

§71.7

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dependents within an eligibility category.

(3) Provide information and guidance to DoD sponsor regarding enrollment in DoD dependents schools, residence in DoD dependents school dormitories or approved non-DoD dependents schools dormitories, enrollment in approved non-DoD dependents schools, and receipt of correspondence courses.

(4) Establish, in coordination with the supporting installation or community commander, commuting areas around DoD dependents schools for the purpose of determining eligibility for transportation of DoD dependent students. (See DoD 4500.36-R.)

(5) Periodically review the educational programs in approved non-DoD dependents schools that are used to educate DoD dependent students to ensure that these programs are satisfactory.

(d) *Commanders of overseas installations, military communities, or activities* shall:

(1) Advise incoming and newly assigned personnel about the DoD dependent schools' commuting areas and the extent of pupil transportation service supporting the local DoD dependents schools.

(2) Assist incoming and newly assigned personnel in obtaining housing within the commuting area of the local DoD dependents school, if feasible.

(3) Advise incoming and newly assigned personnel that, if adequate housing is available within the commuting area of a DoD dependents school and if the DoD sponsor's place of employment is also reasonably accessible from that commuting area, tuition assistance will not be available to provide education in approved non-DoD dependents schools for minor dependents of DoD sponsors who elect to reside beyond the commuting area of a DoD dependents school. (see DoD 4500.36)

(4) Inform incoming and newly assigned personnel that they will not be reimbursed for unauthorized enrollments in non-DoD dependents schools.

§71.7 Eligibility requirements for education of minor dependents and other persons in the Republic of Panama.

(a) The "Panama Canal Act of 1979" authorizes the extension of primary, secondary, and postsecondary educational services to DoD dependent students and other categories of dependents. Basic eligibility policy is described in §71.5 of this part. Exceptional eligibility requirements for education for dependents in the Republic of Panama are addressed below.

(b) Minor dependents may be enrolled in DoD dependents schools or approved non-DoD dependents schools in the Republic of Panama or may receive correspondence courses at U.S. Government expense under the conditions and in the priority indicated below.

(1) *Space required, tuition-free education and education in approved non-DoD dependents schools.* In addition to DoD dependent students entitled to receive space-required, tuition-free education from DoDDS under §71.5 of this part, the following minor dependents in the Republic of Panama are authorized "space-required tuition-free" status:

(i) Minor dependents of host-nation or third-country citizens employed by the Department of Defense and paid from appropriated funds, provided that such dependents were enrolled on a tuition-free basis in schools operated by the former Canal Zone Government on September 30, 1979, as then authorized for residents of the former Canal Zone. This provision applies only for uninterrupted enrollments.

(ii) Minor dependents of host-nation or third-country citizen employees transferred to the Department of Defense on October 1, 1979, and paid from appropriated funds may attend approved non-DoD dependents schools in the Republic of Panama at U.S. Government expense when such dependents were enrolled in a non-DoD dependents school under the authority and at the expense of the former Canal Zone Government/Panama Canal Company on September 30, 1979. This provision applies only for uninterrupted enrollments.

(2) *Space-required, tuition-paying education.* Dependents not specifically authorized tuition-free education in paragraph (b)(1) of this section, or in §71.5 of this part, when such dependents were enrolled in schools operated by the former Canal Zone Government on September 30, 1979, regardless of affiliation or citizenship of sponsors. This provision applies only for uninterrupted enrollments.

(c) Persons may be enrolled in the Panama Canal College under the conditions and in the priority listed below:

(1) *Tuition-paying, DoD-sponsored education.* All students at the Panama Canal College attend on a tuition-paying basis. The Department of Defense may assume a portion of the tuition cost for full-time students who are minor dependents of:

(i) Military DoD sponsors who are on active duty and stationed in the Republic of Panama.

(ii) Civilian DoD sponsors stationed in the Republic of Panama who are paid from appropriated funds and who have been lawfully accorded the privilege of residing permanently in the United States as immigrants in accordance with the United States immigration laws (8 U.S.C. "Aliens and Nationality").

(iii) Members of the Military Services who are detained by a foreign power or declared missing in action or otherwise unlawfully detained for as long as the detention or missing status continues to exist. Under these circumstances, authorization for the dependents to remain in the College with DoD tuition assistance must be obtained from DoDDS officials and the local military commander.

(iv) If a sponsor discussed in paragraph (c)(1) (i), (ii), or (iii) of this section, is transferred, retires, or dies during the college semester, the sponsor's dependents may complete the current semester, but subsequently shall lose their eligibility to attend the Panama Canal College.

(2) *Tuition-paying—other.* At the discretion of the Director, DoDDS, or designee, and when consistent with the local military commander's policy concerning access to the area of military coordination and agreements with the Republic of Panama, the following cat-

egories of persons may be enrolled at the Panama Canal College on a full- or part-time basis, in the priority given below provided the applicant meets academic admissions requirements.

(i) Active duty members of the Military Services who are stationed in Panama and family members living with them (unless authorized DoD-sponsored education under paragraph (c)(1) of this section).

(ii) U.S.-citizens employees of the Department of Defense and other U.S. Government agencies, including the Panama Canal Commission, and family members living with them (unless authorized DoD-sponsored education under paragraph (c)(1) of this section).

(iii) Host-nation or third-country citizen employees of the Panama Canal Commission or other U.S. Government agency, district dentists, religious workers, and family members living with them, when such persons were enrolled in a Canal Zone school on a tuition-free basis or under the sponsorship of the former Canal Zone Government/Panama Canal Company on September 30, 1979, as was then authorized for residents of the former Canal Zone.

(iv) Minor dependents of Canal Zone Government/Panama Canal Company host-nation or third-country citizen employees separated through reduction in force action and not reemployed by another U.S. Government agency, when such dependents were enrolled in the former Canal Zone school system on September 30, 1979.

(v) U.S. citizens not specifically addressed above who reside in the Republic of Panama.

(vi) Host-nation and third-country citizens not specifically addressed above who reside in the Republic of Panama when there is no objection from the government of Panama and when such inclusion does not displace or prevent inclusion of U.S. citizens seeking admission on the same basis at the same time.

PART 73—TRAINING SIMULATORS AND DEVICES

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