

## CHARTER

The Department of Defense Overseas Dependents' Schools National Advisory Panel on the Education of Dependents with Disabilities (NAP)

**SUMMARY:** The NAP advises the Under Secretary of Defense (Personnel and Readiness) (USD(P&R)) and the Director, Department of Defense Education Activity (DoDEA), on matters affecting the education of children with disabilities enrolled in the Department of Defense Dependents Schools (DoDDS), and performs other functions as requested by the USD(P&R) and the Director, DoDEA. This charter is a revision of the NAP Charter which was signed on July 23, 2000, and filed in accordance with 41 C.F.R. 102-3.70.

1. Authority:

- a. Section 927 of the Defense Dependents' Education Act of 1978, as amended, 20 U.S.C. 921 et seq.
- b. Section 1412(a)(21) of the Individuals with Disabilities Education Act (IDEA), as amended, 20 U.S.C. 1400 et seq.
- c. DoD Instruction 1342.12, "Provision of Early Intervention and Special Education Services to Eligible DoD Dependents in Overseas Areas," March 12, 1996.

2. Official Designation: The Overseas Dependents' Schools National Advisory Panel on the Education of Dependents with Disabilities (NAP or "Panel").

3. Objectives and Scope: The Panel, among other duties, (a) advises the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) and the Director, Department of Defense Education Activity (DoDEA) of unmet needs within the Department of Defense Dependents Schools (DoDDS) for the education of children with disabilities; (b) comments publicly on any DoDEA rule or standard regarding the education of children with disabilities; and (c) assists DoDEA in matters that have been identified as areas of concern by the USD(P&R) or the Director, DoDEA.

4. Time Required to Carry Out the Purpose of the Panel: In accordance with Section 927 of title 20, United States Code, and DoD Instruction 1342.12, the Panel shall continue in existence indefinitely, or until such time as legislative changes are made.

5. Official to Whom the Panel Reports: The Panel reports to the USD(P&R) and the Director, DoDEA.

6. Agency Responsible for Providing Support Services: The Department of Defense (DoD) provides support services to the Panel.

7. Structure: The Panel shall consist of members appointed by the USD(P&R) or a

delegee. Membership shall include at least one representative from each of the following groups:

- a. Persons with disabilities.
  - b. The DoDDS special education teachers.
  - c. The DoDDS regular education teachers.
  - d. Parents of children, aged 3 to 21, inclusive, who are receiving special education from the DoDDS.
  - e. The staff personnel of the DoDEA Headquarters.
  - f. Special education program managers from DoDDS-Pacific and DoDDS-Europe.
  - g. Representatives of the Military Departments and overseas commands, including providers of related services.
  - h. Providers of the DoD early intervention services.
  - i. Other appropriate persons.
8. Functions of the Panel: The Panel shall:
- a. Review information regarding improvements in services provided to children with disabilities, aged 3 to 21, inclusive, in the DoD.
  - b. Receive and consider comments from parents, students, professional groups, and individuals with disabilities.
  - c. When necessary, establish committees for short-term purposes comprised of representatives from parent, student, professional groups, and individuals with disabilities.
  - d. Review the findings of fact and decision of each impartial due process hearing conducted pursuant to DoD Instruction 1342.12.
  - e. Assist in developing and reporting such information and evaluations as may assist the DoD.
  - f. Make recommendations based on program and operational information for changes in policy and procedures in the budget, organization, and general management of the special education program.
  - g. Comment publicly on rules or standards regarding the education of children with disabilities, from birth through age 21 years.

- h. Submit an annual report of its activities and suggestions to the USD(P&R) and the Director, DoDEA, by July 31 of each year.
- i. Perform such other tasks as may be requested by the USD(P&R) or the Director, DoDEA.

9. Length of Term: The NAP members shall serve under appointments that shall be for a term not to exceed 3 years. Any member appointed to fill a vacancy occurring before the expiration of the term for which his or her predecessor was appointed shall serve for the remainder of such term. No member appointed shall serve more than two full terms on the Panel.

10. Estimated Annual Operating Cost: The estimated annual operating cost for the Panel is \$50,000, which includes travel and per diem for members, but excludes staff support and compensation to members for serving on the panel.

11. Number and Frequency of Meeting: At least one annual meeting shall be scheduled and shall be held in the spring, with an additional meeting to be held in the fall of each year at the discretion of the Panel. Subcommittees established by the Panel shall meet as necessary to conduct their business.

12. Panel Operating Provisions: The Director, DoDEA, convenes NAP meetings. A quorum exists when a majority of the appointed membership is in attendance at a duly assembled meeting. A majority of the quorum shall elect a chairperson and vice-chairperson. The executive committee shall consist of the chairperson, vice-chairperson, and one member representative each, appointed by the chairperson, from DoDDS-Europe and DoDDS-Pacific. The Panel will operate in accordance with the provisions of DoD Directive 5105.4, "Department of Defense Federal Advisory Committee Management Program," dated September 5, 1989.

13. Termination Date: Indefinite

14. Date Charter Filed: July 23, 2002