

THIRD OLBIIL ERA KELUIAU

Second Regular Session, April 1989 RPPL No. 3-9

(Introduced as SB

No. 3-73, SD2, HD1)

A BILL FOR AN ACT

To provide for more comprehensive educational programs and services for handicapped infants, toddlers, and children, and for other purposes.

THE PEOPLE OF PALAU REPRESENTED IN THE OLBIIL ERA KELULAU DO ENACT AS FOLLOWS:

Section 1. Short title.

This Act shall be known and may be cited as "**The Programs and Services for Handicapped Children Act of 1989**".

Section 2. Public policy and legislative findings and history.

(1) Public policy. The Olbiil Era Kelulau recognizes that it is the obligation of the national government to provide educational services to all children to enable them to lead fulfilling and productive lives, and therefore declares that it is the responsibility of the national government to provide full educational opportunities and necessary related services to each handicapped child in order to ensure that each handicapped child acquires the skills and knowledge necessary to lead a fulfilling and productive life as a citizen of the Republic. It is further recognized that such educational opportunities and related services shall be provided in regular classrooms and regular schools or other environments which provide education and interaction with non handicapped children to ensure that handicapped students become integral members of community life and fully participating and accepted members of the social, educational, political, and economic institutions of Palauan society.

In order to accomplish this policy, the national government shall provide financial, material, and human resources, as well as coordinated and comprehensive administrative structures for the purpose of serving handicapped children, their families, and the agencies and organizations which serve them in order:

- (a) to develop and implement a Republic-wide comprehensive and coordinated multidisciplinary interagency program of early intervention services for handicapped infants and toddlers and their families;
- (b) to facilitate the coordination of services provided by public and private agencies and organizations;
- (c) to enhance the capacity of all service agencies and the community's schools to provide relevant and quality services to handicapped children; and
- (d) to promote and improve quality of service providers by making available in service and pre service training to teachers, parents, and administrators of programs serving handicapped children.
- (e) to ensure that all determinations regarding the provision of services required by this Act and the policies it requires of service agencies are made in a manner which guarantees procedural fairness and the basic rights of individuals.

(2) Findings. The Olbiil Era Kelulau finds that there is an urgent and substantial need:

- (a) to make available and expand the availability of a free appropriate public education to the handicapped children of the Republic;
- (b) to provide health and family services to handicapped and at risk infants and toddlers and minimize their potential for developmental delay;
- (c) to minimize the educational costs to our nation's schools by providing early intervention services to infants and toddlers; and
- (d) to increase the capacity of families to meet the needs of their children with handicaps.

Section 3. Definitions.

(1) "Annual Goal" means description of academic and social outcomes for the year developed from the identification of the student strengths and weaknesses and current educational functioning.

(2) "Council" means Palau Interagency Coordinating Council.

(3) "Current functioning level" means level of academic and social functioning including weaknesses, strengths, and areas in need of supportive interventions.

(4) "Department" means Ministry of Social Services or such succeeding government agency responsible for education in the Republic.

(5) A "developmentally delayed child" is one who is impaired in cognitive development, physical development, language or speech development, self help, or for whom there is documentation that they would not function to their fullest potential without special services.

(6) "Early intervention services" means services provided to eligible children below age three to minimize development delays.

(7) "Eligible child" means a child from birth through age twenty-one determined by a multidisciplinary assessment team:

(a) to be unable, because of physical or mental impairments, to be educated appropriately in the regular school program. A significant physical and emotional impairment includes any child who is mentally retarded; speech and/or language impaired; deaf or hearing impaired; blind or visually impaired; orthopedically impaired; and/or other health impaired (including homebound, autistic, or hospitalized); has a specific learning disability; or is seriously emotionally disturbed.

(b) to be unable to develop at a normal rate if less than age three without the provision of special education and related services.

(8) "Free appropriate public education" means regular and special education and related services which:

(a) are provided at public expense, under public supervision and direction and without charge to the parent;

(b) meet the standards of the Department, including the requirements of this Act and of the Special Education administrative policies and procedures issued by the Department.

(c) include preschool, elementary school and secondary school education; and

(d) are provided in conformity with an individualized education program.

(9) "Individualized Education Program (IEP)" means a written plan for each eligible child developed by an individualized education program committee and reviewed and updated at least annually.

(10) "Independent Educational Evaluation" means an assessment conducted according to this Act by properly certified or licensed professional examiners who are not employed by the school system responsible for the education of the identified child. An independent assessment is not necessarily a private assessment.

(11) "Infants and toddlers with handicaps" means individuals from birth through age two who need early intervention services because they:

(a) are experiencing developmental delays as identified by a IEPC and need services in one or more of the following areas: cognitive development, physical development, language or speech development, social and emotional development, family support, or self-help skills or;

(b) have a physical or mental impairment which has a high potential resulting in developmental delay as identified by an IEPC; or

(c) are at risk of having developmental delays.

(12) "Instructional environment" means the presence or absence of children or other persons who are not eligible within a classroom or other setting in which one or more eligible children are receiving special education services.

(13) "Parent" means a natural or adopted parent, a natural parent with legal custody, guardian, or a person acting as a parent of a child.

(14) "Placement" means the instructional environment in which special education is provided to an eligible child but does not mean the specific classroom to which a child is assigned.

(15) "Reevaluation" means a redetermination of a child's continuing eligibility for special education and related services which is conducted at least once every three years or more frequently if conditions warrant or if requested by the child's parent or teacher.

(16) "Regular school program" means the basic program of academic and/or vocational instruction provided by a local school system to children of a particular

age or grade. The term includes a variety of programs used by regular classroom teachers to respond directly to the various learning styles and learner objectives of students but does not include specially designed instruction to meet the unique needs of an individual child required because the child is unable to benefit from the instructional experiences designed by the regular classroom teacher. Appropriate regular education program goals and objectives are determined by each school and are based upon the skills and knowledge necessary to perform as a contributing member in the village in which the school is located.

(17) "Regular school environment" means the regular school as an instructional setting in which both regular and special education services may be provided to an eligible child.

(18) "Related services" means transportation and such developmental, corrective and other supportive services as are required to assist an eligible child to benefit from special education.

(19) "Special education" means specially designed instruction provided at no cost to the parent to meet the unique needs of an eligible child, including, but not limited to, classroom instruction, speech pathological services, instruction in physical education, and vocational education.

#### Section 4. Finance.

Services required by this Act shall be funded at a level no less than the amount awarded to the Republic for the last year of eligibility under the 1975 Education of the Handicapped Act.

(1) That amount must be equal to, or greater than the total grant award as calculated by the Office of Special Education of the United States Department of Education. Each succeeding year after the passage of this Act, the amount must increase by at least the percentage of increase for the Department and the amount must never decrease from the preceding year's amount.

(2) The annual funding amount shall be divided annually by the number of eligible children identified and the amount of per child funding shall be added to the previous year's award for each additional child identified.

(3) If the Republic continues to participate in the Education of the Handicapped Act, all monies awarded to the Republic for special education by the United States Department of Education must be spent on

costs directly attributable to providing services described in this Act and no such funds may be used for any other purpose, including the provision of educational services to non-eligible children.

Section 5. Child identification.

The purpose of child identification is to ensure that those students with special learning needs are identified and receive the educational services they need.

(1) The department will annually use media or television and other methods to inform the general public of available educational services, including services to infants and pre-school children and services available to school age students; services shall include diagnosis and screening for developmental and academic delays and homebound and school-based early instruction for infants and preschools.

(2) Each school will use a child study team to review any child identified as a result of the activities described above. A child study team shall consist of:

(a) A school principal, consulting specialist, and an early childhood specialist for any preschool child; or

(b) The school principal, consulting specialist, and current teacher for students of school age.

The child study team membership may be increased at the discretion of the principal or consulting specialist.

(3) A child study team shall review the present level of performance of any child referred by a parent, teacher, other staff member or other individual and make one or more of the following recommendations:

(a) Modifications in the existing instructional program of the child;

(b) Referral to the early childhood program for assessment;

(c) Referral for extended placement in a remedial services program with consultation services and academic assessment;

(d) Establishment of an individualized education program committee to conduct an assessment of the child to determine eligibility for special education and related services; or

(e) Take no special action.

Section 6. Assessment by assessment committee.

(1) The Department shall implement comprehensive evaluation procedures to identify, locate, evaluate, and determine the eligibility of children for special education and related services.

(2) Within ten days of receiving a referral of a child for an individual assessment through its ongoing child identification system, the principal of the school attended by the child or which the child would attend if of school age shall designate a staff member who will serve as the chairperson for that child who shall be responsible for:

(a) securing written parental consent for the conduct of an initial individual assessment and

(b) designating members of the assessment committee convened for the child.

(c) The assessment committee shall be formed on the basis of the child's presenting problem and the suspected physical and/or mental impairment as determined by the assessment committee chairperson and, for assessment, shall include persons from two or more separate disciplines, including at least one teacher or other specialist with knowledge in the area of suspected disability.

(d) In order to determine that a child who is the subject of an individual assessment is an eligible child, the assessment committee must conclude that because of the child's physical and/or mental impairments, as defined by department criteria, the child is in need of special education and related services and cannot be educated appropriately within the regular school program without the provision of such services.

(e) After a referral for an individual evaluation has been received, the assessment committee chairperson shall be responsible for a written assessment plan for the child which identifies areas where information needs to be collected through individual in-depth comprehensive assessment of all areas related to the suspected physical and/or mental impairments including, where appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities. Each person who conducts an individual assessment of the child shall prepare a written report of such an assessment for consideration by the assessment committee.

(i) The individual assessment shall include an observation by an assessment committee member other than the child's teacher of the child's academic performance and, when appropriate, an observation of the child's behavioral performance in the regular classroom setting or, if the child has not been previously enrolled in school, an observation in an environment appropriate for a child of that age.

(ii) The individual assessment shall also address those skills required to be taught to any child by law, policy or regulation, in order to provide

sufficient information to the IEPC to make determinations regarding continuing instruction in required skills areas.

(iii) The individual assessment shall include, for every child of secondary school age, a comprehensive vocational assessment.

(f) No single procedure shall be used as the sole criterion for determining an appropriate educational program for a child and any instruction or procedures used by the assessment committee will be properly administered and interpreted and shall be necessary and appropriate to determine the nature and extent of a learning impairment, a suspected learning impairment, or to assess general or specific areas of educational needs.

(g) The child must be assessed in all areas related to the suspected disability. The individual assessment shall also include an evaluation of the child's learning style, incentive-motivational style, communication style including home language, and interpersonal skills. The individual assessment should provide descriptive and prescriptive information that is appropriate and adequate to assist in planning an appropriate educational program for the child.

#### Section 7. Reevaluation.

(1) The principal shall ensure that an individual assessment of each eligible child is conducted every three years or more frequently if conditions warrant or if the child's parents or teacher requests in writing such an individual assessment.

(2) The individual assessment shall be conducted by appropriate assessment specialists in accordance with procedures for individual assessment.

(3) If the assessment committee determines as the result of a reevaluation that a child has been misclassified and/or has been incorrectly placed in special education, the assessment committee shall amend the information in the child's records, inform the parents in writing, and take any other necessary corrective measures including recommendation of modification of teaching techniques used in the regular classroom.

(4) An assessment committee may recommend the transfer of an eligible child currently receiving special education and related services to a transition program.

(5) A child shall no longer be eligible to receive special education and related services from a school system if an assessment committee, based on the report of individual assessments, determines that:

(a) the child may no longer be properly certified as meeting the eligibility standards for one or more handicapping conditions, or

(b) the child no longer requires special education and related services,  
or

(c) the child has satisfactorily completed the regular academic or vocational program and has been awarded a regular diploma.

Section 8. Parental roles.

(1) Parental consent is required before an initial individual assessment of a child may be conducted.

(2) Parents may also play an important role during the individual assessment of their child by providing assessment committee members with important insight and information regarding the child's developmental history activities outside of school, and talents and abilities.

Section 9. Individualized education program.

(1) Within twenty days of receiving the integrated assessment report, the principal shall establish an assessment committee for the student who is the subject of the assessment data.

(2) The assessment committee established pursuant to subsection (1) of this section shall be responsible for:

(a) developing an individual education program (IEP) for any student determined to be an eligible student;

(b) arriving at a placement determination for a student determined to be an eligible student; and

(c) making recommendations for services to be provided if a student is determined not to be ineligible.

(3) The members of each IEPC appointed by the chairperson shall include persons who meet each of the following qualifications:

(a) one or both of the student's parents;

(b) the student, if eighteen (18) years old or older, or if the parent chooses to have the student participate;

(c) the principal or other official who:

(i) is qualified to provide or supervise the provision of special education;

(ii) can ensure that the services specified in the student's individual education program will be provided by the school; and

(d) one or more of the student's current teachers or, if the student is newly enrolled, a regular education teacher who provides instruction to students of the same age;

(e) the persons who initiated the screening/identification process of the student; and

(f) other individuals at the discretion of either the parent or the department.

(4) A single member of the IEPC may meet two or more of the qualifications specified in this section. The chairperson shall convene and chair each IEPC meeting and shall be responsible for the preparation of the IEP within the required timeframes.

(5) The IEPC meeting shall be convened as frequently as conditions warrant, including at the request of any member of the committee.

(6) The principal shall take steps to ensure that one or both parents of the eligible student are present at each IEPC and IEP meeting. These steps must consist of repeated good faith attempts to convince parents to attend the IEPC meeting, and must include:

(a) scheduling the meeting at a mutually agreed upon time and place;

(b) notifying parents and other persons who will be attending in writing;

(i) of the purpose time and location of the meeting;

(ii) of the names of the persons expected to attend;

(iii) of all educational rights available to protect the students and parent in the native language of the parent, if other than English, which is clear and fully explains all rights; and

(iv) that if their child is determined to be eligible, an IEP will be developed;

(7) The principal may conduct an IEPC or IEP meeting without a parent in attendance if the parents do not respond to the notice provided within ten days of receipt of the notice or if the principal is unable to convince the parents to attend after attempts to arrange a mutually agreed upon time and place for the meeting. If neither parent is present at an IEP meeting, the principal shall maintain a record of attempts to secure parental participation.

(8) If neither parent can attend an IEPC or IEP meeting in person, the principal shall use other methods to ensure parental participation, including individual or conference telephone calls prior to and/or after the meeting is held.

Section 10. Development of individualized educational program.

(1) Within 30 days of a determination by an assessment committee that a child or youth is eligible, the IEPC shall conduct one or more meetings for the purpose of developing an IEP for the student or reviewing and revising the IEP of a student who has received special education during the previous year.

(2) The IEP shall include the following components:

(a) A statement of the student's present levels of educational performance, written in a manner that is meaningful and useful to the persons responsible for directly providing the student with special education and/or related services, which, when appropriate, includes:

(i) A description of competence in academic areas or developmental skills;

(ii) A description of physical abilities and disabilities which affect participation in instructional situations, including physical education;

(iii) A description of social abilities, including abilities in interacting with peers and adults;

(iv) A description of behaviors which affect educational placement, instruction, discipline or health and safety;

(v) Competencies which may be requisite to participation in vocational education;

(b) A statement of educational goals for the student including:

(i) With respect to students who are not of high school age or students of secondary school age for whom completion of the regular academic vocational secondary school program is anticipated, annual goals which the student will be expected to achieve within a twelve month period, expressed in terms of specific skills to be mastered and information to be acquired and retained.

(ii) With respect to students of high school age, a statement of a post-secondary education goal for the student:

(A) academic completion of the regular secondary school curriculum and admission to higher education; or

(B) academic completion of the regular secondary school curriculum and admission to a post-secondary vocational education program of competitive employment; or

(C) completion of curriculum other than the regular secondary school curriculum and post-secondary competitive employment;  
or

(D) completion of a curriculum other than the regular secondary school curriculum and post-secondary supported employment.

(iii) With respect to students of high school age for whom successful completion of the regular academic or vocational secondary school program is not ultimately anticipated, annual educational goals will be expressed in terms of specific skills to be mastered and maintained and information to be acquired and retained consistent with the identified post-secondary goal for the student and with respect to the maximum growth of personal independence, economic self-sufficiency and social integration and participation for the student:

(A) a description of the short-term educational objectives for each annual goal which are measurable intermediate steps leading from the student's present levels of performance to achievement of the annual goal within each skills

mastery or information acquisition area.

(B) A description of the specific special education and/or related services to be provided in support of each identified instructional objective including all needed supplementary aids and services.

(C) A description of the instructional methodologies, staffing patterns and classroom organization approaches recommended in support of the identified instructional objectives. This need not include the specific curriculum to be implemented.

(D) A description of the frequency, expressed in terms of a minimum and maximum range of hours per month, and anticipated duration of specific special education and related services to be provided, the date for initiation of each service, the identification of persons and/or agencies responsible for providing each service and the relationship of each service to the statement of annual goal and objectives.

(E) A statement indicating whether the student will receive regular physical or adaptive physical education.

(F) A statement of any vocational educational services to be provided.

(G) A statement of any extended school year services to be provided to the student, whenever the provision of such services is necessary to prevent substantial regression.

(H) A statement of the extent to which the student will participate in regular education programs, including art, music, industrial arts and consumer and homemaker education and non-academic and extracurricular programs.

(I) A statement addressing any special methods materials, equipment, arrangements or procedures.

(J) For students of high school age, a statement of the anticipated date of graduation, the criteria to be used in determining whether graduation shall occur and the type of diploma or certificate to be issued if the student meets the prescribed criteria.

(K) Appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short-term objectives and annual goals are being achieved and, if not, the reasons for non-achievement, and a schedule for systematically monitoring the student's progress and the name of the person responsible for monitoring and reporting to the IEPC.

(L) Signatures and positions of IEPC members, including the parents in attendance, to document participation, and the date of the meeting.

(3) The purpose of the meetings held by the IEPC shall be to develop an IEP for each student who has not previously received special education and related services, to review and revise IEPs for students who have previously received special education and related services, and to make a placement determination after the development of each IEP.

(4) Each initial IEP must be completed by the IEPC no later than thirty (30) days after the determination required by subsection 1.

(5) No school shall provide special education or related services to an eligible student unless and until an IEP has been completed and a placement has been made.

(6) The school, the parent or the student may electronically record the deliberations of any IEPC meeting provided that all participants are informed in advance that such a recording will be made. In such a case, the recording shall become part of the student's permanent record and subject to the relevant requirements governing confidentiality.

(7) The principal shall provide the parent with a copy of the IEP at no cost to the parent.

(8) No principal, teacher, administrator or other person shall be held liable under this Act or other law or regulations if a student does not achieve the annual goals and objectives in the student's IEP.

Section 11. Placement. To the maximum practicable extent appropriate, eligible children and youth, including children and youth in public or private institutions or other care facilities, shall be educated with ineligible children and youth.

(1) Placements must be made through the application of the procedures set forth below.

(2) Special classes, separate schooling or other removal of eligible children and youths from the regular educational environment occurs only when the nature and severity of the handicap is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

(3) The central focus of the placement decision is with whom the eligible child or youth is educated rather than where the eligible child or youth is educated. In other words, eligible children and youth have the right to be educated in the regular setting to the greatest extent possible with their ineligible peers. Such placements should be viewed as beneficial for both the eligible and ineligible student. There are however, instances where the eligible child or youth is so disruptive that placement in the regular classroom would benefit neither the eligible child or youth nor his ineligible peers. In such cases, it may be determined that the regular classroom may not be the most appropriate placement.

(4) The requirement to educate eligible children and youth with ineligible children and youth applies to children and youth in public and nonpublic institutions or other care facilities. Regardless of other reasons for institutional placement, no child or youth in an institution who is capable of education in a regular public school setting may be denied access to that setting.

(5) Unless an eligible child's IEP requires some other arrangements, the child or youth shall be educated in the school which he or she would otherwise attend. In the event the child or youth cannot be educated in the home school, he shall be provided an educational program as close to home as possible.

(6) Actual educational programming shall be the least restrictive alternative option appropriate for the particular child or youth and will be based on evidence that the child's educational objectives can be met through a particular option.

(7) Eligible children and youth shall participate with other children and youth in non-academic and extracurricular services and activities to the maximum extent appropriate to the needs of each eligible child.

Section 12. Placement procedure.

(1) In determining the appropriate placement for an eligible child, the Director of Special Education shall ensure the following:

(a) Each child's educational placement shall be individually determined at least annually based on his IEP and shall be as close as possible to the child's home; and.

(b) Unless a child's IEP requires some other arrangement, the child or youth shall be educated in the school which he would attend if not handicapped; and

(c) In selecting the least restrictive environment, consideration must be given to any potential harmful effects on the child or youth or on the quality of services which he needs.

(2) To determine the educational placement of an eligible child or youth a minimum of three professional members of the IEPC must be present.

(3) In determining the educational placement of a child, the IEPC shall:

(a) carefully review the IEP of the child or youth completed except for the placement recommendation by the IEPC.

(b) review and draw upon information from a variety of sources, including aptitude based on achievement tests, teacher recommendations, background and adaptive behavior;

(c) consider any potential harmful effects of a suggested placement alternative on the child or youth or the quality of services which the child or youth needs; and

(d) in no event, recommend placement of the child or youth based on the configuration of the school system's services delivery system.

Section 13. Notice of proposed action.

(1) The school shall document the provision of written notice to parents of an eligible student with a suspected eligibility within a reasonable time prior to the following occasions:

(a) When the school proposes to initiate or change the identification, assessment, or educational placement of the student or proposes to make any changes in the provision of a free, appropriate public education to the student;

(b) When the school refuses to initiate or change the identification, assessment or educational placement of the student or refuses to make any change requested by the parent in the provision of a free, appropriate public education to the student; or

(c) When the school refuses to amend the student's records or proposes to destroy unneeded records in accordance with the confidentiality requirements of these Rules.

(2) The notice shall include:

(a) A full explanation of all the procedural safeguards available to the parents under these rules;

(b) A description of the action proposed or refused by the school, an explanation of why the district proposes or refuses to take the action, and a description of any options the district considered and the reasons why those options were rejected;

(c) A description of each assessment procedure, type of test, record or report used as a basis for the action;

(d) A description of any other factor relevant to the school action;

(e) Language understandable to the general public and, where appropriate, in the language used by the parent and if necessary communicated orally in the native language or directly so that the parent understands the content of the notice;

(f) A full explanation of the availability and purpose of due process hearing procedures, the manner in which hearings are conducted, and the responsibilities of parents if they request a hearing;

(g) A statement that information regarding the availability of free or low-cost legal and other relevant services which may be available will be provided upon request;

(h) The name of the specific person to contact, the procedure of contacting the person, and a sample letter illustrating the procedure by which a parent may request the initiation of a due process hearing;

(i) An offer to enter into an informal mediation process on a voluntary basis with a full explanation of the mediation process and a clear statement that mediation is not required and may be conducted either

before or after a due process hearing has been requested, with no resulting delay in the rendering of the hearing decision; and

(j) A copy of the procedures used by the school for conducting a due process hearing and appointing hearing officers.

Section 14. Consent.

(1) The school shall document that written parental consent is obtained prior to:

(a) Conducting a pre-placement assessment;

(b) Initial placement of an eligible student in a special education program;

(c) Disclosing personally identifiable information to unauthorized persons;

(2) Consent of a proposed action is written approval made by a parent who has been fully informed of all information relevant to the activity in his or her native language or mode of communication and understands that the approval is voluntary and may be revoked at any time.

(3) Except for those actions described in subsection (a), written consent shall not be required as a condition of any benefit to the parent or student.

Section 15. Mediation

(1) Within five (5) work days of receipt from a parent of a written request for a hearing the Director shall initiate steps to conduct a mediation conference.

(2) The purpose of the mediation conference is to attempt to resolve the differences and, if possible, avoid appeal to a court.

(a) the Director shall appoint a mediator to carry out all mediation activities.

(b) the Director shall insure that mediation is viewed as voluntary and freely agreed to by both parties and is in no way used to deny or delay an aggrieved party's rights to a hearing.

(c) the mediation conference shall be an informal process conducted in a non adversarial atmosphere and shall be completed within 15 work days of receipt by the Director of the request for the hearing.

(3) Either party to the mediation conference may request the mediator to grant a continuance. Such a continuance shall be granted upon a showing of good cause but shall not extend the 45-day maximum for completion of the due process hearing and rendering of the final administrative decision, unless the party initiating the request for the hearing is agreeable to such an extension. Such continuance shall extend the time for rendering a final administrative decision for a period only equal to the length of the continuance.

(4) Any resolution reached as part of the mediation process shall not conflict with existing law and shall be to the satisfaction of both parties, as indicated by the signatures of both parties on the written resolution.

(5) A copy of the written resolution shall be mailed by the mediator to each party within ten (10) days following the mediation conference and a copy shall also be filed by the mediator with the superintendent.

Section 16. Repeal. 22 PNC Chapter 4 is repealed.

Section 17. Authorization. Any sums of money, whether from the United States federal program funds or special funds received pursuant to the Education and Handicapped Act of 1975, as amended, or from the general revenues of the Republic, necessary to carry out the provisions of this Act, are hereby authorized to be appropriated as part of the National Unified Budget for any given fiscal year.

Section 18. Effective date. This Act shall take effect upon its approval by the President of the Republic, or upon its becoming law without such approval except as otherwise provided by law.

PASSED: August 4, 1989

APPROVED THIS 18th DAY OF August, 1989.

/s/ \_\_\_\_\_

Ngiratkel Etpison, President

Republic of Palau