Department of Defense
DIRECTIVE

NUMBER 1342.20
November 28, 2005

DA&M

SUBJECT: Department of Defense Education Activity (DoDEA)

References: (a) Sections 113,191 and 2164 of title 10, United States Code
(b) Sections 921-932 of title 20, United States Code
(c) DoD Directive 1342.20, "Department of Defense Education Activity (DoDEA)," October 13, 1992 (hereby canceled)
(d) DoD Directive 1342.6, "Department of Defense Dependents Schools (DoDDS)," October 13, 1992 (hereby canceled)
(e) through (q), see enclosure 1

1. REISSUANCE AND PURPOSE

Under the authority vested in the Secretary of Defense by references (a) and (b), this Directive:

1.1. Reissues reference (c), cancels references (d) and (e), and assigns responsibilities, functions, relationships, and authorities previously assigned to the Department of Defense Domestic Dependent Elementary and Secondary Schools (DDESS) and the Department of Defense Dependents Schools (DoDDS) to the Department of Defense Education Activity (DoDEA), under the Under Secretary of Defense for Personnel and Readiness (USD(P&R)).

1.2. Authorizes the publication of DoD 1342.20-M (reference (f)), consistent with DoD 5025.1-M (reference (g)).

2. APPLICABILITY AND SCOPE

This Directive applies to:

2.1. The Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components"). The term "Armed Forces," as used herein, refers to the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard.

2.2. The educational program (preschool through grade 12) established by the Secretary of Defense in overseas areas and in the United States (including its territories, commonwealths, and possessions).

2.3. Members of the Advisory Council on Dependents' Education, the Dependents Education Council, DoD Advisory Panel (DoD-AP) on Early Intervention and Special Education, all other educational advisory committees and councils, and school boards of DoDEA Schools.

3. MISSION

The mission of DoDEA is to provide an exemplary education by efficiently and effectively planning, directing, and overseeing the management, operation, and administration of the DDESS and DoDDS from preschool through grade 12 to eligible dependents of:

3.1. Members of the Armed Forces.

3.2. DoD appropriated fund (APF) and nonappropriated fund (NAF) civilian employees.

3.3. Non-DoD Federal Government civilian employees.

4. POLICY

It is DoD policy that DoDEA shall provide, in military communities worldwide, exemplary educational programs that inspire and prepare all students, including those with special needs, for success in a global environment. The focus of DoDEA will be on attaining the highest in student achievement; using performance-driven, efficient management systems; developing a motivated, high-performing, diverse workforce at every organizational level of DoDEA; and establishing a network of partnerships and alliances with such groups as parents, students, teachers, the military communities, local school systems, institutions of higher education, and professional associations.

5. ORGANIZATION AND MANAGEMENT

The DoDEA is established as a Field Activity of the Department of Defense under the Under Secretary of Defense for Personnel and Readiness, (USD(P&R)), operating under the authority, direction, and control of the Principal Deputy Under Secretary of Defense for Personnel and Readiness (PDUSD)(P&R)). It shall consist of:

5.1. A Director.

5.2. A Principal Deputy Director.

5.3. The DDESS, as authorized by 10 U.S.C. 2164 (reference (a)).

5.4. The Defense Dependents' Education System, as required by Sections 921-932 of reference (b).

5.5. Such additional subordinate organizational elements as are established by the Director, DoDEA, within resources assigned by the Secretary of Defense.

6. RESPONSIBILITIES AND FUNCTIONS

6.1. The Principal Deputy Under Secretary of Defense for Personnel and Readiness (PDUSD(P&R)), under the USD(P&R), shall:

6.1.1. Recommend policies and resources for the DoDEA to the USD(P&R) and the Secretary of Defense.

6.1.2. Establish a DoD-AP on Early Intervention and Special Education in accordance with DoD Directive 5105.4 and DoD Instruction 1342.12 (references (h) and (i)).

6.1.3. Establish a Dependents Education Council to provide a consultative relationship among the PDUSD(P&R); the Director, DoDEA; and the Commanders of Combatant Commands and major Military Service Commands on educational policy and matters related to facilities, logistics, and administrative support provided to DoDEA by the Armed Forces, in accordance with DoD Directive 5105.18 (reference (j)).

6.1.4. Exercise authority, direction, and control over the Director, DoDEA and facilitate interactions with the DoD Components..

6.2. The Director, DoDEA, under the PDUSD(P&R), shall:

6.2.1. Plan, manage, and direct DoDEA, its subordinate elements, and all assigned resources.

6.2.2. Serve as the principal staff advisor to the PDUSD(P&R) and the USD(P&R) on matters involving DoDEA.

6.2.3. Prescribe regulations, policy, technical guidance and procedures to carry out the functions required to operate DDESS and the Defense Dependents' Education System in accordance with Section 2164 of reference (a), and Sections 921 – 932 of reference (b), respectively.

6.2.4. Administer, implement, and evaluate such policy, technical guidance, and procedures that are required for the effective operation, administration, management, budgeting, facilities construction, and financing of DoDEA.

6.2.5. Provide programs for eligible dependents designed to meet the special needs of:

6.2.5.1. Individuals in need of compensatory education.

6.2.5.2. Individuals with an interest in vocational education.

6.2.5.3. Gifted and talented individuals.

6.2.5.4. Individuals of limited English-speaking ability.

6.2.5.5. Children with disabilities.

6.2.6. Provide recommendations and support to the PDUSD(P&R) and USD(P&R) on the development and justification of school construction, modification, and/or repair projects included in annual military construction programs.

6.2.7. Enter into such agreements as are necessary with domestic and foreign school entities to ensure the delivery of educational services when the Director, DoDEA, determines under Section 926(b) of reference (b) that no overseas schools operated by the Department of Defense are reasonably available to deliver such services.

6.2.8. Establish and operate NAF instrumentalities in support of student activities that are not supported from APFs, in accordance with DoD Directive 1015.14 (reference (k)) and ensure that the use of NAF funds is reviewed in accordance with DoD Instruction 7600.6 (reference (l)).

6.2.9. Serve as the Executive Secretary of the Advisory Council on Dependents' Education in accordance with Section 929 of reference (b) and in accordance with reference (h).

6.2.10. Serve as the Executive Secretary of the Dependents Education Council authorized by this Directive.

6.2.11. Keep abreast of developments in the elementary, secondary, and higher education fields to ensure appropriate assimilation of new programs and technologies in DoD schools.

6.2.12. Maintain liaison and representation with professional educational associations or organizations or school districts as necessary and appropriate to accelerate the exchange of emerging opportunities, maintain currency in educational developments, ensure the proper accreditation of DoD schools, implement a structured program to ensure the smooth transition of military-connected students between DoD schools and non-DoD schools, and promote the advancement of educational goals and objectives.

6.2.13. When funds are available, provide the following:

6.2.13.1. Extracurricular and co-curricular programs and activities to enrich the school environment and experience;

6.2.13.2. Support of student travel to compete in interscholastic programs and competitions;

6.2.13.3. Summer school programs; and

6.2.13.4. Developmental preschool programs, if such programs are not otherwise available.

6.2.14. Provide a free, appropriate public education in the least restrictive environment and related services for children, ages 3 through 21 years, with disabilities enrolled in the DoD school systems as specified in their Individualized Education Programs and in accordance with reference (i).

6.2.15. Establish education advisory committees and school boards in accordance with DoD Instruction 1342.15 and DoD Instruction 1342.25 (references (m) and (n)), respectively.

6.2.16. Ensure DoDEA programs and activities are designed and managed to improve standards of performance, economy, and efficiency and demonstrate attention to the requirements of DoDEA's organizational customers, both internal and external to the Department of Defense.

6.2.17. Perform other duties as assigned by the Secretary of Defense, the USD(P&R), and the PDUSD(P&R).

6.3. The Secretaries of the Military Departments shall provide facilities, logistics, and administrative support, as required for the effective operation of DoDEA. Reimbursement for goods and services shall be made in accordance with DoD Instruction 4000.19 and DoD Directive 1400.16 (references (o) and (p)), respectively. However, reimbursement shall not be required for expendable medical supplies and support provided to DoDEA, but shall be furnished and funded by the supporting activity.

7. RELATIONSHIPS

7.1. In the performance of assigned duties, the Director, DoDEA, shall:

7.1.1. Report directly to the PDUSD(P&R).

7.1.2. Keep the DoD Components fully informed concerning DoDEA activities for which they have collateral or related functions.

7.1.3. Use established facilities and services in the Department of Defense and other Federal, State, and Local Government agencies and private organizations, as authorized and appropriate, to achieve a balance of modernization, efficiency, and economy of operations.

7.1.4. Consult and coordinate with other Federal, State, and Local Government agencies, academia, and other private organizations, as appropriate, to exchange information and advice on programs in their fields of responsibility.

7.2. The Heads of the DoD Components shall coordinate with the Director, DoDEA, as appropriate, on matters relating to DoDEA operations, functions, and responsibilities.

8. AUTHORITIES

The Director, DoDEA, is hereby delegated authority to:

8.1. Communicate directly with the Heads of the DoD Components, as necessary, to carry out assigned functions and responsibilities, including the transmission of requests for advice and assistance. Communications to the Military Departments shall be transmitted through the Secretaries of the Military Departments, their designees, or as otherwise provided in law or directed by the Secretary of Defense in other DoD issuances. Communications to the Commanders of the Combatant Commands shall be transmitted through the Chairman of the Joint Chiefs of Staff.

8.2. Communicate with other federal officials, including representatives of the legislative branch, state and local officials, members of the public, and representatives of foreign governments, as appropriate, in carrying out assigned functions.

8.3. Obtain reports and information, consistent with the policies and criteria of DoD Directive 8910.1 (reference (q)), as necessary, to carry out assigned functions.

8.4. Exercise the administrative authorities contained in enclosure 2.

9. ADMINISTRATION

The Director, DoDEA, shall be a civilian selected by the Secretary of Defense, based on recommendations by the USD(P&R).

10. EFFECTIVE DATE

This Directive is effective immediately.

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Enclosures - 2

E1. References, continued

E2. Delegations of Authority

E1. ENCLOSURE 1

REFERENCES, continued

(e) DoD Directive 1342.21, "Department of Defense Section 6 Schools," October 13, 1992 (hereby canceled)
(f) DoD 1342.6-M, "Administrative and Logistics Responsibilities for DoD Dependent Schools," August 11, 1995
(g) DoD 5025.1-M, "DoD Directives System Procedures," current edition
(h) DoD Directive 5105.4, "Department of Defense Federal Advisory Committee Management Program," February 10, 2003
(i) DoD Instruction 1342.12, "Provision of Early Intervention and Special Education Services to Eligible DoD Dependents," April 11, 2005
(j) DoD Directive 5105.18, "DoD Committee Management Program," February 8, 1999
(k) DoD Directive 1015.14, "Establishment, Management, and Control of Nonappropriated Fund Instrumentalities and Financial Management of Supporting Resources," July 16, 2003
(l) DoD Instruction 7600.6, "Audit of Nonappropriated Fund Instrumentalities and Related Activities," January 16, 2004
(m) DoD Instruction 1342.15, "Educational Advisory Committees and Councils," March 27, 1987
(n) DoD Instruction 1342.25, "School Boards for Department of Defense Domestic Dependent Elementary and Secondary Schools (DDESS)," October 30, 1996
(o) DoD Instruction 4000.19, "Interservice and Intragovernmental Support," August 9, 1995
(p) DoD Directive 1400.16, "Inter-departmental Civilian Personnel Administration Support," October 30, 1970, as amended
(q) DoD Directive 8910.1, "Management and Control of Information Requirements," June 11, 1993

E2. ENCLOSURE 2

DELEGATIONS OF AUTHORITY

E2.1.1. Under the authority vested in the Secretary of Defense, and subject to the authority, direction, and control of USD(P&R) and the PDUSD(P&R), and in accordance with DoD policies, DoD Directives, and DoD Instructions, the Director DoDEA, or in the absence of the Director, DoDEA, the Principal Deputy Director, DoDEA, is hereby delegated authority as required in the administration and operation of DoDEA to:

E2.1.1.1. Exercise the powers vested in the Secretary of Defense by 5 U.S.C. 301, 302(b), 3101, and 5101 on the employment, direction, and general administration of DoDEA civilian personnel.

E2.1.1.2. Fix rates of pay for overseas wage-rate employees exempted from the Classification Act of 1949 by 5 U.S.C. 5102 on the basis of rates established under the Federal Wage System. In fixing such rates, the Director of DoDEA shall follow the wage schedule established by the DoD Wage Fixing Authority.

E2.1.1.3. Administer oaths of office incident to entrance into the Executive Branch of the Federal Government or any other oath required by law in connection with employment therein, in accordance with 5 U.S.C. 2903, and designate in writing, as may be necessary, officers and employees of DoDEA to perform this function.

E2.1.1.4. Establish a DoDEA Incentive Awards Board and authorize cash awards to, and incur necessary expenses for the honorary recognition of, civilian employees of the Government whose suggestions, inventions, superior accomplishments, or other personal efforts, including special acts or services, benefit or affect the DoDEA or its subordinate activities, in accordance with 5 U.S.C. 4503, applicable OPM regulations, and DoD Directive 5120.15.

E2.1.1.5. Maintain an official seal and attest to the authority of official DoDEA records under the seal.

E2.1.1.6. Establish advisory committees and employ temporary or intermittent experts or consultants, as approved by the Secretary of Defense, for the performance of DoDEA functions consistent with 10 U.S.C. 173; 5 U.S.C. 3109(b); and DoD Directive 5105.4.

E2.1.1.7. Enforce regulatory procedures in accordance with Executive Order 10450, "Security Requirements for Government Employment," April 27, 1953; Executive Order 12333, "United States Intelligence Activities," December 4, 1981; Executive Order 12968, "Access to Classified Information," August 2, 1995; and DoD Directive 5200.2, as appropriate to:

E2.1.1.7.1. Designate any position in DoDEA as a "sensitive" position in accordance with procedures prescribed in DoD 5200.2-R.

E2.1.1.7.2. Authorize, in case of an emergency, the appointment of a person to a sensitive position in DoDEA 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.

E2.1.1.7.3. Authorize the suspension, but not the termination, of the services of a DoDEA employee in the interest of national security.

E2.1.1.7.4. Initiate personnel security investigations and, if necessary in the interest of national security, suspend a security access to classified information for personnel assigned, detailed to, or employed by DoDEA. Any action under this paragraph shall be in accordance with procedures prescribed in DoD 5200.2-R.

E2.1.1.7.5. Grant interim clearances for Secret access to classified information when the requirements of DoD 5200.2-R have been met.

E2.1.1.7.6. Prescribe regulations, policy, technical guidance and procedures to carry out the functions required to operate DDESS and the Defense Dependents' Education System in accordance with 10 U.S.C. 2164 and 20 U.S.C. 921 – 932.

E2.1.1.8. Authorize and approve:

E2.1.1.8.1. Travel for DoDEA civilian employees in accordance with Joint Travel Regulations (JTR), Volume 2, "DoD Civilian Personnel," current edition.

E2.1.1.8.2. Temporary duty travel for military personnel assigned or detailed to the DoDEA in accordance with Joint Federal Travel Regulations, Volume 1, "Uniformed Service members," current edition.

E2.1.1.8.3. 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, DoDEA activities, in accordance with JTR, Volume 2.

E2.1.1.8.4. Overtime work for DoDEA civilian personnel in accordance with applicable law and regulation.

E2.1.1.9. Approve the expenditure of funds available for travel by military personnel assigned or detailed to DoDEA for expenses incident to attendance at meetings of technical, scientific, professional, or other similar organizations in such instances when the approval of the Secretary of Defense, or designee, is required by 37 U.S.C. 412 and 5 U.S.C. 4110 and 4111.

E2.1.1.10. Develop, establish, and maintain an active and continuing Records Management Program pursuant to 44 U.S.C. 3102 and DoD Directive 5015.2.

E2.1.1.11. Accept, hold, administer, and spend gifts, including any gift of an interest in real property, made on the condition that it be used in connection with the operation or administration of DoDEA, in accordance with 10 U.S.C. 2605.

E2.1.1.12. Authorize the publication of advertisements, notices, proposals, or other public periodicals, as required for the effective administration and operation of the DoDEA, consistent with 44 U.S.C. 3702.

E2.1.1.13. Establish and maintain, for the functions assigned, an appropriate publications system for the promulgation of Directives, Instructions, Publications, and reference documents, and changes thereto, according to the policies and procedures prescribed in DoD 5025.1-M.

E2.1.1.14. Enter into support and service agreements with the Military Departments; other DoD Components; or other Federal, State, and Local Government agencies and private organizations for the effective performance of DoDEA functions and responsibilities. Intragovernmental Transactions must be tracked in accordance with OMB M-03-01 dated October 4, 2002.

E2.1.1.15. Enter into and administer contracts, directly or through a Military Department, a DoD contract administration services component, or other Federal agency, as appropriate, for supplies, equipment, and services required to accomplish the mission of DoDEA. 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, Deputy Under Secretary, or Assistant Secretary of Defense.

E2.1.1.16. Approve waivers of indebtedness for DoDEA employees in accordance with 5 U.S.C. 5584.

E2.1.2. The Director, DoDEA, may redelegate these authorities, as appropriate, and in writing, except as otherwise specifically indicated above or as otherwise provided by law or regulation.