

Office of the Secretary of Defense

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15557, 3 CFR, 1982 Comp., p. 166; and DoD Directive 5200.2,¹ “DoD Personnel Security Program,” as appropriate:

a. Designate any position in the DoD section 6 Schools as a “sensitive” position.

b. Authorize, in case of an emergency, the appointment of a person to a sensitive position in the DoD section 6 Schools for a limited period of time and for whom a full field investigation or other appropriate investigation, including the National Agency Check, has not been completed.

c. Authorize the suspension, but not terminate the services, of a DoD section 6 Schools employee in the interest of national security.

3. Authorize and approve:

a. Travel for DoD section 6 Schools civilian employees, in accordance with Volume II, Joint Travel Regulations.

b. Invitational travel to non-DoD personnel whose consultative, advisory, or other highly specialized technical services are required in a capacity that is directly related to, or in connection with, DoD section 6 Schools activities, in accordance with Volume II, Joint Travel Regulations.

c. Overtime work for DoD section 6 Schools civilian employees in accordance with chapter 55, subpart V, of 5 U.S.C. and applicable OPM regulations.

4. Develop, establish, and maintain an active and continuing Records Management Program, pursuant to 44 U.S.C. 3102 and DoD Directive 5015.2,² “Records Management Program”.

5. Authorize the publication of advertisements, notices, or proposals in newspapers, magazines, and other public periodicals, as required for the effective administration of the DoD section 6 Schools consistent with 44 U.S.C. 3702.

6. Establish and maintain, for the functions assigned, an appropriate publications system for the promulgation of common supply and service regulations, instructions, and reference documents, and changes thereto, pursuant to the policies and procedures prescribed in DoD 5025.1-M,³ “DoD Directives System Procedures”.

7. Enter into support and service agreements with other DoD Components, including the Military Departments, as required for the effective performance of responsibilities and functions assigned to the DoD section 6 Schools.

8. Enter into and administer contracts directly or through a Military Department, a DoD contract administration services component, or other Government Department or Agency, as appropriate, for supplies, equipment, and services required to accomplish

the mission of the DoD section 6 Schools. To the extent that any law or Executive order specifically limits the exercise of such authority to persons at the Secretarial level of a Military Department, such authority shall be exercised by the appropriate Under Secretary or Assistant Secretary of Defense.

The ASD(FM&P) may redelegate these authorities, as appropriate, and in writing, except as otherwise specifically indicated above, or as otherwise provided by law or regulation.

PART 346—DEPARTMENT OF DEFENSE EDUCATION ACTIVITY

Sec.

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AUTHORITY: 10 U.S.C. 131(b).

SOURCE: 57 FR 53559, Nov. 12, 1992, unless otherwise noted.

§ 346.1 Purpose.

Pursuant to the authority vested in the Secretary of Defense under 10 U.S.C. 131(b), this part establishes the DoDEA with responsibilities, functions, authorities, and relationships as outlined.

§ 346.2 Applicability.

This part applies to the Office of the Secretary of Defense (OSD); the Military Departments; the Chairman of the Joint Chiefs of Staff and the Joint Staff; the Unified and Specified Commands; the Office of the Inspector General, Department of Defense; the Defense Agencies; and the DoD Field Activities (hereafter referred to collectively as the “DoD Components.”) The term “Military Services,” as used herein, refers to the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard.

§ 346.3 Mission.

The mission of the DoDEA is to:

(a) Advise and act for the Assistant Secretary of Defense (Force Management and Personnel) (ASD(FM&P)) on all matters relative to the DoD Dependents Schools (DoDDS), section 6

¹ See footnote 1 to § 345.5(a)(6).

² See footnote 1 to § 345.5(a)(6).

³ See footnote 1 to § 345.5(a)(6).

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Schools, and Continuing and Post-Secondary Education (CAPSE) programs.

(b) Formulate and develop policies, guidelines, and standards for the management of defense education activities and programs.

(c) Plan, direct, coordinate, and manage the education programs for eligible dependents of U.S. military personnel and civilian personnel of the Department of Defense stationed overseas in accordance with 32 CFR part 347.

(d) Plan, direct, coordinate, and manage the education programs for eligible dependents of U.S. military and civilian personnel stationed in areas prescribed in 20 U.S.C. 2362; in accordance with 20 U.S.C. 241 note; and 32 CFR part 68.

(e) Plan, direct, coordinate, and oversee the programs and services for continuing adult and post-secondary education for U.S. military personnel.

§ 346.4 Organization.

The DoDEA is established as a DoD Field Activity under the authority, direction, and control of the ASD(FM&P). It shall consist of:

(a) A Director, who shall be known as the Director of Education.

(b) The DoDDS which, under 32 CFR part 347, provides a free public education of high quality from pre-kindergarten through grade twelve for eligible minor dependents of U.S. military and civilian personnel of the Department of Defense stationed overseas; a free, appropriate education for such minor dependents with disabilities, ages 3 through 21; and a community college program for eligible students in Panama.

(c) The DoD section 6 Schools Office which, under 32 CFR part 345, provides a free public education for dependent children of U.S. military personnel and federally employed civilian personnel when those children are eligible for an education in DoD section 6 Schools under 20 U.S.C. 2362, 20 U.S.C. 241 note, and 32 CFR part 68. Such free public education arrangements shall be made by the Secretary of Defense either with a local educational agency or with the head of a Federal Department or Agency, consistent with 20 U.S.C. 2362.

(d) The Office of CAPSE which, under DoD Directive 1322.8,¹ provides overall policy guidance and periodic review of voluntary education programs for military personnel, including the Defense Activity for Non-Traditional Education Support. The Office of CAPSE monitors the basic and/or functional skills programs conducted within the Department of Defense for military personnel and partnerships in education; provides support within the Department of Defense for implementation of the President's goals for adult literacy; and provides policy guidance and oversight of Tuition Assistance Programs for military personnel, consistent with DoD Directive 1322.8.

(e) Other subordinate elements as are established by the Director, within the resources assigned by the ASD(FM&P).

§ 346.5 Responsibilities and functions.

(a) The Director of Education shall:

(1) Serve as the principal staff advisor to the ASD(FM&P) on the DoDDS, section 6 Schools, and CAPSE programs.

(2) Organize, manage, and direct the DoDEA, its subordinate elements, and all assigned resources.

(3) Establish subordinate offices necessary to fulfill assigned missions.

(4) Supervise, administer, implement, and evaluate the policies and procedures for the DoDDS, the section 6 Schools, and the CAPSE programs.

(5) Enter into agreements with the Military Services or other U.S. Government entities, as required, for the effective performance of the responsibilities assigned in this part.

(6) Supervise and administer DoDEA financial management activities.

(7) Develop, for issuance by the ASD(FM&P), such policy or technical guidance, regulations, and instructions as are required to effectively administer and manage the education programs established under this part.

(8) Provide DoDEA representation at meetings and deliberations of educational panels and advisory groups.

(9) Perform other functions as may be assigned by the ASD(FM&P).

¹Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

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(b) The Assistant Secretary of Defense (Force Management and Personnel) shall:

(1) Recommend to the Secretary of Defense policies and resources for the administration of the DoDDS, section 6 Schools, and CAPSE programs.

(2) Exercise direction, authority, and control over the DoDEA.

(c) The Comptroller of the Department of Defense shall provide technical advice and support to the Director for Education on budget and financial management activities to the DoDEA.

(d) The General Counsel of the Department of Defense shall provide legal advice on the implementation of this part.

(e) The Secretaries of the Military Departments shall provide such facilities, logistic, and administrative support as are required for the effective operation of the DoDDS, section 6 Schools, and CAPSE programs. Reimbursements for goods and services shall be made in accordance with DoD Instruction 4000.19² and DoD Directive 1400.16.³

§ 346.6 Relationships.

(a) In the performance of assigned duties, the Director of Education shall:

(1) Exchange information and advice and coordinate actions with DoD Components having collateral or related functions.

(2) Use established facilities and services in the Department of Defense and other Government Agencies, whenever practical, to achieve maximum efficiency and economy of operations.

(3) Consult and coordinate with other government and nongovernmental agencies on matters related to the mission of the DoDEA.

(b) All DoD Components shall coordinate with the Director of Education, as appropriate, on matters affecting the mission and operation of the DoDEA.

§ 346.7 Authorities.

The Director of Education is specifically delegated authority to:

(a) Execute the responsibilities and functions described in § 346.5.

²See footnote 1 to § 346.5(e).

³See footnote 1 to § 346.5(e).

(b) Obtain reports, information, advice, and assistance, consistent with the policies and criteria of DoD Directive 7750.5,⁴ as deemed necessary.

(c) Communicate directly with appropriate representatives of the DoD Components and other governmental and nongovernmental agencies on matters related to the DoDDS, section 6 Schools, and CAPSE programs.

§ 346.8 Administration.

(a) The Director of Education shall be a civilian selected by the ASD(FM&P).

(b) Administrative support to the DoDEA shall be provided by DoD Components.

(c) The DoDEA shall be authorized such personnel, facilities, funds, and other resources as the Secretary of Defense deems necessary.

PART 347—DEPARTMENT OF DEFENSE DEPENDENTS SCHOOLS (DoDDS)

Sec.

347.1 Purpose.

347.2 Applicability and scope.

347.3 Mission.

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347.8 Administration.

APPENDIX A TO PART 347—DELEGATIONS OF AUTHORITY.

AUTHORITY: 10 U.S.C. 131(b).

SOURCE: 57 FR 53561, Nov. 12, 1992, unless otherwise noted.

§ 347.1 Purpose.

This part:

(a) Updates the organization, responsibilities, functions, relationships, and authorities for the administration of the DoDDS, which operates schools in overseas areas.

(b) Under 10 U.S.C. 131(b), establishes, pursuant to the authority vested in the Secretary of Defense, the DoDDS, with the mission, organization, responsibilities, functions, relationships, and authorities as prescribed herein.

⁴See footnote 1 to § 346.5(e).