



DOD Domestic School System: Background and Issues

The Department of Defense Education Activity (DODEA) manages a federal school system that provides pre-kindergarten through grade 12 education, primarily for the children of military servicemembers. According to the Department of Defense (DOD), in 2020, DODEA operated 160 schools globally, including 50 domestic schools across states and one virtual school. These schools employ nearly 12,000 staff, for a student population of about 70,000. DODEA also has arrangements with local education authorities (LEAs) that operate civilian-managed schools on military installations. This report focuses only on DODEA’s domestic school system.

Legislative Background

Commanders at military installations had established their own K-12 schools since the early 1800s. In 1821, Congress first enacted a law authorizing the operation of schools for children of servicemembers living on military installations in the United States. In 1950, Section 6 of P.L. 81-874 consolidated funding and the operation of what became known as *Section 6* schools under the Office of Education – later the Department of Education (ED). Between 1950 and 1980 these schools were established in locales that lacked adequate public education for children living on installations, by reason of racially segregated schools, remote or sparsely populated locations, or state restrictions on funds to educate military children on federal property. The 1981 Omnibus Reconciliation Act (P.L. 97-35) shifted funding responsibility for all DOD schools from ED to DOD. In 1994, P.L. 103-337 replaced the Section 6 legislation and renamed the school system the Department of Defense Domestic Dependent Elementary and Secondary Schools (DDESS).

Authorities

Section 2164 of Title 10, United States Code, provides the statutory authority for the Secretary of Defense to enter into arrangements to provide for the elementary and secondary education for children of members of the armed forces and DOD civilian employees assigned domestically (to include any U.S. state, territory, commonwealth, or possession). Per this statute, factors to be considered by the Secretary when determining whether to provide for domestic education include the extent to which 1) children are eligible for free public education in the local area adjacent to the military installation, and 2) the ability of LEAs to provide an appropriate public school educational program for such children.

Impact Aid

Approximately 1.1 million school-aged children have at least one parent in the military, and nearly 80% of these children attend non-DDESS public schools off military bases. Since 1950 (P.L. 81-874), LEAs have been

authorized to receive financial aid, called *Impact Aid* from ED for “federally-connected students” enrolled in local public schools to compensate for a “substantial and continuing financial burden” resulting from federal activities. Military-connected LEAs receive DOD Impact Aid for all enrolled dependent children of active duty servicemembers; however, the amount of aid varies depending on whether the servicemember lives on or off federal property. DOD administers an Impact Aid Program in addition to the ED program. For more background on ED and DOD Impact Aid, please see CRS Report R45400, *Impact Aid, Title VII of the Elementary and Secondary Education Act: A Primer*.

Enrollment Eligibility

All dependent children of U.S. military and DOD civilian employees living on an installation with a DDESS school are eligible to attend that school tuition-free. Other dependent children of DOD military, federal civilian employees, and foreign militaries may be eligible for tuition-free enrollment under certain circumstances. Children of DOD contractors are not eligible to enroll. DDESS schools may accept dependent children of other non-DOD federal agency employees for tuition reimbursement by the agency; however, DDESS may not accept tuition from individuals. Tuition rates for domestic schools for the 2020-2021 school year were between \$23,000 and \$26,000, depending on the student’s grade.

DDESS Budget

The DDESS budget is supported by defense-wide Operation and Maintenance (O&M), Military Construction (MILCON), and Procurement appropriations. The O&M budget for DDESS includes items such as salaries, travel, contracts, supplies, and equipment. MILCON funds are typically multi-year appropriations for projects like new school construction or additions to existing schools.

Table 1. DDESS O&M Funding in Recent Years
Current dollars in thousands (\$000)

	FY2019 (actual)	FY2020 (enacted)	FY2021 (estimated)
O&M	\$568,254	\$586,081	\$587,942

Source: DOD Comptroller, Budget Books

Student Performance

DODEA primarily measures student performance annually within the DOD school system using the TerraNova standardized test. DODEA also participates in the National Assessment of Education Progress (NAEP). This is a standards-based national test administered at grades 4, 8,

and 12 in nine subject areas. With respect to NAEP testing outcomes, DODEA schools in the aggregate often perform at or above U.S. national averages and better than the states in which the DDESS schools are located (see **Table 2**). For more information on the NAEP and educational testing, please see CRS Report R45048, *Basic Concepts and Technical Considerations in Educational Assessment: A Primer*.

Table 2. Comparison of DODEA and State Public School Outcomes on the NAEP for 2019
% of students at or above proficient

Jurisdiction	Grade 4 Math	Grade 4 Reading	Grade 8 Math	Grade 8 Reading
Alabama	28%	28%	21%	24%
Georgia	36%	32%	31%	32%
Kentucky	40%	35%	29%	33%
New York	37%	34%	34%	32%
North Carolina	41%	36%	37%	33%
South Carolina	36%	32%	29%	29%
Virginia	48%	38%	38%	33%
DODEA	54%	49%	41%	52%
Nation	40%	34%	33%	32%

Source: NAEP, *The Nation's Report Card*, <http://www.nationsreportcard.gov/>

Notes: States listed are those with military installations that support DDESS schools. DODEA figures include both domestic and overseas schools. State scores are for public schools only. Boxes shaded green indicate proficiency levels above national average, red boxes indicate proficiency levels below average and unshaded boxes indicate no statistically significant difference between state and national levels.

Issues for Congress

Some have questioned the continued need for DOD to own and operate domestic schools. Over the past few decades a number of alternatives for funding and operating DOD domestic schools have been considered. Options that have been raised in recent studies include

- closing all base schools and transferring students to LEAs;
- transferring management of students and facilities to an existing LEA, with DOD maintaining some responsibility for facilities;
- establishing a new LEA covering the entire installation area (coterminous district); and
- converting DDESS schools into charter schools.

Some note that different options could apply depending on the situation of the LEA, the installation, and the associated DOD school(s).

Status Quo v. Divestment Options

Proponents of divesting domestic schools and associated infrastructure argue that the operation of elementary and secondary schools is superfluous to DOD's core national security mission and creates unnecessary administrative overhead. They further note that average per-student costs at DDESS schools are significantly higher than per-student costs at schools operated by LEAs. In addition, some point to potential future costs to maintain and upgrade existing schools. Proponents of shuttering these schools or maintaining the buildings on DOD property but turning them over to LEAs for operation and management argue that these options could result in substantial government savings.

Proponents of maintaining the status quo contend that DDESS schools improve quality of life and troop morale, and serve as a valuable retention incentive for military servicemembers with children. Some argue that DOD domestic schools are better-equipped to provide for the unique needs of military children, for example, providing educational/curriculum continuity for children who are subject to frequent moves. Some contend that LEAs may not have the resources, infrastructure, or administrative capacity to absorb all DDESS students and question whether LEAs would be able to provide the same level of programs and services as provided by DDESS. Military parents who now have the ability to serve on school boards at DDESS schools are concerned about losing the ability to influence school decision-making as their ability to serve on LEA school boards may be subject to local residency restrictions. Some state and local officials are concerned that federal resources (i.e., Impact Aid) would not be sufficient to offset the additional state and local outlays that might be required to support a new LEA or the transfer of DDESS schools to an existing LEA.

Charter Schools

Charter schools are independently operated, publicly funded elementary or secondary public schools that are allowed to operate with more autonomy than traditional public schools in exchange for increased accountability. In 2008, the report of the Tenth Quadrennial Review of Military Compensation recommended that military parents be allowed to form on-base charter schools. There are currently eight charter schools operated on military installations. Proponents of charter schools on installations suggest that these schools might be more innovative and able to offer tailored services for military families. Issues that have been raised with these charter schools include installation security (e.g., access for civilian students and families), facility availability, lease requirements, financing, and limitations imposed by state laws.

Virtual School and COVID-19

In response to the 2020 Coronavirus Disease 2019 (COVID-19) pandemic, DODEA transitioned to remote learning at many of its overseas and domestic locations. According to DOD, for the 2020-21 school year, 25 of the 50 domestic schools will open remotely.

Kristy N. Kamarck, Analyst in Military Manpower

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.