

**§ 923a. Enrollment of certain additional children on tuition-free basis**

**(a) Enrollment authorized**

Under regulations to be prescribed by the Secretary of Defense, the Secretary may authorize the enrollment in schools of the defense dependents' education system on a tuition-free basis of—

(1) the children of full-time, locally-hired employees of the Department of Defense in an overseas area if such employees are citizens or nationals of the United States; and

(2) the children of a foreign military member assigned to the Supreme Headquarters Allied Powers, Europe, but only in a school of the defense dependents' education system in Mons, Belgium.

**(b) Funding**

The Secretary may use funds available for the defense dependents' education system to provide for the education of children enrolled in the defense dependents' education system under subsection (a).

**(c) Special rules regarding enrollment of dependents of foreign military members assigned to Supreme Headquarters Allied Powers, Europe**

(1) In the regulations required by subsection (a), the Secretary shall prescribe a methodology based on the estimated total number of dependents of sponsors under section 932(2) of this title enrolled in schools of the defense dependents' education system in Mons, Belgium, to determine the number of children described in paragraph (2) of subsection (a) who will be authorized to enroll under such subsection. The Secretary shall prescribe such methodology with the advice and assistance of the commander of the geographic combatant command with jurisdiction over Mons, Belgium.

(2) If the number of children described in paragraph (2) of subsection (a) who seek enrollment in schools of the defense dependents' education system in Mons, Belgium, exceeds the number authorized by the Secretary under paragraph (1), the Secretary may enroll the additional children on a space-available, tuition-free basis notwithstanding section 923(d)(2) of this title.

(Pub. L. 95-561, title XIV, §1404A, as added Pub. L. 109-163, div. A, title V, §571, Jan. 6, 2006, 119 Stat. 3270; amended Pub. L. 109-364, div. A, title V, §571(a), Oct. 17, 2006, 120 Stat. 2225; Pub. L. 110-181, div. A, title X, §1063(e)(1), Jan. 28, 2008, 122 Stat. 323; Pub. L. 111-84, div. A, title V, §535, Oct. 28, 2009, 123 Stat. 2292.)

**Editorial Notes**

**AMENDMENTS**

2009—Subsec. (a)(2). Pub. L. 111-84, §535(a), struck out “, and only through the 2010-2011 school year” before period at end.

Subsec. (c)(1). Pub. L. 111-84, §535(b), inserted at end “The Secretary shall prescribe such methodology with the advice and assistance of the commander of the geographic combatant command with jurisdiction over Mons, Belgium.”

2008—Pub. L. 110-181, §1063(e)(1), made technical correction to directory language of Pub. L. 109-163, §571, which enacted this section.

2006—Subsec. (a). Pub. L. 109-364, §571(a)(1), substituted “basis of—” for “basis of”, designated part of existing provisions as par. (1), substituted “; and” for period at end, and added par. (2).

Subsec. (c). Pub. L. 109-364, §571(a)(2), added subsec. (c).

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2008 AMENDMENT**

Pub. L. 110-181, div. A, title X, §1063(e), Jan. 28, 2008, 122 Stat. 323, provided that the amendment made by section 1063(e) of Pub. L. 110-181 is effective as of Jan. 6, 2006, and as if included in Pub. L. 109-163 as enacted.

**§ 924. Annual educational assessment**

**(a) Contents**

The Director shall assess each year the performance of the defense dependents' education system in providing an education of high quality to children enrolled in the system. Such assessment may include the use of educational assessment measures and such other means as the Director determines to be suitable for assessing student performance.

**(b) Availability**

The results of each annual assessment under subsection (a) with respect to an individual enrolled in the defense dependents' education system shall be made available to the sponsor of such individual, and summary results of each such annual assessment shall be made available to Members of Congress and to professional employees in the system.

(Pub. L. 95-561, title XIV, §1405, Nov. 1, 1978, 92 Stat. 2366.)

**§ 925. Budget request for school construction funds for Director of Dependents' Education**

The President shall include in his budget for each fiscal year a separate request for funds for construction of school facilities by the Director.

(Pub. L. 95-561, title XIV, §1406, Nov. 1, 1978, 92 Stat. 2367.)

**§ 926. School system for dependents in overseas areas**

**(a) Establishment and operation**

The Secretary of Defense shall establish and operate a school system for dependents in overseas areas as part of the defense dependents' education system.

**(b) Tuition and assistance when schools unavailable**

(1) Under such circumstances as the Secretary of Defense may prescribe in regulations, the Secretary may provide tuition to allow dependents in an overseas area where a school operated by the Secretary is not reasonably available to attend schools other than schools established under subsection (a) on a tuition-free basis. Schools to which tuition may be paid under this subsection may include private boarding schools in the United States. Any school to which tuition is paid under this subsection to allow a dependent in an overseas area to attend such school shall provide an educational program satisfactory to the Secretary.