



# Military Meets Special Education Where do I start?

“ DOCUMENT. DOCUMENT. DOCUMENT ”

- MICHELLE NORMAN  
PARTNERS IN PROMISE - FOUNDER & EXECUTIVE DIRECTOR

**1. Education**

ENROLL IN EFMP  
RESEARCH ABOUT YOUR DIAGNOSIS  
LEARN YOUR EDUCATION RIGHTS  
COLLECT RESOURCES

**2. Build your network**

FIND YOUR TRIBE  
CONNECT TO RESOURCES  
SHARE YOUR STORY  
UPLIFT OTHERS

**3. Self Care**

RESPITE CARE  
TAKE BREAKS  
GIVE YOURSELF GRACE

**4. Document. Document. Document.**

RECORD IEP MEETINGS  
STAY ORGANIZED  
COLLECT ALL DOCUMENTS IN ONE PLACE  
PUSH FOR UPDATED EVALUATIONS  
GET IT IN WRITING!

Connect with Partners in PROMISE





EXCEPTIONAL FAMILY MEMBER PROGRAM  
AND  
SPECIAL EDUCATION

# OUR TEAM



We Are

*Partners*  
In PROMISE

## Protecting the Rights Of Military children In Special Education

through educating and advising the legislative agendas of military service organizations, Department of Defense and public officials.

All children receiving special education are entitled to a free appropriate public education.

The data shows there are systemic problems with special education for military families across the US and the trend is many school systems are not providing the required standards of education.

So, we created the P.R.O.M.I.S.E. Act.



# Telling Our Stories

- 17 year old daughter with 21 disabilities including cerebral palsy, ADHD, and anxiety
- Family has been geographically separated for 3 years with 7 deployments
- Parents forced to sue school district, place daughter in private school
- Severe mental, fiscal and emotional burden over 5-year legal battle, \$220K+ in attorney/advocate fees







# Telling Our Stories

- Met a would-be Naval Aviator while working in Washington, DC
- Married in 2006
- Two OCONUS tours
- Military family reporter
- Joined Partners in PROMISE in February 2020



# BLUF: WHAT IS EFMP?

- A program that assists military families with special needs
- Special needs includes:
  - Specialized medical and dental care
  - Developmental requirements
  - Special education requirements
  - Accessibility/Adaptive equipment
  - Assistive technology
  - Specific mental health condition
- Military helping their own



# EFMP TOOLBOX

- **Identification and enrollment tool**
  - **MTF EFMP**
  - Through self-identification, schools or Navy/civilian medical provider
- **Assignment coordination tool**
  - **NPC EFMP** ensure your duty station has adequate and educational support
- **Family support tool**
  - **FFSC case liaisons** provides resources
  - Medical and non-medical case management
  - May be eligible for ECHO



# WHAT IF I'M NOT SURE?

## NOT KNOWING IS OKAY

- TALK TO YOUR CARE PROVIDER
- TALK TO YOUR CHILD'S TEACHER





# WHO SHOULD ENROLL?

- Does your exceptional member:
  - Require special medical services for a chronic condition?
  - Receive ongoing services from a medical specialist?
  - Have significant behavioral concerns?
  - Receive early intervention or special education services through an individualized education program (IEP) or Individualized family service plan (IFSP)?

**If you said YES to any of the above, then it is mandatory to enroll.**



# HOW DO I ENROLL?

- Service member must enroll eligible family member
- Two forms:
  - DD 2792 Family Member Medical Summary
  - DD 2792-I Special Education/Early Intervention Summary (dependent children 3-18) or 23 if enrolled in full time school
- Send paperwork to Central Screening Committees (CSC) -
  - Portsmouth, San Diego, Yokosuka
- CSC makes decision, enters into EFMP database at PERS- 454
- Detailers use EFMP data to aide in recommendations
- Re-eligibility every 3 years

INSTRUCTIONS FOR COMPLETING DD FORM 2792, FAMILY MEMBER MEDICAL SUMMARY	
<b>GENERAL</b> <p>The DD Form 2792 and attached addenda are completed to identify a family member with special medical needs. The addenda to the medical summary are completed only if noted in item 10 of the Demographics Certification section (p. 3). The Exceptional Family Member Program (EFMP) Special Needs Identification and Clearance (SNIAC) Screening Coordinator and the Parent/Guardian or Person of Majority Age sign items 6.b and 13.b only after all addenda have been completed and the form reviewed for completeness and accuracy.</p>	Items 11.a. - h. Mark (X) all services being provided to the family member.  Item 12.a. Additional Family Member. <u>Answer Yes</u> if there is any member of the family, not including the patient, who has been identified as having special needs.  Item 12.b. Indicate the number of other family members who have been identified as an EFM. <b>Do not include the individual named in this summary in the count of family members.</b>  Items 13.a. - e. EFMP/SNIAC/Screening Coordinator or Advisor name, signature, date, facility address, telephone number. <b>Self-explanatory. Coordinator must ensure that all forms are complete and attached before signing.</b>
<b>AUTHORIZATION FOR DISCLOSURE</b> (Page 1).  Health Insurance Portability and Accountability Act (HIPAA) Requirement: Each adult family member must sign for the release of his/her own medical information. The sponsor or spouse cannot authorize the release of information for those dependent family members who have reached the age of majority. Please consult with your military treatment facility (MTF) or dental treatment facility (DTF) privacy/HIPAA coordinator about questions regarding authorizations for disclosure.	Item 13.f. This area is reserved for Service-specific guidance to validate the form.  <b>MEDICAL SUMMARY beginning on page 4 must be completed by a qualified medical professional.</b> <b>Sponsor, spouse, or family member of majority age must sign release authorization on page 1 before this summary is completed.</b>
<b>DEMOGRAPHICS CERTIFICATION</b> (Page 2).  Items 1. Self-explanatory.  Item 2.a. Family Member (FM). Name of family member described in subsequent pages.  Item 2.b. Self-explanatory.  Item 2.c. Applies to Military medical beneficiary only. The Family Member Prefix is assigned when the family member is enrolled in DEERS.  Items 2.d. - i. Self-explanatory.  Item 3.a. - j. All items refer to the sponsor. Self-explanatory.  Item 4.a. <u>Answer Yes</u> if both spouses are on active duty; otherwise answer No. If Yes, complete items 4.b. - e. All items refer to the active duty spouse. Self-explanatory.  Item 5.a. - d. If Yes, enter Social Security Number, name of sponsor or branch of Service. Military only.  Item 6.a. - c. Parent/Guardian or Person of Majority Age. Parent/guardian or person of majority age certifies that the information contained in the DD 2792 is correct. <b>Individual must ensure that all forms are completed and attached before signing.</b>  Item 7. Purpose for Completing the Form (X one). Initial Screening Enrollment - Review of medical history for the family member noted for the purpose of determining eligibility for EFMP. Request for government sponsored travel and/or command sponsorship review of proposed location/s). Update to previous evaluation for the family member. Qualifies for a change in EFMP status. Used to disenroll an EFMP when he/she no longer has the medical condition that requires enrollment, or when the EFM no longer qualifies as a dependent.  Item 8. Indicate status of medical condition.  Item 9.a. If yes, complete b. - c.  Item 10. Required Addenda. This addendum is completed only if applicable to the patient described. Indicate in block 1 Yes or No. If Yes, proceed with addendum and sign. If No, do not complete addendum. <b>SIGNATURE of Qualified Medical Provider is REQUIRED.</b> Each Military Service may additionally indicate need to complete addenda in item 10, page 3, when determining the purpose of completing this form and may be completed by a different provider than pages 4 - 7, if necessary.	Item 13.g. ICD or DSM. Enter ICD-9-CM or DSM IV designations. <b>REQUIRED.</b>  Item 3.c. Medications and Therapies. Self-explanatory. Additional information may be included in item 11 if more space is required.  Item 3.d. Enter per diagnosis the number of outpatient visits, ER visits, hospitalizations and ICU admissions for the last 12 months.  Item 4. Prognosis. Self-explanatory. Additional information may be included in item 11 if more space is required.  Item 5. Treatment Plan. Self-explanatory. Additional information may be included in item 11 if more space is required.  Item 6. Cancer. Self-explanatory.  Item 7. Minimum Health Care Specialty. Codes in the first column are used by Army coding teams only. In column 1, indicate with an X those specialists essential (required) to meet the needs of the patient. For example, if a developmental pediatrician is a child's primary care provider, but a pediatrician can meet the needs, do not mark developmental pediatrician. In column 2, indicate frequency of care. Enter A - Annually; B - Bimonthly; Q - Quarterly; M - Monthly; B - Bimonthly; W - Weekly.  Item 8 - Artificial Openings. Self-explanatory.  Item 9 - Environmental/Architectural Considerations. Self-explanatory.  Item 10. Adaptive Equipment/Special Medical Equipment. Self-explanatory.  Item 11. Comments. Enter any additional information that would assist in determining necessary treatment.  Item 12.a. - f. Provider Information. Official Stamp or printed name and signature of the provider completing this summary, and the date the summary was signed. Self-explanatory.

# EFMP MYTHS - DEBUNKED

- Promotion and selection boards DO NOT look at EFMP Status
- Detailers look at EFMP Status to align orders with EFMP category
- Assignments are case-by-case, OCONUS is still possible
- Marine Corps Study - does not hinder career progression
- EFMP is for all family members, not just children

**Remember: EFMP is a program to help support YOU**



# NEW ROLE: ADVOCATE



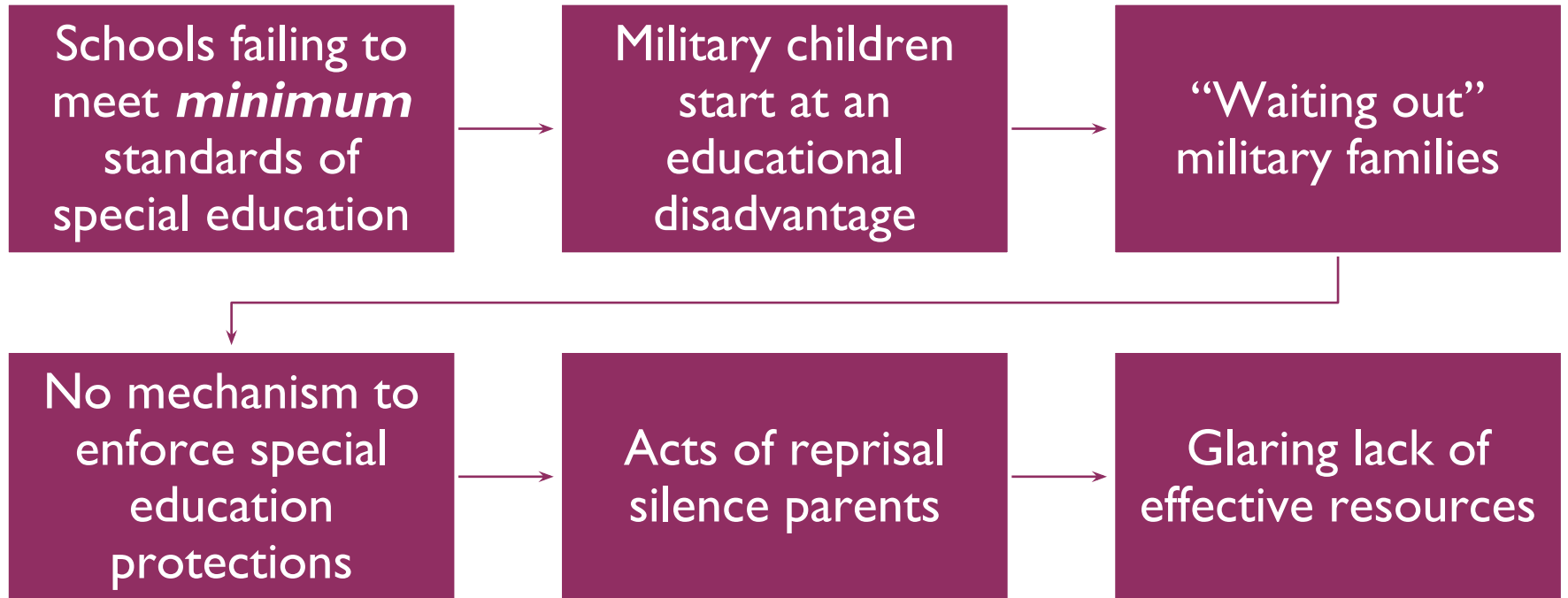
# SPECIAL EDUCATION

- Federal Law - Individuals with Disabilities Education Act (IDEA)
- Signed in 1974 and reauthorized in 2004
- Entitles eligible students with disabilities a Free Appropriate Public Education (FAPE)
- Individualized Education Programs (IEP) is the vehicle for delivery
- Governs how states and public agencies provide early intervention, special education, and related services





# THE PROBLEM



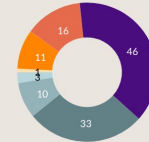
# 2020 MILITARY SPECIAL EDUCATION STUDY



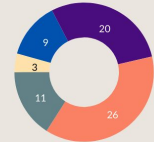
## MILITARY SPECIAL EDUCATION [ 2020 SURVEY RESULTS ]

132,000 military dependents have special needs.  
Without a solution readiness, retention & children will continue to suffer.

### PARTICIPANTS



E-3 (0.83%) E-4 (9.17%) E-5 (13.33%) E-6 (38.33%) E-7 (27.5%) E-8 (8.33%) E-9 (2.5%)



O-1 (4.35%) O-3 (13.04%) O-4 (28.99%) O-5 (37.68%) O-6 (15.94%)

### SERVICE BRANCHES



Army  
50%



Air Force  
23%

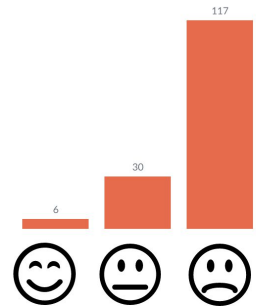


Navy  
18%

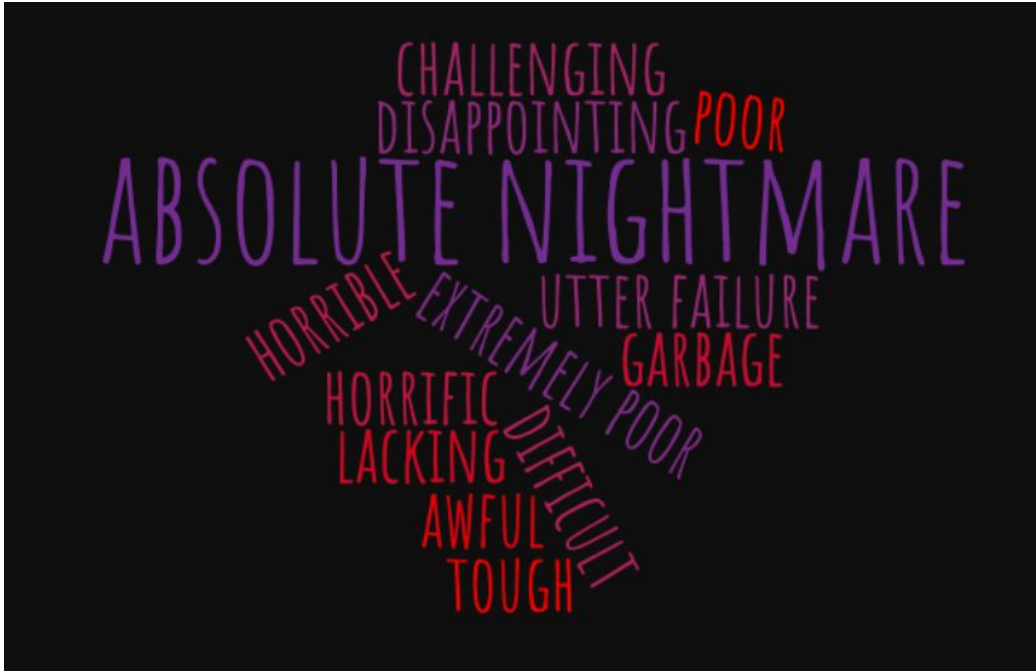


Marines  
6%

### RESPONSES



Positive Neutral Negative



## INCONSISTENT SUPPORT ACROSS SERVICES

Remote enrollment not assured

IEPs not standardized

SLOs and coordinators are not trained – ineffective help

In states that require parental consent to change IEP, public schools sue parents who don't agree to substandard IEP

When parental consent not required, school districts reduce goals and services well below legal standards of education

Legal Assistance: only USMC provides attorneys

# LACK OF ACCOUNTABILITY



**Districts give inflated grades/awards to placate parents**



**IEP meetings not collaborative**



**SPED Advocate is expensive - meetings more adversarial**



**Education Department is a regulatory agency - no enforcement authority**



**Many enlisted service members cannot afford to fight**



**Due process is the only option but outcomes vary**

# LACK OF TRANSPARENCY

## Impact Aid Funding

1. Payments for Federal Property
  2. Basic Support Payments
  3. Military connected children with Severe Disabilities (7003d)
- No auditing or tracking of any funds
  - School districts can use Impact Aid for dual language programs, add to their general fund- or to pay attorneys to fight military families



# THE RESULT



MILITARY CHILDREN  
WHO ARE NOT  
PREPARED FOR LIFE  
AFTER SCHOOL  
YEARS



MENTALLY,  
PHYSICALLY AND  
OFTEN FINANCIALLY  
EXHAUSTED FAMILIES



***DECREASED  
MILITARY  
READINESS AND  
RETENTION***

THE  
SOLUTION?

THE  
PROMISE  
ACT

Directing

Directing a Government Accountability Office (GAO) study that identifies school district usage of 7003(d) impact aid funds

Ensuring

Ensuring remote school enrollment for all military families

Tasking

Tasking DoD to provide annual report to Congress on special education challenges facing military children

Allowing

Allowing families to maintain IEPs at the gaining duty station after a PCS for up to 6 months

Requiring

Requiring parental consent to all IEP changes before changes can be implemented

Providing

Providing special education attorneys and advocates across all service branches in densely populated EFMP locations

Instructing

Instructing State Education Agencies and the U.S. Department of Education to gather and provide data on special education disputes involving military children

# SUPPORT IS ON THE WAY: EFMP CONGRESSIONAL HEARING

- February 2020 House Armed Services Committee Military Personnel Subcommittee Hearing on EFMP Challenges
- One of two military spouses to testify among three military service organizations
- Discussed our personal experience and PROMISE Act solutions



# 2021 NDAA

- Incorporates many of PROMISE Act initiatives
  - Standardizes EFMP across branches
  - Special education attorneys
  - Surveys
  - GAO Study


## House



- Provision to provide special education attorneys to EFMP-centric locations. (H.R. 6395, Subtitle G, Section 570A)

## Senate



- Reporting & data collection mechanism to track disputes filed by servicemembers and their families.
  - Detailed GAO study to collect data on military children and their access to Free and Appropriate Public Education (FAPE) and tracking the use of federal impact aid. (S. 4049, Subtitle G, Section 564)
- 
- Individual Service Plans no longer required, but optional

# 2021 MILITARY SPECIAL EDUCATION SURVEY



## [ 2021 SURVEY ] MILITARY SPECIAL EDUCATION

EFMP FAMILIES

SHARE YOUR STORY



## Why Another Survey?

- Military children in special education are under-studied
- Do military families have a harder time receiving a free and appropriate public education (FAPE)?
- What impact do frequent PCS moves have on FAPE?

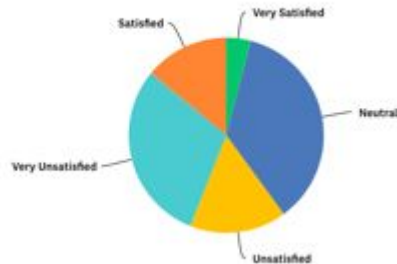


# 2021 MILITARY SPECIAL EDUCATION SURVEY

”We had a school get rid of supports without a plan to fade them, and then had to ‘collect their own data’ when my son started suffering and we wanted them back. This process took a year and a half before they had the ‘data’ to reinstate the support. My argument was that the incoming out of state IEP was all the data that they needed. While all of this was happening, my son exhibited new extreme behaviors that we’d never seen before. His regression is still evident to this day.” – Survey Participant

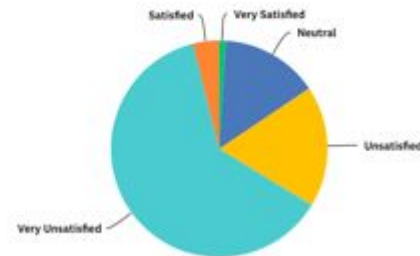
Rate Your WORST DODEA SCHOOL experience.

Answered: 85 Skipped: 262



Rate Your WORST PUBLIC SCHOOL experience.

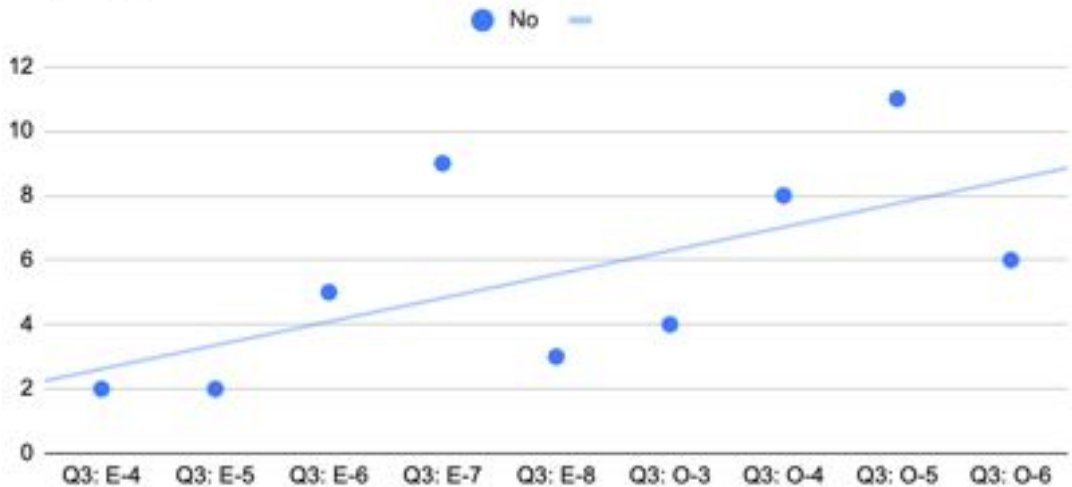
Answered: 221 Skipped: 126



# 2021 MILITARY SPECIAL EDUCATION SURVEY

- Statistically stigma is being reduced in the lower enlisted and officer ranks
- For those who did not register their children in EFMP, the reason most cited for not registering them was “Didn’t know about EFMP”
- Knowledge is the key to removing stigma.

Are all of your children who are eligible for EFMP enrolled in the program?



Are all of your children who are eligible for EFMP enrolled in the program?

# Special Education Checklist

A GUIDE FOR MILITARY FAMILIES DURING COVID-19



**Partners in PROMISE**  
<https://thepromiseact.org>  
[info@thepromiseact.org](mailto:info@thepromiseact.org)



## COVID-19 SCHOOL CLOSURES

Partners in PROMISE understands that there are unprecedented times for our military families and the world. Remote learning has been in effect for most school districts and schools. Our PROMISE families will surely be impacted by these times. We are ensuring the responsibilities of parent, teacher, therapist and provider. Although the US Dept of Education has issued guidance school districts regarding COVID-19 regulations, it is primarily left to the states and/or individual school districts to provide a Free Appropriate Public Education (FAPE).

We encourage partnerships between schools and families. Knowing it is nearly impossible for our children to progress without the same supports and services in place as they require in the schoolhouse. However, with our partners, we need to progress to work together to ensure your child gets back on track. Below are some helpful tips to organize and document your efforts during the time so you are prepared to advocate for your child.



# RESOURCES - COVID

Partners in PROMISE  
[www.thepromiseact.org](http://www.thepromiseact.org)

SPED Checklist

Organize/Document!

Share Your Story!

## RECOMMENDATIONS

1

### BE PROACTIVE

Email your child's case manager or special education teacher, if you have not already. Ask what their goal is during the pandemic and how they will be delivering services. Put in good faith effort to work with the case manager on their plan while noting issues with any part of the proposed plan (lack of internet, lack of technology, work schedules, etc). Did your school district print a Temporary Learning Plan and a PWN without holding an IEP Meeting? That information will be important to refer to during this time.

2

### DO NOT SIGN

Do not sign any document that waives your child's right to receive a Free and Appropriate Public Education during the school closure period. There has been no waiver of IDEA implementation requirements granted by the federal government during this time. Your signature may be used as evidence that you were in agreement to reducing your child's IEP goals and services during this time.

3

### WAIT FOR PCS DATES

If you are scheduled to PCS, do not offer that information to the IEP Team. All PCS moves are on hold until the summer and that is always subject to change. Your child could be eligible for ESY services during the summer and you will want to preserve your child's ability to receive those services.



Understand if you have not already. Ask what their goal is during the pandemic and how they will be delivering services. Put in good faith effort to work with the case manager on their plan while noting issues with any part of the proposed plan (lack of internet, lack of technology, work schedules, etc). Did your school district print a Temporary Learning Plan and a PWN without holding an IEP Meeting? That information will be important to refer to during this time.

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HERE FOR YOU

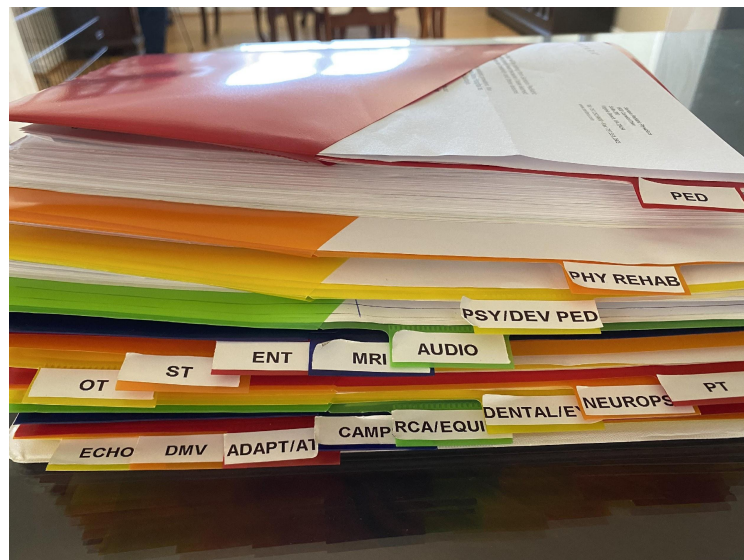
providing special education for a free appropriate public education.

shows there are systemic health issues and action for families across the US.

DW WE CAN HELP

# RESOURCES - COVID - GUIDELINES

- Collaborate as much as possible
- Have you convened an IEP Meeting since COVID began?
- Discuss data from last spring/Use SPED Checklist
- Ask who is delivering the services
- Discuss compensatory services



# RESOURCES - COVID - TIPS AND TRICKS

- Bring someone with you to IEP Meetings
- Record all IEP Meetings, notify school officials prior
- Put everything in writing
- DO NOT SIGN anything in a meeting
- Double check Prior Written Notice
- Know your procedural safeguards





# RESOURCES - NAVY EFMP PILOT PROGRAM

- Pilot Program launched in 2 regions

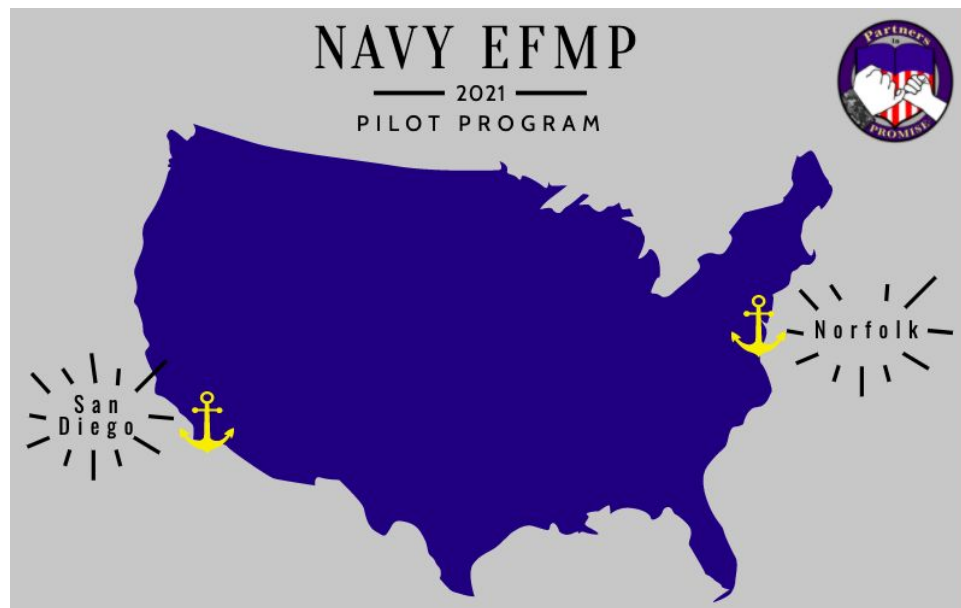
Mid- Atlantic Region (Hampton Roads, VA)

Southwest Region (San Diego, CA)

- Hired Special Education Personnel

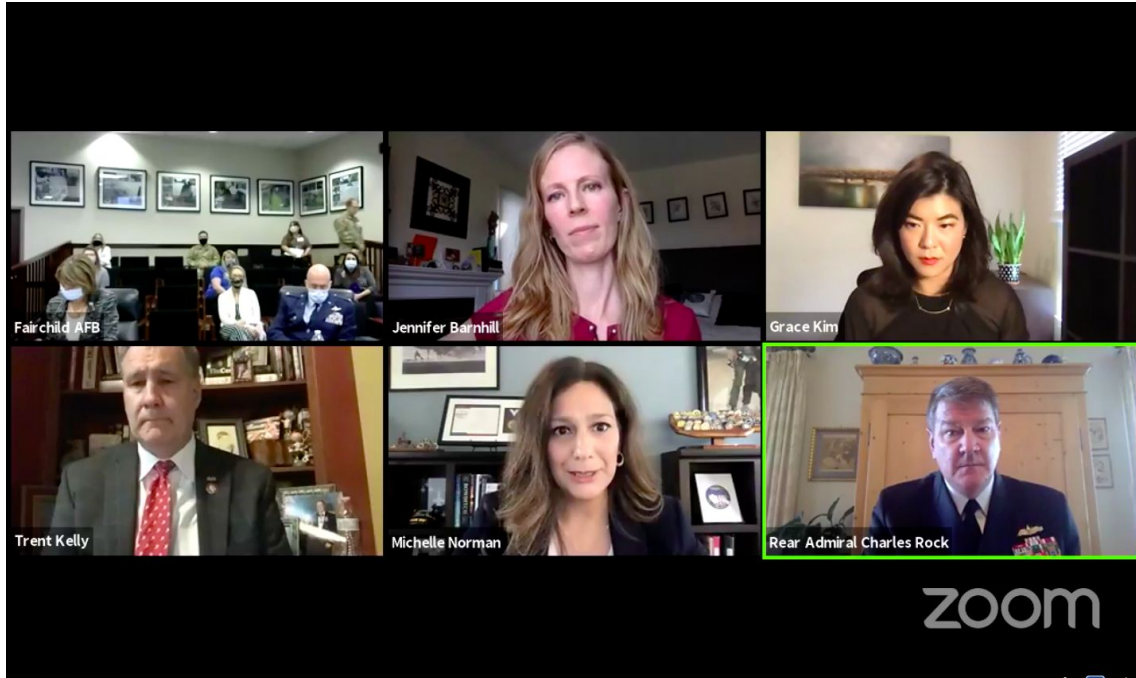
- Special Education Attorneys
- Special Education Liaisons (Advocates)
- EFMP Case Liaisons

- Providing 3 tiers of Special Education support



# RESOURCES FOR ALL - NAVY SPECIAL EDUCATION BOOT CAMP

- Hosted all service branches at PELE - William and Mary Law School
- Over 140 JAGs, paralegals, and EFMP Coordinators attended
- Basic special education law discussed
- What to expect IEP Meeting, Eligibility Meeting, Due Process
- Each service branch is now offering SPED trainings, forms of legal assistance



# RESOURCES - NAVY EFMP APPLICATION

- Find it in the Navy Locker ([applocker.navy.mil](http://applocker.navy.mil)) or App Store
- One-stop shop for EFMP
- Enrollment, Benefits, FAQs
- Medical and Educational resources



The Navy's Exceptional Family Member Program (EFMP) assists Navy families with special needs to include:

- Specialized Medical and Dental care
- Developmental requirements
- Special Education requirements
- Accessibility/Adaptive equipment
- Assistive Technology devices and services
- Specific mental health conditions

If you have an exceptional family member, EFMP enrollment is mandatory so that the US Navy can provide you and your family support, to include duty station recommendations that have adequate medical and educational facilities for your family.

Navy EFMP Coordinators, located in military hospitals and clinics throughout the fleet (also

# RESOURCES - GENERAL

## Resource Partners

Our Partners (in PROMISE) have committed to helping our military special needs community. Their areas of expertise range from providing disability-specific resources, to advocating for improved services at the federal and state level. Learn more about our partnerships and the resources they provide below.

Military One Source EFMP & Me

Wrightslaw

Partners in PROMISE  
Resource Partners



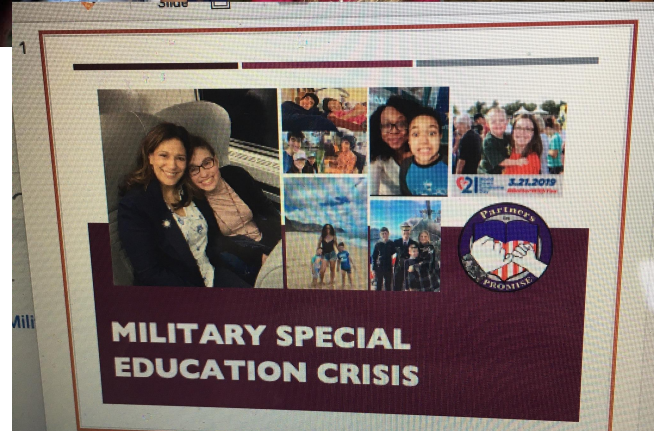
# RESOURCES - COMMUNITY - THE HELPERS

- \* Military Spouse community
- \* Navy Marine Corps Relief Society
- \* Hospital Patient Advocates





# SPEAK UP



# NAVY ADVENTURE

- Self care
- Be flexible
- Engage, engage, Engage
- Find your tribe
- Balance career and family
- Asking for help is not weakness
- Be your child's best advocate



thePROMISEact.org



QUESTIONS?

info@thePROMISEact.org

