SEC. ___. PILOT PROGRAM TO EXPAND ELIGIBILITY FOR THE DEPARTMENT OF DEFENSE EDUCATION ACTIVITY VIRTUAL HIGH SCHOOL PROGRAM.

Section 2164 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(m) PILOT PROGRAM TO EXPAND ELIGIBILITY FOR THE DEPARTMENT OF DEFENSE EDUCATION ACTIVITY VIRTUAL HIGH SCHOOL PROGRAM.—(1) Notwithstanding any provision of subsection (l), the Secretary of Defense shall carry out a four-year pilot program authorizing dependents of full-time active-duty military service members to enroll into the Department of Defense Education Activity Virtual High School program (in this section referred to as the 'DVHS program').

"(2) The purpose of the pilot program shall be to evaluate the feasibility and scalability of the DVHS program, to evaluate the advisability of a larger expansion of the DVHS program, and to determine the impact that increased access to the DVHS program has on military and family readiness.

"(3) The Secretary may authorize not more than 400 course enrollments per academic year into the pilot program, with one single student taking no more than two courses per academic year.

"(4)(A) The Secretary shall select to participate in the pilot program dependents of full-time active-duty service members who—

"(i) are in grades 9 through 12 and are currently ineligible to enroll in the DVHS program;

"(ii) require supplementary courses to meet graduation requirements in the current State of residence; or

"(iii) have demonstrated to the Secretary a clear need to participate in the program.

"(B) In selecting participants under subparagraph (A), the Secretary shall give priority to each of the following types of students:

"(i) Full-time active-duty military dependents who reside in rural areas.

"(ii) Full-time active-duty dependents who are home-schooled students or enrolled in a home school program.

"(5) In this section:

"(A) The term 'rural area' has the meaning given the term in section 520 of the Housing Act of 1949 (42 U.S.C. 1490).

"(B) The term 'home-schooled student' means a student in a grade equivalent to at least kindergarten and not higher than 12th grade who receives educational instruction at home or by other non-traditional means outside of a public or private school system, either all or most of the time.".

[Please note: The "Changes to Existing Law" section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would establish a four-year pilot program that would expand eligibility in the Defense Virtual High School (DVHS) to allow certain full-time active-duty military-dependent students to attend who are not currently eligible for enrollment. In order to determine the scalability and to assess the viability of expanding the current DVHS model, this pilot program would authorize up to an additional 400 course enrollments per academic year, with one single student taking no more than two courses per academic year.

This pilot program would be open only to military-dependent students within the United States (including its commonwealths, territories, and possessions) who are in grades

9-12, are not eligible to enroll into the DVHS program, require supplementary courses to meet the graduation requirements in their State, or can demonstrate to the Secretary of Defense a clear need to participate in the program. Additionally, the Secretary shall prioritize full-time active-duty military-dependent students who reside in rural areas and military-dependent students who are enrolled in a home school program.

Under current Federal law, the Department of Defense Education Activity (DoDEA) estimates there to be approximately 133,000 full-time active-duty military-dependent students currently not eligible to enroll into DoDEA schools, including the DVHS program. Within that population, there are an estimated 10,000 military-dependent students who would potentially be eligible to participate in this pilot program.

The Department of Defense has long recognized the significance of family readiness and its impact on overall military readiness, performance, retention, and recruitment. A quality education is both a stabilizing influence in the lives of our children and their families and an overall element in the readiness, retention, and morale of our Force. With nearly one million school-age active-duty military dependent children worldwide, Service members have growing concerns about the quality and level of support offered by local primary and secondary education programs in some locations. Lack of access to high quality educational programs may compel some Service members to shorten their military careers or leave families behind to keep their children in preferred educational programs. Recent survey data suggests that such a decision puts undue hardship on military families, and affects the choice to continue to pursue a military career.

It has been reported through various surveys and media round-tables that spouses of active duty Service members and active duty members both consider child education as a top issue. In addition, many families have chosen to geographically separate away from their active duty member in order to support their children's education. The Military Department Secretaries highlighted these and other quality of life points in their tri-signature memo signed Feb 23, 2018, notifying State governors that the Services will consider quality of life issues such as K-12 education in decisions on future basing or mission alternatives.

Budget Implications: The resources impacted are reflected in the table below and are included within the Fiscal Year (FY) 2021 President's Budget request. The identified resource impact includes the requirement for additional educators to maintain appropriate teacher to student ratios, a dedicated Registrar, curriculum development, and additional text and curriculum materials to support the increased number of students. The virtual platform also requires expanded infrastructure and licensure for increased use.

RESOURCE IMPACT ($MILLIONS)								
Program	**FY 2021**	**FY 2022**	**FY 2023**	**FY 2024**	**FY 2025**	**Appropriation**	**Budget Activity**	**BLI/SAG**

DoD Dependents Section VI Schools	$0	$1.25	$1.25	$1.25	$1.25	Operations & Maintenance 97 0100	04	4GTJ
Total	$0	$1.25	$1.25	$1.25	$1.25			

Changes to Existing Law: This proposal would make the following changes to section 2164 of title 10, United States Code.

§ 2164. Department of Defense domestic dependent elementary and secondary schools

* * * * *

(l) ENROLLMENT IN VIRTUAL ELEMENTARY AND SECONDARY EDUCATION PROGRAM.—(1) Under regulations prescribed by the Secretary of Defense, the Secretary may authorize the enrollment in the virtual elementary and secondary education program established as a component of the Department of Defense education program of a dependent of a member of the armed forces on active duty who—

(A) is enrolled in an elementary or secondary school operated by a local educational agency or another accredited educational program in the United States (other than a school operated by the Department of Defense education program); and

(B) immediately before such enrollment, was enrolled in the defense dependents' education system established under section 1402 of the Defense Dependents' Education Act of 1978 (20 U.S.C. 921).

(2) Enrollment of a dependent described in paragraph (1) pursuant to such paragraph shall be on a tuition basis.

(3) Any payments received by the Secretary of Defense under this subsection shall be credited to the account designated by the Secretary for the operation of the virtual educational program under this subsection. Payments so credited shall be merged with other funds in the account and shall be available, to the extent provided in advance in appropriation Acts, for the same purposes and the same period as other funds in the account.

(m) PILOT PROGRAM TO EXPAND ELIGIBILITY FOR THE DEPARTMENT OF DEFENSE EDUCATION ACTIVITY VIRTUAL HIGH SCHOOL PROGRAM.—(1) Notwithstanding any provision of subsection (l), the Secretary of Defense shall carry out a four-year pilot program authorizing dependents of full-time active-duty military service members to enroll into the Department of Defense Education Activity Virtual High School program (in this section referred to as the 'DVHS program').

(2) The purpose of the pilot program shall be to evaluate the feasibility and scalability of the DVHS program, to evaluate the advisability of a larger expansion of the DVHS program, and to determine the impact that increased access to the DVHS program has on military and family readiness.

(3) The Secretary may authorize not more than 400 course enrollments per academic year into the pilot program, with one single student taking no more than two courses per academic year.

(4)(A) The Secretary shall select to participate in the pilot program dependents of full-time active-duty service members who—

(i) are in grades 9 through 12 and are currently ineligible to enroll in the DVHS program;

(ii) require supplementary courses to meet graduation requirements in the current State of residence; or

(iii) have demonstrated to the Secretary a clear need to participate in the program.

(B) In selecting participants under subparagraph (A), the Secretary shall give priority to each of the following types of students:

(i) Full-time active-duty military dependents who reside in rural areas.

(ii) Full-time active-duty dependents who are home-schooled students or enrolled in a home school program.

(5) In this section:

(A) The term ‘rural area’ has the meaning given the term in section 520 of the Housing Act of 1949 (42 U.S.C. 1490).

(B) The term ‘home-schooled student’ means a student in a grade equivalent to at least kindergarten and not higher than 12th grade who receives educational instruction at home or by other non-traditional means outside of a public or private school system, either all or most of the time.