

2011 National Defense Authorization Act (NDAA): <http://www.gpo.gov/fdsys/pkg/PLAW-111publ383/pdf/PLAW-111publ383.pdf>

SEC. 582. ENHANCEMENT OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS.

(a) DIRECTOR OF THE OFFICE OF COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS.—Subsection (c) of section 1781c of title 10, United States Code, is amended to read as follows:

“(c) DIRECTOR.—

“(1) The head of the Office shall be the Director of the Office of Community Support for Military Families With Service or a general officer or flag officer.

“(2) In the discharge of the responsibilities of the Office, the Director shall be subject to the supervision, direction, and control of the Under Secretary of Defense for Personnel and Readiness.”.

(b) ADDITIONAL RESPONSIBILITY FOR OFFICE.—Subsection (d) of such section is amended—

(1) by redesignating paragraph (7) as paragraph (8); and

(2) by inserting after paragraph (6) the following new paragraph (7):

“(7) To conduct periodic reviews of best practices in the United States in the provision of medical and educational services for children with special needs.”.

(c) ENHANCEMENT OF SUPPORT.—Section 563 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111– 84; 123 Stat. 2304) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following new subsections:

“(c) MILITARY DEPARTMENT SUPPORT FOR LOCAL CENTERS TO ASSIST MILITARY CHILDREN WITH SPECIAL NEEDS.—The Secretary of a military department may establish or support centers on or in the vicinity of military installations under the jurisdiction of such Secretary to coordinate and provide medical and educational services for children with special needs of members of the Armed Forces who are assigned to such installations.

(d) ADVISORY PANEL ON COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL NEEDS.—

“(1) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this subsection, the Secretary of Defense shall establish an advisory panel on community support for military families with special needs.

“(2) MEMBERS.—The advisory panel shall consist of seven individuals who are a member of a military family with special needs. The Secretary of Defense shall appoint the members of the advisory panel.

“(3) DUTIES.—The advisory panel shall—

“(A) provide informed advice to the Director of the Office of Community Support for Military Families With Special Needs on the implementation of the policy required by subsection (e) of section 1781c of title 10, United States Code, and on the discharge of the programs required by subsection (f) of such section;

“(B) assess and provide information to the Director on services and support for children with special needs that is available from other departments and agencies of the Federal Government and from State and local governments; and

“(C) otherwise advise and assist the Director in the discharge of the duties of the Office of Community Support for Military Families With Special Needs in such manner as the Secretary of Defense and the Director jointly determine appropriate.

“(4) MEETINGS.—The Director shall meet with the advisory panel at such times, and with such frequency, as the Director considers appropriate. The Director shall meet with the panel Deadline.

SEC. 586. REPORT ON ENHANCING BENEFITS AVAILABLE FOR MILITARY DEPENDENT CHILDREN WITH SPECIAL EDUCATION NEEDS.

(a) REPORT REQUIRED.—Not later than September 30, 2011, the Secretary of the Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report describing the needs of military families with children with special education needs and evaluating options to enhance the benefits available to such families and children under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in meeting such needs.

(b) CONSULTATION.—The Secretary of Defense shall prepare the report in consultation with the Secretary of Education.

(c) ELEMENTS.—In preparing the report, the Secretary of Defense shall—

(1) identify and assess obstacles faced by military families with children with special education needs in obtaining a free appropriate public education to address such needs;

(2) identify and assess evidence-based research and best practices for providing special education and related services (as those terms are defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401)) for military children with special education needs;

(3) assess timeliness in obtaining special education and related services described in paragraph (2);

(4) determine and document the cost associated with obtaining special education and related services described in paragraph (2);

(5) assess the feasibility of establishing an individualized education program for military children with special education needs that is applicable across jurisdictions of local educational agencies in order to achieve reciprocity among States in acknowledging such programs;

(6) identify means of improving oversight and compliance with the requirements of section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414) relating to a local educational agency

supporting an existing individualized education program for a child with special education needs who is relocating to another State pursuant to the permanent change of station of a military parent until an individualized education program is developed and approved for such child in the State to which the child relocates;

(7) assess the feasibility of establishing an expedited process for resolution of complaints by military parents with a child with special education needs about lack of access to education and related services otherwise specified in the individualized education program of the child;

(8) assess the feasibility of permitting the Department of Defense to contact the State to which a military family with a child with special education needs will relocate pursuant to a permanent change of station when the orders for such change of station are issued, but before the family takes residence in such State, for the purpose of commencing preparation for education and related services specified in the individualized education program of the child;

(9) assess the feasibility of establishing a system within the Department of Defense to document complaints by military parents regarding access to free and appropriate public education for their children with special education needs;

(10) identify means to strengthen the monitoring and oversight of special education and related services for military children with special education needs under the Interstate Compact on Educational Opportunities for Military Children; and

(11) consider such other matters as the Secretary of Defense and the Secretary of Education jointly consider appropriate.

From the 2011 NDAA Conference Report: <http://www.gpo.gov/fdsys/pkg/CRPT-111hrpt491/pdf/CRPT-111hrpt491.pdf>

Section 585—Importance of Office of Community Support for Military Families With Special Needs

This section would express the sense of Congress that the Office of Community Support for Military Families with Special Needs is the best structure to determine what medical, educational, and other support services are required by military families with children who have a medical or educational special need and to ensure that those services are made available to those families. This section would also require that the Secretary of Defense allocate a separate line of funding to the Office of Community Support for Military Families with Special Needs, effective with the Program Objective Memorandum to be issued for fiscal year 2012.

Section 586—Comptroller General Report on Department of Defense Office of Community Support for Military Families With Special Needs

This section would require the Comptroller General of the United States to submit a report to the congressional defense committees on the progress made in implementing the Office of Community Support for Military Families with Special Needs.

Section 587—Comptroller General Report on Exceptional Family Member Program

This section requires the Comptroller General of the United States to conduct an assessment of the Exception Family Member Program of the Department of Defense and to report the findings of the

assessment to the congressional defense committees within 180 days after the date of enactment of this Act.