

overseas, and who is either a U.S. citizen or a person lawfully accorded the privilege of residing permanently in the United States as an immigrant in accordance with the United States immigration laws (8 U.S.C. "Aliens and Nationality").

(h) *Full-time students.* Panama Canal College students enrolled in courses for 12 or more credit hours during the fall and spring semesters of one school year.

(i) *Overseas area.* Any area situated outside the United States (the States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (excluding the Trust Territory of the Pacific Islands and Midway Island))

(j) *Part-time students.* Panama Canal College students enrolled in courses for 11 or fewer credit hours during the fall and spring semesters of one school year, and all students enrolled during the summer session.

(k) *Space-required.* Pupil accommodations that must be provided by the DoD dependents schools.

(l) *Space-available.* Pupil accommodations that may be made available in DoD dependents schools if the Director, DoDDS, or designee, determines that a school operated by DoDDS has adequate staff and other resources to permit the enrollment of nonspace-required students.

§ 71.4 Policy.

(a) It is the policy of the Department of Defense:

(1) That, while overseas, DoD dependent students may be enrolled in DoD dependents schools or approved non-DoD dependents schools, or may take correspondence courses at U.S. Government expense, under the conditions prescribed in § 71.5.

(2) To allow the enrollment of other minor dependents in DoD dependents schools, provided that space is available and that tuition is paid.

(b) Section 57 of this title provides guidance concerning the education of handicapped children.

§ 71.5 Eligibility requirements.

Students may be enrolled in the DoD dependents schools pursuant to paragraphs (a) through (d) of this section,

and in that priority, and pursuant to paragraph (e) of this section.

(a) *Space-required, tuition-free.* (1) Command-sponsored DoD dependent students shall, upon the request of their DoD sponsor, be enrolled in DoD dependents schools on a space-required, tuition-free basis. However, costs for the education of minor dependents of DoD sponsors working for the DoD Security Assistance Program shall be paid from DoD Security Assistance Program funds.

(2) If, as determined by the Director, DoD Dependents Schools (DoDDS), or designee, no DoD dependents school is available within the commuting area, command-sponsored DoD dependent students are eligible for education in approved non-DoD dependents schools at U.S. Government expense, usually in that same foreign country, or in DoD dependents schools with dormitories, or through correspondence courses at U.S. Government expense.

(3) DoD dependent students may be provided education in approved non-DoD dependents schools or may receive correspondence courses at U.S. Government expense only at locations where DoD dependents schools are not available or are operating at maximum capacity. Only those non-DoD dependents schools with programs considered satisfactory by the Director, DoDDS, or designee, shall be approved to provide education at U.S. Government expense to DoD dependent students. In all cases, the payment of tuition in approved non-DoD dependents schools by the U.S. Government is limited to those DoD dependent students who are authorized transportation at U.S. Government expense to or from an overseas area, if their DoD sponsor is military, and to those DoD dependent students whose DoD sponsor, if civilian, is eligible for a living quarters allowance, as authorized by the Department of State Standardized Regulations and DoD 1400.25-M.

(4) If adequate housing is available within the commuting area of a DoD dependents school and an appropriate educational program is available at that school, tuition will not be authorized for the attendance of DoD dependent students in an approved non-DoD