 919 1163 1019"><u>FFY 2009 Data</u></th> <th data-bbox="1163 919 1373 1019"><u>FFY 2010 Data</u></th> <th data-bbox="1373 919 1583 1019"><u>FFY 2010 Target</u></th> </tr> <tr> <td data-bbox="554 1019 959 1154"><b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)</td> <td align="center" data-bbox="959 1019 1163 1154">100</td> <td align="center" data-bbox="1163 1019 1373 1154">80</td> <td align="center" data-bbox="1373 1019 1583 1154">100</td> </tr> <tr> <td data-bbox="554 1154 959 1323"><b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)</td> <td align="center" data-bbox="959 1154 1163 1323">67</td> <td align="center" data-bbox="1163 1154 1373 1323">80</td> <td align="center" data-bbox="1373 1154 1583 1323">100</td> </tr> <tr> <td data-bbox="554 1323 959 1425"><b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)</td> <td align="center" data-bbox="959 1323 1163 1425">67</td> <td align="center" data-bbox="1163 1323 1373 1425">60</td> <td align="center" data-bbox="1373 1323 1583 1425">100</td> </tr> </tbody> </table> <p>These data represent progress and slippage from the FFY 2009 data. ROP met part of</p>	<u>Summary Statement 1</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	100	100	100	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	100	100	100	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	100	66.7	100	<u>Summary Statement 2</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	100	80	100	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	67	80	100	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	67	60	100	<p>OSEP appreciates ROP's efforts to improve performance and looks forward to the ROP's data demonstrating improvement in performance in the FFY 2011 APR.</p> <p>ROP must report progress data and actual target data for FFY 2011 with the FFY 2011 APR.</p>
<u>Summary Statement 1</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>																															
<b>Outcome A:</b> Positive social-emotional skills (including social relationships) (%)	100	100	100																															
<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	100	100	100																															
<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	100	66.7	100																															
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**Republic of Palau Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
	its FFY 2010 targets for this indicator.	
<p>8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.</p> <p>[Results Indicator]</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>ROP's FFY 2010 reported data for this indicator for children ages 3-5 are 87.5%. These data represent slippage from the FFY 2009 data of 88.92%. ROP did not meet its FFY 2010 target of 96%.</p> <p>ROP's FFY 2010 reported data for this indicator for children ages 6-21 are 43%. These data represent slippage from the FFY 2009 data of 56%. ROP did not meet its FFY 2010 target of 47.41%.</p> <p>In its description of its FFY 2010 data, ROP addressed whether the response group was representative of the population.</p>	<p>OSEP looks forward to ROP's data demonstrating improvement in performance in the FFY 2011 APR.</p>
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>Not applicable.</p>	<p>Not applicable.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>Not applicable.</p>	<p>Not applicable.</p>
<p>11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted,</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>ROP's FFY 2010 reported data for this indicator are 100%. These data remain unchanged from the FFY 2009 data of 100%. ROP met its FFY 2010 target of 100%.</p>	<p>OSEP appreciates ROP's efforts in achieving compliance with the timely initial evaluation requirements in 34 CFR §300.301(c)(1).</p>

**Republic of Palau Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>within that timeframe. [Compliance Indicator]</p>		
<p>12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. [Compliance Indicator]</p>	<p>Not applicable.</p>	<p>Not applicable.</p>
<p>13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority. [Compliance Indicator]</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>ROP's FFY 2010 reported data for this indicator are 100%. These data represent progress from the FFY 2009 data of 98%. ROP met its FFY 2010 target of 100%</p> <p>ROP reported that both of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates ROP's efforts in achieving compliance with the secondary transition requirements in 34 CFR §§300.320(b) and 300.321(b).</p>
<p>14. Percent of youth who are no</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP</p>	<p>OSEP appreciates ROP's efforts</p>

**Republic of Palau Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>																				
<p>longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <p>A. Enrolled in higher education within one year of leaving high school;</p> <p>B. Enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p> <p>[Results Indicator]</p>	<p>accepts those revisions.</p> <p>ROP's reported data for this indicator are:</p> <table border="1" data-bbox="548 363 1583 906"> <thead> <tr> <th></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Enrolled in higher education</td> <td align="center">11</td> <td align="center">20</td> <td align="center">11</td> <td align="center">9.00%</td> </tr> <tr> <td>B. % Enrolled in higher education or competitively employed</td> <td align="center">56</td> <td align="center">80</td> <td align="center">56</td> <td align="center">24.00%</td> </tr> <tr> <td>C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed</td> <td align="center">100</td> <td align="center">100</td> <td align="center">100</td> <td align="center">0.00%</td> </tr> </tbody> </table> <p>These data represent progress for 14A and 14B and remain unchanged for 14C from the FFY 2009 data. ROP met all of its FFY 2010 targets for this indicator.</p> <p>In its description of its FFY 2010 data, ROP addressed whether the response group was representative of the population.</p>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. % Enrolled in higher education	11	20	11	9.00%	B. % Enrolled in higher education or competitively employed	56	80	56	24.00%	C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed	100	100	100	0.00%	<p>to improve performance.</p>
	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>																		
A. % Enrolled in higher education	11	20	11	9.00%																		
B. % Enrolled in higher education or competitively employed	56	80	56	24.00%																		
C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed	100	100	100	0.00%																		
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>ROP's FFY 2010 reported data for this indicator are 100%. These data remain unchanged from the FFY 2009 data of 100%. ROP met its FFY 2010 target of 100%.</p> <p>ROP reported that all nine of its findings of noncompliance identified in FFY 2009 were corrected in a timely manner.</p>	<p>OSEP appreciates ROP's efforts in timely correcting findings of noncompliance identified in FFY 2009.</p> <p>When reporting in the FFY 2011 APR on the correction of findings of noncompliance identified in FFY 2010, ROP must report that it: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of</p>																				

**Republic of Palau Part B FFY 2010 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within its jurisdiction, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2011 APR, ROP must describe the specific actions that were taken to verify the correction.</p> <p>In addition, in reporting on Indicator 15 in the FFY 2011 APR, ROP must use the Indicator 15 Worksheet.</p>
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.</p> <p>[Compliance Indicator]</p>	<p>ROP revised the improvement activities for FFY 2012, for this indicator and OSEP accepts those revisions.</p> <p>ROP reported, as of January 31, 2012, that it did not receive any signed written complaints during the reporting period.</p> <p>Note that States and entities are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing ROP's FFY 2011 IDEA section 618 data.</p>
<p>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>ROP reported, as of January 31, 2012, that it did not have any fully adjudicated due</p>	<p>OSEP looks forward to reviewing ROP's FFY 2011 IDEA section 618 data.</p>

**Republic of Palau Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.</p> <p>[Compliance Indicator]</p>	<p>process hearings during the reporting period.</p> <p>Note that States and entities are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>ROP reported, as of January 31, 2012, that no resolution sessions were held during the reporting period.</p> <p>ROP reported fewer than ten resolution sessions held in FFY 2010. ROP is not required to provide targets or improvement activities until any fiscal year in which ten or more resolution sessions were held.</p> <p>Note that States and entities are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing ROP's data in the FFY 2011 APR.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>ROP reported, as of January 31, 2012, that no mediations were held during the reporting period.</p> <p>ROP reported fewer than ten mediations held in FFY 2010. ROP is not required to provide targets or improvement activities until any fiscal year in which ten or more mediations were held.</p> <p>Note that States and entities are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing ROP's data in the FFY 2011 APR.</p>
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>ROP revised the improvement activities for FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>ROP's FFY 2010 reported data for this indicator are 100%. However, OSEP's calculation of the data for this indicator is 97.30%. These data represent slippage from the FFY 2009 data of 100%. ROP did not meet its FFY 2010 target of 100%.</p>	<p>OSEP appreciates ROP's efforts and looks forward to reviewing in the FFY 2011 APR, ROP's data demonstrating that it is in compliance with the timely and accurate data reporting</p>

**Republic of Palau Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
		<p>requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b). If ROP does not report 100% compliance in the FFY 2011 APR, ROP must review its improvement activities and revise them, if necessary to ensure compliance. In reporting on Indicator 20 in the FFY 2011 APR, ROP must use the Indicator 20 Data Rubric.</p>