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DEPARTMENT OF STATE  
CLEARANCE REQUEST

25X1

TO : CIA -

DATE: January 23, 1934

FROM : State - Allowances Staff (A/ALS)  
Ronald B. Rabens

*FBH*

FOR INFO CALL: Ms. Contos on  
235-9522

SUBJECT: Mandatory Attendance at DOD Schools REF:

Please comment on the following or attached proposal for publication as indicated. Your concurrence or dissent on this form should be returned to me by February 10, 1934 unless you request additional time for urgent reasons. If we do not hear from you by then we shall assume agreement and the material will be published as proposed or as amended with the concurrences of other offices.

We propose to delete from the Standardized Regulations (GC, PA) the provision requiring children of employees of U.S.G. civilian agencies stationed at posts with DOD schools to attend those schools in order to be eligible for the education allowance. Enclosed are our proposed regulations eliminating the mandatory use of Department of Defense Schools.

SENT TO: AF/EX, ARA/EX, EA/EX, EUR/EX, NEA/EX, IO/EX, M/COMP/BP, L/M, AID, Agriculture, Air Force, Army, DOD, Navy, CIA, Commerce, Energy, GAO, GSA, HHS, Interior, Justice, Labor, NASA, NSF, NSA, PC, Smithsonian, Transportation, Treasury, USIA, VA

ADDRESSEE'S COMMENTS:

Material is:  Approved  Approved as changed  Not Approved

Signature

Date

## 270 EDUCATION ALLOWANCE

## 271 Definitions

- a. "Education allowance" means an allowance to assist an employee in meeting the extraordinary and necessary expenses, not otherwise compensated for, incurred by reason of his/her service in a foreign area in providing adequate elementary and secondary education for his/her children.
- b. "Adequate school" means an elementary school (grades kindergarten and 1-8 or equivalent) or secondary school (grades 9-12 or equivalent) not requiring mandatory denominational religious instruction and providing an educational curriculum and services reasonably comparable to those normally provided without charge in public schools in the United States. The major criterion of "adequacy" is whether a child of normal ability, upon completion of a grade, or its equivalent, can enter the next higher grade in a public school in the United States.
- c. "Educational facility" means (1) "school at post" or (2) "school away from post" or (3) "home study" as defined in this section.
- d. "School at post" means an elementary or secondary school within daily commuting distance of the employee's home.
- e. "School away from post" means an elementary or secondary school so far beyond daily commuting distance of the employee's post as to necessitate board and room in connection with attendance.
- f. "Home study course" means a complete academic course using correspondence course materials in the home or private instruction.

~~"U.S. Government operated school" means an elementary or secondary school maintained and operated by a Government agency for dependents or employees of the Government.~~

g. "Child" means a dependent who is one of the children defined in Section 040m(2) and (4) and who is eligible for education at the elementary or secondary school level (grades K-12) except that such child must have attained the age of four years and must not have reached his/her 21st birthday.

h. "School year" means the total number of calendar days involved in obtaining, by means of a specific educational facility, elementary or secondary schooling within one prescribed maximum rate in one 12 month period.

i. "Advanced Placement Courses" are those courses offered by The College Board, 888 Seventh Avenue, New York, New York 10106 which give students the opportunity to pursue college-level studies while still in secondary school and to receive advanced placement and credit, or one of these, upon entering college. These courses usually culminate with the taking of an exam. (Since children in U.S. public schools must pay certain fees in connection with the taking of these exams, employees should not be reimbursed for the first \$30 incurred per exam per child.)

## 272 Score

## 272.1 Purpose

The education allowance is designed to assist in defraying those costs necessary to obtain educational services which are ordinarily provided without charge by the public schools in the United States, plus, in those cases where adequate schools are not available at the employee's post, the costs of room and board and periodic transportation between such posts and the nearest locality where an adequate school is available.

272.2

ALLOWANCES

272.2 Rates of Education Allowance

Rates of education allowance are provided for "school at post", "school away from post" and "home study". Where a local school is adequate, the "school at post" and the "school away from post" rates are identical. In this circumstance, the rate for "school away from post" does not reflect the costs of attending a boarding school but simply indicates the allowance available for an employee who desires to send his/her child away to school despite the availability of an adequate local school. Where a local school is inadequate, an allowance rate is established to assist with the costs of attending the nearest and, transportation considered, least expensive adequate boarding school. Separate rates are available for home study courses or private instruction. An employee may not receive an allowance greater than the rate provided for the educational facility selected except in connection with supplementary instruction or education of a handicapped child.

272.3 Selection of School

An employee has freedom of choice in school selection, ~~subject to certain restrictions when rates are based on a U.S. Government operated school. (See Section 276.1)~~

273 Application Including Estimates of Costs

After the employee, or a family member, has arrived at the post, he/she may file an application including estimates of costs of tuition, books and supplies, required fees, room and board, and transportation for an education allowance grant on behalf of each child. (See allowable costs in Section 277). However, an employee is expected to submit such receipts, billings, or other acceptable documentation of actual costs as are available at the time of the application. Such application shall not include a child who has traveled to the United States under the provisions of Section 280 within the 12 months immediately prior to the date of the beginning of the child's school year. (See also Section 276.2). The application for each child shall be only for the school year, or fraction thereof, for which one maximum rate is applicable. Evidence of actual schooling costs must be submitted before the end of each school year or whenever requested by the officer designated to authorize allowances, the Department of State, or other responsible authority. (See Section 274.11b)

274 Grant of Education Allowances (See also Section 077.32b)274.1 Amount274.11 Normal Grant

- a. An employee normally may be granted for each school year, or fraction thereof, on behalf of a child in grades K-12, the rate indicated in Section 920 for his/her post, grade and educational facility selected (Section 271.c) or in the case of home study and private instruction the rates indicated in Section 274.12b.
- b. However, the officer designated to authorize allowances is required to authorize smaller amounts when it is determined that the employee's expenses for education justify such lesser amounts. Prior to the end of the grant period, satisfactory documentation of actual allowable school costs incurred by the employee, including transportation, must be presented to the authorizing officer. If the grant has exceeded documented expenses by more than \$100.00, a revision of the grant must be made together with repayment by the employee of any overpayment.

274.12 Other Amounts

The authorizing officer may authorize:

- a. In addition to the amount authorized under Section 274.11 for "school at post", an amount up to \$1,500 each school year for supplementary instruction (Section 276.8);
- b. In lieu of the "school at post" rate, a separate allowance rate of up to \$550 each school year for home study instruction in grades K-8 and up to \$1,650 in grades 9-12, but not to exceed the "school at post" rate where local schools are adequate. (See also Section 276.1)

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STANDARDIZED REGULATIONS

(Government Civilians, Foreign Areas)



274.24

ALLOWANCES

## 2. PRORATE EXPENSES

Employee's school year expenses =  $\frac{\$}{270 \text{ Daily Rate}}$  X Calendar days school attendance =  $\$$  \_\_\_\_\_

The 270 figure used in the formulas represents the calendar days in a typical school year. The lower of the two amounts would be the amount to be granted.

274.24 Additional Grants for One School Year

An additional grant may be authorized on behalf of a child for the remainder of a school year following termination of the preceding grant. The total amount granted for that school year, however, may not exceed the highest maximum education allowance rate prescribed for the post during that school year in the child's grade and educational facility selected, plus amounts, if any, for supplementary instruction authorized under Section 276.8. Exceptions are permitted in the circumstances described in Section 274.23a and if the employee elects temporary continuance of the rate of his/her last previous post in circumstances described in Section 274.12d.

275 Payments

Education allowances may be paid in advance, either by lump sum or by installments, only as necessary for the employee to meet periodic educational expenses or when a monetary advantage, such as a discount, would accrue to the Government.

276 Special Rules~~276.1 United States Government Operated School at Post~~

~~Where the "school at post" education allowance rate is based on the post of a United States Government operated school (as indicated by the footnote "g" in front of the post's classification in column 6, Section 936), normally an education allowance may be granted for a child who does not use the school. Exceptions may be made, however, for such reason as (1) the school's inability to accommodate the child, (2) excessive commuting time, (3) hazardous traffic for young students, (4) to travel by foot, (A) health conditions certified by medical authority, and (f) attendance at the child in a school in the United States, subject to the limitation described in Section 276.2.~~

276.2 Child in the United States

An education allowance shall not be paid for a child in the United States (1) who is residing with his/her mother, father or legal guardian, (2) on whose behalf a separate maintenance allowance is being paid, (3) for the 12-month period immediately following his/her arrival in the U.S. under educational travel authority (Section 280) nor for any period thereafter during which education continues in the United States.

276.3 Child Under Separate Maintenance Allowance in Foreign Area

Where a separate maintenance allowance has been granted for a child residing in a foreign area, the child's place of residence for education allowance purposes shall be considered to be a post (Sections 040h and 061). Any education allowance for such child, for the period involved in the separate maintenance allowance, shall be within the applicable "school at post" rate prescribed for that post.

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STANDARDIZED REGULATIONS

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(Government Civilians, Foreign Areas)

276.4 Employee Transfers to a New Foreign or Non-Foreign Post but the Child Remains in Same School276.44 Transfers to a New Foreign Post

An employee, assigned to a post in a foreign area, who receives official notice of transfer to a new foreign post while his/her child is attending school, has a choice of allowances upon transferring if the child remains in the same school. Following transfer to the new foreign post, the employee may elect to receive and be granted the rate of education allowance of the last previous post instead of at the rate of the new post. If this election is made, the rate of the last previous post may continue only until the child finishes the grade being attended. After the child finishes this grade, whether successfully passed or not, the rate of education allowance at the new post is payable for costs of any further education received ~~the provisions of Section 276.4~~ (See also Section 274.24). An employee shall furnish a copy of the last previous grant to facilitate computation.

276.45 Transfers to a New Non-Foreign Post

Where the employee, assigned to a post in a foreign area, receives official notice of transfer to a new post in a non-foreign area while the child is attending school and remains in the same school while the employee transfers, the head of agency may waive recovery of all or portions of the education allowance advanced if satisfied that such recovery would be against equity and good conscience or against the public interest.

Evidence weighing against recovery and meriting exercise of the waiver includes circumstances where:

- (1) the child's educational progress would be affected by the withdrawal of the child from the school before the end of the school year; or
- (2) the school would make no refund of tuition and other payments even if the child were to be withdrawn from the school before the end of the school year.

Any waiver granted under this section shall be reported promptly to the Secretary of State, citing these regulations and describing the circumstances.

276.5 Employee Delayed Enroute to Post of Assignment

Where an employee who is on temporary duty at a foreign post enroute to a post of assignment incurs educational expense on behalf of a child, any education allowance grant for such child may cover the period of temporary duty. The grant should not be made until the employee or a family member arrives at the post of assignment.

276.6 No Education Allowance at Last Post

Where the employee applies for a "school away from post" education allowance at his/her first foreign post, or following transfer from a post in the United States or from a foreign post classified at "0" education allowance rate for the child's grade in column 6, Section 920, the grant shall not cover a period prior to the date of arrival of the employee at the new post, or arrival of a family member family if earlier, except as otherwise provided in Section 276.5. Accordingly, if the child is already enrolled in a "school away from post" the grant shall be computed on a prorated basis. (See Section 274.21 for method)

276.7 Handicapped Child

An employee having a handicapped child who deviates from the normal range in physical, mental, psychological, emotional or social characteristics (excluding willful disciplinary problems) to such an extent that the child is unable to use ordinary school facilities or to study at any stated grade level (K-12) may be granted an education allowance for such child by the authorizing officer. Except for preliminary diagnostic testing, the costs of medical, including psychiatric treatment for the child's condition are not to be included in such grants. This benefit is available between the 4th and 21st birthdays. (See Section 274.12c)

276.8

ALLOWANCES

276.8 Supplementary Instruction

Where supplementary instruction is required because the "school at post" (1) does not provide instruction in academic subjects generally offered by public schools in the United States, such as United States history, civics, American literature, English grammar or Advanced Placement Courses, or (2) offers its curriculum in a foreign language which the child does not know well enough for progress in the curriculum or (3) requires additional instruction to enable the child to enter a grade or remain in the same grade in the school, the "school at post" grant may, in individual cases deemed necessary by the officer designated to authorize allowances, be increased for the reasons specified in (1); (2) or (3) above, provided such instruction is given by other than the employee or a family member.

276.9 Child Under Age or Over Age (Section 271) g

A grant should be computed on a prorated basis (See Section 274.23 for method) when the employee applies for reimbursement of expenses:

- a. beginning with the date the child becomes 4 years of age while receiving elementary education; or
- b. for a child who will become 21 years of age while receiving secondary education.

276.10 Kindergarten

Kindergarten is considered a one school-year program similar to the U.S. public school program immediately preceding grade 1 which does not include the nursery school level. Any authorization for reimbursement of kindergarten expenses beyond an initial one school year grant must be fully justified by the authorizing officer on the grant document.

277 Allowable Expenses

Except as otherwise provided in Section 276, costs of items listed below may be granted by the authorizing officer to the extent that they are not refundable to the employee by the school. Reduced rates for tuition or related costs or transportation resulting from the attendance of more than one family member in the school shall be reflected in the employee's application for each child. Where costs are in local currency, United States dollar estimates shall be based on the most favorable rate of exchange available to the employee on the date of application. The application shall show the exchange rate used.

277.1 "School at Post" (Section 271d)

- a. Basic tuition for required courses;
- b. necessary elective courses offered by the school which would be required by public schools in the United States;
- c. books and supplies required by the school;
- d. required fees - such as laboratory, library, registration, matriculation, building or development, testing required by local school, medical (routine), sports (group classes), and required "donations". Fees not considered allowable include lunches, uniforms (daily attire or physical education), field trips, refundable deposits, elective courses for dancing, horseback riding, sports or other specialized instructions, personal laundry, locker and towel fees, admissions to school events, yearbooks, personal expenses, and other items not ordinarily provided free of charge by public schools in the United States;
- e. supplementary instruction as described in Section 276.8;
- f. local transportation on school days between the school and the employee's home. Where private car or carpool is used, the cost of such transportation may be computed as follows: (a) mileage necessary to take the child to and from school, multiplied by (b) the number of school days attended, divided by (c) 16 (miles to the U.S. gallon of gasoline), multiplied by (d) the most favorable price of gasoline available to employees at the post.

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STANDARDIZED REGULATIONS

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(Government Civilians, Foreign Areas)



ALLOWANCES

277.2

277.2 "School Away from Post" (Section 271e)

- a. Items listed in Section 277.1a through d.;
- b. room and board; limited to \$300 per month for up to 10 months when child does not reside in school dormitory but instead used private boarding facilities;
- c. periodic transportation of the child between the post and the school, not to exceed trips indicated by school's vacation closing calendar or necessary weekend trips if boarding is on-a 5 day basis.

277.3 Home Study Course (Section 271f)

- a. Correspondence course, including required tuition charges, books, materials, shipping costs and lesson postage;
- b. advisory teaching service.

277.4 Private Instruction

As the education allowance is based legally on public school benefits in the United States, costs of private instruction as a sole method of education can be recognized only as follows: where the employee utilizes private instruction for a child instead of sending that child to a school, the cost of such instruction may be allowed in lieu of expenses for any other method of education up to the applicable maximum rate for home study course.

POST CLASSIFICATION AND PAYMENT TABLES SECTION 920

EMPLOYEES IN SECTION 920

(Explanations on how to use the post classification and payment tables are included in Section 910 of these regulations.)

- a - Effective - 9-4-83
- b - Effective - 9-18-83

c - Changes were effective on both of the above dates. The allowance or other revision printed in this Section 920 was effective 9-18-83. The changes effective 9-4-83 are listed at the end of these footnotes.

d - No current cost information is available as all U.S. Government employees are in Government owned or leased housing. Any U.S. Government organization with employees eligible for the LQA should submit housing cost information to the Department of State as required by Section 072 and 077 of these regulations. Until more suitable housing cost information can be used to establish LQA rates for the locality, the following LQA rates are authorized:

LQA GROUPS			
	2	3	4
W	\$600	4000	4000
Y	4000	4000	4000

e - These LQA rates are established for the benefit of only a few employees and therefore do not necessarily represent overall local quarters costs. (See Sections 072 and 077 for information on the reporting of housing cost data).

f - The indicated 'away from post' boarding school rates are to be reduced to the 'at post' rates at the end of the current school year.

~~g - The indicated U.S. Government operated school at post offering instruction in the grades shown (See Section 376.1 for special rule limiting payment of the education allowance)~~

h - The 'At Post' rate is zero since payment is made directly to the OOD school rather than as an allowance payment to the employee. The 'Away from Post' rate is equivalent to the amount of the direct payment to the OOD school and is available for use for schools in the U.S. in accordance with Section 276.1 subject to the limitation in Section 276.2. For employees who change modes of school (i.e. OOD school to U.S. school or vice versa) during the academic year, the total amount paid to the OOD school and to the employee as an 'Away from Post' cost cannot be higher than the OOD full year tuition.

i - This TLA rate for Accra applies only when an employee without dependents is required to occupy a double room because of the non-availability of rooms during the period in which the allowance is payable.

k - The TLA rate for the first day in any hotel may be increased by the amount of any mandatory room reservation fee levied.

l - The 'away from post' rate of \$14,750 is for use only in attending schools located outside of South Africa. The school 'at post' rate may be used in attending day or boarding schools in South Africa. In lieu of any other education allowance, employees assigned to Pretoria and required to serve at Cape Town shall be reimbursed up to only \$2,900 per school year per child for educational expense in South Africa.

m - In lieu of any other differential authorized by these regulations, an employee who serves for a period of 42 consecutive calendar days or more on detail (Section 511d) at one or more places in Lebanon may be granted the post differential at the prescribed rate for the number of days served at each such place, beginning with the first day of detail in Lebanon.

n - In addition to the listed post differential rate employees are eligible for 25% danger pay allowance (See Chapter 650).

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