

nated manner that is designed to maximize enrollment in the Corps and to enhance administrative efficiency in the management of the Corps.

(b) CONSIDERATION OF NEW SCHOOL OPENINGS AND CONSOLIDATIONS.—In carrying out subsection (a), the Secretary of a military department shall take into consideration—

- (1) openings of new schools;
- (2) consolidations of schools; and
- (3) the desirability of continuing the opportunity for participation in the Corps by participants whose continued participation would otherwise be adversely affected by new school openings and consolidations of schools.

(Added Pub. L. 105–85, div. A, title V, §546(a), Nov. 18, 1997, 111 Stat. 1746.)

### § 2033. Instructor qualifications

(a) IN GENERAL.—In order for a retired officer or noncommissioned officer to be employed as an instructor in the program, the officer must be certified by the Secretary of the military department concerned as a qualified instructor in leadership, wellness and fitness, civics, and other courses related to the content of the program, according to the qualifications set forth in subsection (b)(2) or (c)(2), as appropriate.

(b) SENIOR MILITARY INSTRUCTORS.—

(1) ROLE.—Senior military instructors shall be retired officers of the armed forces and shall serve as instructional leaders who oversee the program.

(2) QUALIFICATIONS.—A senior military instructor shall have the following qualifications:

(A) Professional military qualification, as determined by the Secretary of the military department concerned.

(B) Award of a baccalaureate degree from an institution of higher learning.

(C) Completion of secondary education teaching certification requirements for the program as established by the Secretary of the military department concerned.

(D) Award of an advanced certification by the Secretary of the military department concerned in core content areas based on—

- (i) accumulated points for professional activities, services to the profession, awards, and recognitions;
- (ii) professional development to meet content knowledge and instructional skills; and
- (iii) performance evaluation of competencies and standards within the program through site visits and inspections.

(c) NON-SENIOR MILITARY INSTRUCTORS.—

(1) ROLE.—Non-senior military instructors shall be retired noncommissioned officers of the armed forces and shall serve as instructional leaders and teach independently of, but share program responsibilities with, senior military instructors.

(2) QUALIFICATIONS.—A non-senior military instructor shall demonstrate a depth of experience, proficiency, and expertise in coaching, mentoring, and practical arts in executing the program, and shall have the following qualifications:

(A) Professional military qualification, as determined by the Secretary of the military department concerned.

(B) Award of an associates degree from an institution of higher learning within five years of employment.

(C) Completion of secondary education teaching certification requirements for the program as established by the Secretary of the military department concerned.

(D) Award of an advanced certification by the Secretary of the military department concerned in core content areas based on—

- (i) accumulated points for professional activities, services to the profession, awards, and recognitions;
- (ii) professional development to meet content knowledge and instructional skills; and
- (iii) performance evaluation of competencies and standards within the program through site visits and inspections.

(Added Pub. L. 109–364, div. A, title V, §539(a), Oct. 17, 2006, 120 Stat. 2210.)

#### PRIOR PROVISIONS

A prior section 2033, added Pub. L. 106–65, div. A, title V, §547(a)(1), Oct. 5, 1999, 113 Stat. 608; amended Pub. L. 106–398, §1 [[div. A], title V, §577(d)], Oct. 30, 2000, 114 Stat. 1654, 1654A–140, provided that certain excess amounts appropriated for the National Guard Challenge Program were to be made available for the Junior Reserve Officers' Training Corps program, prior to repeal by Pub. L. 107–107, div. A, title V, §596(c)(1), (3), Dec. 28, 2001, 115 Stat. 1127, effective Oct. 1, 2002.

### § 2034. Educational institutions not maintaining units of Junior Reserve Officers' Training Corps: issuance of arms, tentage, and equipment

The Secretary of a military department may issue arms, tentage, and equipment to an educational institution at which no unit of the Junior Reserve Officers' Training Corps is maintained if the educational institution—

- (1) offers a course in military training prescribed by that Secretary; and
- (2) has a student body of at least 50 students who are in a grade above the eighth grade.

(Added Pub. L. 112–239, div. A, title V, §552(a), Jan. 2, 2013, 126 Stat. 1741.)

### CHAPTER 103—SENIOR RESERVE OFFICERS' TRAINING CORPS

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## AMENDMENTS

2003—Pub. L. 108-136, div. A, title V, §523(b)(2), Nov. 24, 2003, 117 Stat. 1464, added item 2103a.

1999—Pub. L. 106-65, div. A, title V, §541(a)(2), Oct. 5, 1999, 113 Stat. 606, added item 2111b.

1997—Pub. L. 105-85, div. A, title V, §544(f)(2), Nov. 18, 1997, 111 Stat. 1746, substituted “Support for” for “Detail of officers to” in item 2111a.

1996—Pub. L. 104-106, div. A, title V, §545(b), Feb. 10, 1996, 110 Stat. 318, added item 2111a.

1991—Pub. L. 102-190, div. A, title V, §522(b)(2), Dec. 5, 1991, 105 Stat. 1362, substituted “Army Reserve and Army National Guard” for “military junior colleges” in item 2107a.

1988—Pub. L. 100-456, div. A, title VI, §633(a)(3)(B), Sept. 29, 1988, 102 Stat. 1986, substituted “Practical military training” for “Field training; practice cruises” in item 2109.

1980—Pub. L. 96-357, §1(c)(2), Sept. 24, 1980, 94 Stat. 1180, added item 2107a.

1964—Pub. L. 88-647, title II, §201(1), Oct. 13, 1964, 78 Stat. 1064, added chapter heading and items 2101 to 2111.

## § 2101. Definitions

In this chapter:

(1) The term “program” means the Senior Reserve Officers’ Training Corps of an armed force.

(2) The term “member of the program” means a student who is enrolled in the Senior Reserve Officers’ Training Corps of an armed force.

(3) The term “advanced training” means the training and instruction offered in the Senior Reserve Officers’ Training Corps to students enrolled in an advanced education program beyond the baccalaureate degree level or to students in the third and fourth years of a four-year Senior Reserve Officers’ Training Corps course, or the equivalent period of training in an approved two-year Senior Reserve Officers’ Training Corps course (except that, in the case of a student enrolled in an academic program which has been approved by the Secretary of the military department concerned and which requires more than four academic years for completion of baccalaureate degree requirements, including elective requirements of the Senior Reserve Officers’ Training Corps course, such term includes a fifth academic year or a combination of a part of a fifth academic year and summer sessions).

(Added Pub. L. 88-647, title II, §201(1), Oct. 13, 1964, 78 Stat. 1064; amended Pub. L. 98-94, title X, §1003(a)(1), title XII, §1268(11), Sept. 24, 1983, 97 Stat. 656, 706; Pub. L. 100-180, div. A, title XII, §1231(17), Dec. 4, 1987, 101 Stat. 1161; Pub. L. 104-201, div. A, title V, §553(b), Sept. 23, 1996, 110 Stat. 2526.)

## AMENDMENTS

1996—Par. (3). Pub. L. 104-201 inserted “students enrolled in an advanced education program beyond the baccalaureate degree level or to” after “Training Corps to”.

1987—Pub. L. 100-180, in pars. (1) to (3), inserted “The term” after each par. designation, and struck out up-

percase letter of first word after first quotation marks in each par. and substituted lowercase letter.

1983—Pub. L. 98-94, §1268(11)(A), substituted a colon for a dash after “In this chapter” in provision preceding par. (1).

Par. (1). Pub. L. 98-94, §1268(11)(B), (C), substituted “Program” for “program” and a period for a semicolon after “armed force”.

Par. (2). Pub. L. 98-94, §1268(11)(D), (E), substituted “Member” for “member”, and a period for “; and” after “armed force”.

Par. (3). Pub. L. 98-94, §1268(11)(F), substituted “Advanced” for “advanced”.

Pub. L. 98-94, §1003(a)(1), inserted parenthetical provision relating to a fifth academic year or a combination of a fifth academic year and summer sessions.

## SEXUAL ASSAULT PREVENTION AND RESPONSE TRAINING FOR ADMINISTRATORS AND INSTRUCTORS OF SENIOR RESERVE OFFICERS’ TRAINING CORPS

Pub. L. 114-92, div. A, title V, §540, Nov. 25, 2015, 129 Stat. 818, provided that: “The Secretary of a military department shall ensure that the commander of each unit of the Senior Reserve Officers’ Training Corps and all Professors of Military Science, senior military instructors, and civilian employees detailed, assigned, or employed as administrators and instructors of the Senior Reserve Officers’ Training Corps receive regular sexual assault prevention and response training and education.”

## PROMOTION OF FOREIGN LANGUAGE SKILLS AMONG MEMBERS OF THE RESERVE OFFICERS’ TRAINING CORPS

Pub. L. 109-163, div. A, title V, §535, Jan. 6, 2006, 119 Stat. 3249, as amended by Pub. L. 111-383, div. A, title X, §1075(h)(2), Jan. 7, 2011, 124 Stat. 4377, provided that:

“(a) IN GENERAL.—The Secretary of Defense shall support the acquisition of foreign language skills among cadets and midshipmen in the Reserve Officers’ Training Corps, including through the development and implementation of—

“(1) incentives for cadets and midshipmen to participate in study of a foreign language, including special emphasis for Arabic, Chinese, and other ‘strategic languages’, as defined by the Secretary of Defense in consultation with other relevant agencies; and

“(2) a recruiting strategy to target foreign language speakers, including members of heritage communities, to participate in the Reserve Officers’ Training Corps.

“(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act [Jan. 6, 2006], the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the actions taken to carry out this section.”

## § 2102. Establishment

(a) For the purpose of preparing selected students for commissioned service in the Army, Navy, Air Force, or Marine Corps, the Secretary of each military department, under regulations prescribed by the President, may establish and maintain a Senior Reserve Officers’ Training Corps program, organized into one or more units, at any accredited civilian educational institution authorized to grant baccalaureate degrees, and at any school essentially military that does not confer baccalaureate degrees, upon the request of the authorities at that institution.

(b) No unit may be established or maintained at an institution unless—

(1) the senior commissioned officer of the armed force concerned who is assigned to the program at that institution is given the academic rank of professor;