

## Office of the Secretary of Defense

## § 69.3

(i) Parents shall have adequate notice of the time and place of the election.

(ii) Election shall be conducted by secret ballot. The candidate(s) receiving the greatest number of votes shall be elected as school board member(s).

(iii) Personnel employed in the school system shall not be school board members, except for the Superintendent, who serves as a non-voting member.

(iv) Nominations shall be by petition of parents of students attending the school at the time of the election. Votes may be cast at the time of election for write-in candidates who have not filed a nomination petition if the write-in candidates otherwise are qualified to serve in the positions sought.

(v) The election process shall provide for the continuity of school board operations.

(vi) Vacancies that occur among members of the elected school board may be filled to complete unexpired terms by either election of members by a special election process or by a school board election process if at least three school board members serving were elected by parents. Members elected to fill unexpired terms shall not serve more than one year, unless elected by parents of the students.

(vii) The responsibility for developing the plans for and conducting the school board election rests with the Superintendent and the school board.

[52 FR 44389, Nov. 19, 1987, as amended at 53 FR 49981, Dec. 13, 1988]

### § 68.7 Effective date and implementation.

This part is effective October 16, 1987. The Secretary of each Military Department shall forward two copies of the Military Department's implementing documents to the ASD(FM&P) within 120 days.

## PART 69—SCHOOL BOARDS FOR DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS

Sec.

69.1 Purpose.

69.2 Applicability and scope.

69.3 Definitions.

69.4 Policy.

69.5 Responsibilities.

69.6 Procedures.

AUTHORITY: 10 U.S.C. 2164.

SOURCE: 61 FR 60563, Nov. 29, 1996, unless otherwise noted.

### § 69.1 Purpose.

This part prescribes policies and procedures for the establishment and operation of elected School Boards for schools operated by the Department of Defense (DoD) under 10 U.S.C. 2164, 32 CFR part 345, and Public Law 92-463.

### § 69.2 Applicability and scope.

This part applies to:

(a) The Office of the Secretary of Defense (OSD), the Military Departments, the Coast Guard when operating as a service of the Department of the Navy or by agreement between DoD and the Department of Transportation, the Chairman of the Joint Chiefs of Staff, the Unified and Specified Combatant Commands, the Inspector General of the Department of Defense, the Uniformed Services University of the Health Sciences, the Defense Agencies, and the DoD Field Activities.

(b) The schools (prekindergarten through grade 12) operated by the DoD under 10 U.S.C. 2164 and 32 CFR part 345 within the continental United States, Alaska, Hawaii, Puerto Rico, Wake Island, Guam, American Samoa, the Northern Mariana Islands, and the Virgin Islands, known as DoD DDESS Arrangements.

(c) This part does not apply to elected school boards established under state or local law for DoD DDESS special arrangements.

### § 69.3 Definitions.

(a) *Arrangements.* Actions taken by the Secretary of Defense to provide a free public education to dependent children under 10 U.S.C. 2164 through DoD DDESS arrangements or DoD DDESS special arrangements:

(1) *DDESS arrangement.* A school operated by the Department of Defense under 10 U.S.C. 2164 and 32 CFR 345 to provide a free public education for eligible children.