

§ 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 para-

graph (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 categories 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 72—VOLUNTARY EDUCATION PROGRAMS IN OVERSEAS AREAS

Sec.

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AUTHORITY: Pub. L. 99-145, section 1212.

SOURCE: 53 FR 22648, June 17, 1988, unless otherwise noted.

§ 72.1 Purpose.

This part:

(a) Prescribes uniform procedures and assigns responsibilities for the Military Services to avoid the unnecessary duplication of postsecondary education offerings in overseas areas under Pub. L. 99-145, section 1212 and DoD Directive 1322.8.¹

(b) Under Pub. L. 145, section 1212:

(1) Reflects the statutory requirement, subject to the exceptions in § 72.1(b)(2) that no solicitation, contract, or agreement for off-duty postsecondary education services for military members, DoD civilian employees, or the dependents of such military members or employees, other than for services at the graduate or postgraduate level, may limit the offering of such services or any group, category, or level of courses to a single academic institution.

(2) Prescribes criteria for avoiding the unnecessary duplication of educational services by exercising the authority in Pub. L. 99-145 to grant exceptions, when required, to § 72.1(b)(1).

§ 72.2 Applicability and scope.

This part:

(a) Applies to the Office of the Secretary of Defense (OSD) and the Military Departments.

(b) Shall be extended to all persons seeking or receiving off-duty postsecondary education services, as described in § 72.1(b)(1).

§ 72.3 Responsibilities.

(a) *Each Overseas Theater Commander* shall implement this part and may:

(1) When necessary to avoid unnecessary duplication of offerings of postsecondary education services, authorize the issuance of solicitations and the execution of contracts and agreements that limit the provision of such offerings at one or more installations to one institution or a prescribed maximum number of institutions.

¹Copies may be obtained, if needed, from the U.S. Naval Publication and Forms Center, Attn: Code 1052, 5801 Tabor Avenue, Philadelphia, PA 19120.