

“(A) show the promise of being continued after such support is no longer available;

“(B) demonstrate approaches that can be disseminated to and duplicated in other local educational agencies; and

“(C) may include a professional development component.

“(3) APPLICATIONS.—

“(A) IN GENERAL.—To be considered for support under paragraph (1), an eligible entity shall submit an application to the Secretary of Defense at such time, in such manner, and containing such information and assurances as the Secretary may require.

“(B) SPECIAL CONSIDERATION.—The Secretary of Defense shall give special consideration to applications describing programs that—

“(i) include intensive summer world language programs for professional development of world language teachers;

“(ii) link nonnative English speakers in the community with the schools in order to promote two-way language learning;

“(iii) promote the sequential study of a world language for students, beginning in elementary schools;

“(iv) make effective use of technology, such as computer-assisted instruction, language laboratories, or distance learning, to promote world language study;

“(v) promote innovative activities, such as dual language immersion, partial world language immersion, or content-based instruction; and

“(vi) are carried out through a consortium comprised of the eligible entity receiving the grant, an elementary school or secondary school, and an institution of higher education (as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

“(b) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means the following:

“(A) A local educational agency that hosts a unit of the Junior Reserve Officers’ Training Corps.

“(B) A school operated by the Department of Defense Education Activity.

“(2) ESEA TERMS.—The terms ‘elementary school’, ‘local educational agency’ and ‘secondary school’ have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(3) WORLD LANGUAGE.—The term ‘world language’ means—

“(A) any natural language other than English, including—

“(i) languages determined by the Secretary of Defense to be critical to the national security interests of the United States;

“(ii) classical languages;

“(iii) American sign language; and

“(iv) Native American languages; and

“(B) any language described in subparagraph (A) that is taught in combination with English as part of a dual language or immersion learning program.”

**§ 2164a. Rights of parents of children attending schools operated by the Department of Defense Education Activity**

(a) IN GENERAL.—The parent of a child who attends a school operated by the Department of Defense Education Activity has the following rights:

(1) The right to review the curriculum of the school.

(2) The right to be informed if the school or the Department of Defense Education Activity alters the school’s academic standards or learning benchmarks.

(3) The right to meet with each teacher of their child not less than twice during each school year.

(4) The right to review all instructional materials used by their students.

(5) The right to inspect a list of the books and other reading materials contained in the library of the school.

(6) The right to address the school advisory committee or the school board.

(7) The right to data about the school’s discipline policy and any disciplinary action that results in a suspension or expulsion from the school, unless such disclosure is prohibited by law.

(8) The right to information about any plans to eliminate gifted and talented programs or accelerated coursework at the school.

(b) DISCLOSURES AND NOTIFICATIONS.—Consistent with the parental rights specified in subsection (a) and except as provided by subsection (c), a school operated by the Department of Defense Education Activity shall—

(1) post on a publicly accessible website of the school—

(A) the curriculum for each course and grade level;

(B) the academic standards or other learning benchmarks used by the school; and

(C) notice of any proposed revisions to such standards or benchmarks and a copy of any such revisions;

(2) provide the parent of a child attending the school with—

(A) the opportunity to meet in person with each teacher of their child not less frequently than twice during each school year at a time mutually agreed upon by both parties; and

(B) notice of such opportunity at the beginning of each school year;

(3) provide parents access to the online school library catalog;

(4) notify parents in a timely manner of any plans to eliminate gifted and talented programs or accelerated coursework at the school;

(5) except as provided by paragraph (6) or subsection (c), notify parents of any medical examinations or screenings the school may administer to their child and receive written consent from parents for any such examination or screening prior to conducting the examination or screening;

(6) in the event of an emergency that requires a medical examination or screening without time for parental notification, promptly notify parents of such examination or screening and provide an explanation of the emergency that prevented notification prior to such examination or screening; and

(7) notify parents of any medical information that will be collected on their child, receive written parental consent prior to collecting such information, and provide parents an opportunity to inspect such information at the parent’s request.

(c) EXCEPTIONS.—(1) Paragraph (5) of subsection (a) and paragraph (3) of subsection (b)

shall not be effective until the day that is two years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024.

(2) A requirement set forth in subsection (b) shall not apply in a case in which the requirement would violate any applicable provision of a Federal or State statute or regulation.

(d) SCHOOL ADVISORY COMMITTEES AND BOARDS.—Not less frequently than four times per year, a school advisory committee or school board for a school operated by the Department of Defense Education Activity shall provide parents of children attending the school with the opportunity to address the advisory committee or school board on any matters relating to the school or the educational services provided to their children.

(e) DEFINITIONS.—In this section:

(1) The term “medical examination or screening”—

(A) means a physical examination provided by a health care provider; and

(B) does not include an evaluation by, or an encounter with, non-clinical school staff.

(2) The term “school” means—

(A) a Department of Defense domestic dependent elementary or secondary school, as described in section 2164 of this title; or

(B) any elementary or secondary school or program for dependents operated by the Department of Defense Education Activity.

(Added Pub. L. 118–31, div. A, title V, §589(a), Dec. 22, 2023, 137 Stat. 284.)

#### Editorial Notes

##### REFERENCES IN TEXT

The date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, referred to in subsec. (c)(1), is the date of enactment of Pub. L. 118–31, which was approved Dec. 22, 2023.

#### Statutory Notes and Related Subsidiaries

##### PARENTAL RIGHT TO NOTICE OF STUDENT NONPROFICIENCY IN READING OR LANGUAGE ARTS

Pub. L. 118–159, div. A, title V, §599B, Dec. 23, 2024, 138 Stat. 1923, provided that: “The Secretary of Defense shall ensure that each elementary school operated by the Department of Defense Education Activity notifies the parents of any student enrolled in such school when the student does not score as grade-level proficient in reading or language arts at the end of the third grade based on the reading or language arts assessments administered under section 1111(b)(2)(B)(v)(I)(aa) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(v)(I)(aa)) or another assessment administered to all third grade students by such school.”

#### § 2164b. Eligibility of certain dependents for enrollment in domestic dependent elementary and secondary schools

(a) PROGRAM AUTHORIZED.—Beginning not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025, the Secretary of Defense shall carry out a program under which a dependent of a full-time, active-duty member of the armed forces may enroll in a covered DODEA school at the military installation to which the member is assigned, on a space-available basis

as described in subsection (b), without regard to whether the member resides on the installation as described in section 2164(a)(1) of this title.

(b) ENROLLMENT ON SPACE-AVAILABLE BASIS.—A student participating in the program under subsection (a) may be enrolled in a covered DODEA school only if the school has the capacity to accept the student, as determined by the Director of the Department of Defense Education Activity.

(c) LOCATIONS.—The Secretary shall select military installations for participation in the program under subsection (a) based on—

(1) the readiness needs of the Secretary of the military department concerned; and

(2) the capacity of the covered DODEA schools located at the installation to accept additional students, as determined by the Director.

(d) BRIEFINGS REQUIRED.—

(1) IN GENERAL.—Not later than April 1, 2025, and annually thereafter for four years, the Secretary shall brief the Committees on Armed Services of the Senate and House of Representatives on the program under subsection (a).

(2) ELEMENTS.—Each briefing required by paragraph (1) shall include the following:

(A) An identification of the military installations participating in the program under subsection (a).

(B) The number of students enrolled in covered DODEA schools under the program.

(e) NOTIFICATIONS OF PARTICIPATING INSTALLATIONS.—Not later than 90 days before officially announcing the participation of a new military installation in the program under subsection (a), the Secretary shall notify the Committees on Armed Services of the Senate and the House of Representatives with respect to the participation of the installation.

(f) COVERED DODEA SCHOOL DEFINED.—In this section, the term “covered DODEA school” means a domestic dependent elementary or secondary school operated by the Department of Defense Education Activity that—

(1) was established on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025; and

(2) is located in the continental United States.

(Added Pub. L. 118–159, div. A, title V, §595(a), Dec. 23, 2024, 138 Stat. 1919.)

#### Editorial Notes

##### REFERENCES IN TEXT

The date of the enactment of the National Defense Authorization Act for Fiscal Year 2025, referred to in subsecs. (a) and (f)(1), is the date of enactment of Pub. L. 118–159, which was approved Dec. 23, 2024.

##### PRIOR PROVISIONS

Provisions similar to those in this section were contained in Pub. L. 116–283, div. A, title V, §589C, Jan. 1, 2021, 134 Stat. 3659, as amended by Pub. L. 117–263, div. A, title V, §572(a), Dec. 23, 2022, 136 Stat. 2601, which was set out in a note under section 2164 of this title, prior to repeal by Pub. L. 118–159, div. A, title V, §595(b), Dec. 23, 2024, 138 Stat. 1920.