

## **Non-DoD Schools Program Special Education Procedures**

The following are the procedures that the Department of Defense Education Activity (DoDEA) follow in the identification and provision of special education services for eligible Department of Defense (DoD) dependents residing in areas where there is no DoDEA school. Prior to any special education activity, Non-DoD Schools Program (NDSP) entitlements and command sponsorship must be verified.

The DoDEA NDSP is committed to the provision of appropriate special education and related services for DoD dependents who are space-required and eligible for NDSP under DoD Directive 1342.13, "Eligibility Requirements for Education of Minor Dependents in Overseas Areas," July 8, 1982, as amended. It is the intent of the NDSP to follow the guidance and principles set forth in DoD Instruction 1342.12, "Provision of Early Intervention and Special Education Services to Eligible DoD Dependents," December 16, 2003; and DS Manual 2500.13 (revised DRAFT manual), "DoDEA Special Education Procedural Manual," 1994, as amended. Due to geographic locations and distances, collaborative efforts between the DoDEA Area NDSP point of contact (POC) for special education, parents, guardians, school personnel, and service providers may replace face-to-face meetings. The military medical department assigned to the geographic area to which the sponsor is assigned shall be responsible for any required related service.

The Area NDSP POC for special education must issue authorization of payment for the cost of all services prior to incurring any expense. DoD sponsors assigned to overseas locations are not authorized to obligate the US Government, contract with a private institution, or charge educational fees to DoDEA appropriations (e.g., Foreign Military Sales, Security Assistance Office, or Military Assistance Program case funds) without obtaining prior approval from the DoDEA NDSP.

### Exceptional Family Member Program (EFMP)

The Exceptional Family Member Program is the mechanism established in all Military Services to screen and identify family members who have special health and/or educational needs. The EFMP process identifies family members with special needs to better assist the military personnel system in making assignments to locations where DoDEA and the military medical departments have pre-established programs; and in determining the availability of local services in non-DoD locations. Enrollment in EFMP and screening prior to an overseas assignment is mandatory for all military personnel. To learn more about the Exceptional Family Member Program, sponsors may review the EFMP Connections Website at <http://www.efmconnections.org/efm/>.

Enrollment in EFMP is not mandatory for civilian employees. However, prior to accepting a position, the sponsor should ensure that family members' medical and educational needs can be met at the overseas location. Civilian employees should be aware that health practices, procedures, and quality vary in the overseas environment and may differ greatly from health care in the United States. Whether care is provided through a Military Treatment Facility or host nation medical services, the sponsor is responsible for the payment of services.

### Incoming Active Individualized Education Plan (IEP)

Parents enrolling a child with an active IEP in the NDSP should contact the Area NDSP POC for special education services [ndspeducation@eu.dodea.edu](mailto:ndspeducation@eu.dodea.edu) or <http://www.eu.dodea.edu/nondod.htm>. A copy of the IEP, available assessment reports, eligibility determination documents, and other pertinent information should be provided to the

Area NDSP POC for special education. The Area NDSP POC for special education will coordinate efforts with the parents and the school to review the incoming IEP. Agreed upon services will be annotated on the NDSP IEP coversheet. Services may be provided through any of the following arrangements:

- Services provided by the school at no additional cost to the DoDEA NDSP.
- Services provided by the school at additional cost to the DoDEA NDSP. *Funding must be authorized in writing prior to the provision of services.*
- Services that cannot be provided by the non-DoD school may be provided by local services providers or through alternative arrangements. *Funding must be authorized in writing prior to the provision of services.*

The Area NDSP POC for special education, parents, service providers, and the school shall work collaboratively to arrange the approved services, including approved assessments. Invoices for services must be submitted to the Resource Management Office in the Area Fiscal Division or to the local budget officer in cases where funding is provided by the host nation, along with the written prior approval for services.

The Area NDSP POC for special education shall review available documents to determine eligibility for special education as permitted by the guidance provided under DoD Instruction 1342.12. If there is insufficient data to determine eligibility, the NDSP POC for special education shall coordinate the required assessment. *Students must meet DoDEA eligibility criteria for special education to continue receiving authorized funding for special education services.*

#### New Referrals

If personnel from a non-DoD school or the parent or guardian of a student with DoDEA entitlement identify a student with suspected disabilities, the parent, guardian, school, or the military schools officer/liaison must contact the Area NDSP POC for special education. The Area NDSP POC shall coordinate, obtain information, and guide the development of an intervention or assessment plan.

#### Permission for Assessment

The Area NDSP POC for special education shall review the plan for assessment and provide the parent or guardian with a copy of "Parent Rights and Responsibilities." Prior to assessment, the parent or guardian must sign a permission form allowing the assessment of the student.

#### Assessment

Assessment shall be conducted through one of the following options:

1. Request available assessment data from the sending school.
2. Authorize and facilitate locally qualified personnel to conduct the assessment. *Prior to testing, authorization for payment for the cost of assessment must be issued by the Area NDSP POC for special education.*
3. Arrange for assessment at a DoDEA school site. Also arrange for the parent or guardian to accompany the student. NOTE: If a DoDEA School Case Study Committee (CSC) conducts assessments and identifies student needs, the CSC *must* consult with the Area POC before determining eligibility or developing an IEP.
4. Arrange for DoDEA assessment personnel to travel to the non-DoD school to conduct assessment.
5. Arrange telephonic interviews and electronic completion of checklists to obtain assessment data.

## Eligibility

Upon receipt of assessment data, the Area NDSP POC for special education will review the information to ensure that all required assessments for eligibility determination are available and complete. The Area NDSP POC will prepare the NDSP Special Education Eligibility Report. The report will be provided electronically to the parent or guardian, school, and local assessment personnel for review and input. A telephonic conference may be conducted if necessary. The parent or guardian and the Area NDSP POC for special education must sign the eligibility report. Signing the eligibility report indicates concurrence on the determination of eligibility. The parent or guardian shall be provided a copy of the final eligibility determination report. The original eligibility report shall be maintained in a confidential file at the DoDEA Area Office.

Listed below are the criteria under which students may qualify for special education and related services in the NDSP.

- Criterion A – Physically Impaired
  - Students whose educational performance is adversely affected by a physical impairment that requires environmental and/or academic modifications including, but not limited to the following: visually impaired, hearing impaired, orthopedic impaired, other health impaired, autism spectrum disorder.
- Criterion B – Emotionally Impaired
  - Students whose educational performance is adversely affected by an emotional condition that has been confirmed by a clinical evaluation and that has existed over a long period of time and to a marked degree.
- Criterion C – Communication Impaired
  - Students whose educational performance is adversely affected by a communication disorder to include language, articulation, voice, and fluency.
- Criterion D – Learning Impairment
  - Students whose educational performance is adversely affected by either a specific learning disability or an intellectual disability.
- Criterion E – Developmental Delay
  - Students, ages 3 to 8, who exhibit significant delays or disorders in one or more of the basic developmental processes.

The Area NDSP POC for special education will monitor the triennial review date to ensure that appropriate assessments are completed for the re-determination of eligibility and educational needs.

## Individualized Education Program (IEP)

Once eligibility is determined, the Area NDSP POC for special education shall oversee the development of an IEP in coordination with service providers, the classroom teacher, and the parent or guardian. Information may be shared telephonically, through electronic mail, and/or facsimile (FAX).

A copy of the IEP shall be presented to the parents and the service providers for review and final input. Parents shall sign the agreed upon IEP and send the signed cover page electronically or by facsimile to the Area NDSP POC for special education for signature. Both the parent or guardian and the service providers should maintain a copy of the completed IEP. The original IEP shall be maintained in a confidential special education file at the Area Office.

The Area NDSP POC for special education shall issue a statement authorizing the funding of services that cannot be provided by the non-DoD school and/or services provided by the school

which are an additional expense. *The Area NDSP POC for special education must issue authorization of payment for the cost of all services prior to implementation.*

#### Summer School

Summer school is not authorized. Services for students with disabilities may be provided during school recess periods only when required by an IEP as an extended school year. Determination of the need for extended school year is made in accordance with DoD Instruction 1342.12 and Area guidance.

#### Conducting Annual Reviews of IEPs

The Area NDSP POC for special education is responsible for monitoring the timely review of IEPs. Prior to the annual review date, the Area NDSP POC will contact the parent or guardian and/or the service providers to obtain present levels of performance and suggested goals and objectives for the draft IEP. The IEP is transmitted to the parents and service providers for review and final input. Parents sign the agreed upon IEP and send the signed cover page electronically or by facsimile to the Area POC for special education for signature. Both the parents and service providers should maintain a copy of the completed IEP. The original IEP is maintained in the confidential special education file at the Area Office.

#### Records Maintenance

Confidential files for students with educational disabilities in non-DoD schools are maintained by the Area POC for special education in accordance with DoDEA guidance for the maintenance and organization of confidential records. The Area POC for special education is responsible for ensuring that all documents are current, accurate, and complete.

#### Tracking Data

The Area POC for special education maintains the following data on an Excel Spreadsheet:

- Student Name
- Disability Category
- School Location
- Annual Review Dates
- Triennial Review Dates
- EFMP Educational Summary
- NDSP Funded Special Education Services