

Keeping It Legal

43 AMOG/JA

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Your Local JA office is here to help.

Legal Assistance Hours are Monday—Thursday 0900-1530

(910) 394-2341

We provide notaries, powers of attorney, and attorney consultations.

For after-hours emergencies, call the Command Post (910) 394-9000 to reach the on-call JAG.

Ethics Corner

Conflicting Financial Interests

As a government employee, you are prohibited from working on a Government matter in which you, your spouse or minor child, or certain others have a financial interest.

PCS and School Transitions Reminders for Military Parents

WHO Should Know: As we approach PCS season, it is important for military parents to remember that school transitions trigger crucial protections for military children, even some college level dependents, not just those who require special education or accommodations.

What Does the Law Say: **The Family Educational Rights and Privacy Act** provides parents with the right to access and obtain copies of all their children's educational records, including evaluations, Individualized Education Programs (IEP), progress reports, and all other relevant documents. Parents can request a copy of their child's records in writing, or using a local form, through their school or district. Complete school records will help your child's new school to offer comparable services or to appropriately address any special needs and/or accommodations a child may have. Parents should hand-carry these documents during the PCS and avoid packing them with the rest of their household items.

The Interstate Compact on Educational Opportunity for Military Children is an agreement amongst states to assist military kids in experiencing seamless school transfers and consistency in attendance, enrollment, eligibility, and graduation requirements. It ensures military students receive consistent educational opportunities with different schooling and placement requirements for all sorts of school-related activities, including extracurricular and after school programs.

The Individuals with Disabilities Education Act provides specific timelines for gaining schools to adopt or complete new evaluations for children with

disabilities. Services should not be discontinued while new evaluations are underway. Further, special education services and accommodations should not be denied because a student is new or because their existing IEP is from another state. Seek assistance from the local Legal Assistance Office, School Liaison, or EFMP Coordinator, if facing unreasonable delays in receiving services, implementing existing IEPs, or other educational difficulties.

Section 504 of the Rehabilitation Act of 1973 protects individuals with disabilities from discrimination in federally funded educational programs. Section 504 provides services to students who require accommodations even if they do not qualify for special education through an IEP. Protections under 504 extend beyond public schools and 12th-grade into other educational settings when an institution is receiving federal funding. Before you move, communicate with your children's current school about their Section 504 Plan, and ensure the new school is aware of your children's needs and is better prepared to implement the necessary accommodations.

Summary: Plan Ahead; Maintain Records; Advocate; and Seek Help Early and Often. Military parents play a vital role in ensuring each child's educational success. Plan ahead, maintain records, communicate with both the losing and gaining school ahead of time, advocate for your child and seek support early and often.

June Lunch and Learn

Trusts in Estate Planning

June 15, 2023 from 12:00-12:30 in the Courtroom of the Legal Office