



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE
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MEMORANDUM FOR DISTRIBUTION C
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FROM: SAF/MR

SUBJECT: Air Force Guidance Memorandum for School Facilities Supporting Compulsory
Child Education on Air Force (AF) Installations

By Order of the Secretary of the Air Force, this Guidance Memorandum (GM) immediately implements policy and procedures when receiving a request from a state or local municipality, local education agency (LEA), or other state authorized activity, to locate a new non-Department of Defense (DOD) public school or maintain an existing non-DOD public school on an AF installation. It details the coordination requirements of installations prior to entering into any real property actions on AF installations. This GM applies to all installations under the purview of AF policies on real property matters. In collaboration with the Chief of the Air Force Reserve (AF/RE) and the Director of the Air National Guard (NGB/CF), the Deputy Chief of Staff for Manpower, Personnel and Services (AF/A1) develops policy for Airman and Family Readiness Centers. To the extent its directions are inconsistent with other Air Force publications, the information herein prevails, in accordance with AFI 33-360, *Publications and Forms Management*.

The attachment to this memorandum provides guidance that is effective immediately.

This memorandum becomes void after one-year has elapsed from the date of this memorandum, or upon publication of an Air Force Instruction of the same policy and procedures, whichever is earlier.

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(Manpower & Reserve Affairs)

Public Schools on Air Force Installations Guidance

1. Overview: The guidance contained herein details policy and procedures when receiving a request from a state or local municipality, local education agency (LEA), or other state authorized activity, to locate a new non-Department of Defense (DOD) public school or maintain an existing non-DOD public school on an Air Force (AF) installation. It details the coordination requirements prior to entering into any real property actions on AF installations. This AFGM applies to all installations under the purview of AF policies on real property matters. The guidance:

1.1. Applies to non-DOD public schools on AF installations. As used in this memorandum, a “public school” means a school that is funded by local, state, or federal tax dollars based on student enrollment, does not have special entrance requirements, does not charge tuition, is not religiously affiliated, cannot discriminate against students on any basis, or provides compulsory free public education.

1.2. Recognizes “compulsory education” as a period of education that is required of persons, imposed by law. While this varies with each state, it typically refers to ages 5-18 throughout the United States and covers education from kindergarten through 12th grade (K-12).

2. Policy: It is AF policy to:

2.1. Support enhanced learning opportunities provided by public schools for military connected students and to strengthen partnerships with state and local municipalities. However, the AF has no statutory authority to create (solicit, recruit, or select) a requirement of free public education on or off the AF installation; nor, to circumvent or interfere with the state or state appointed school district, school board, and/or LEA administration of school policies and practices provided in state law or state government mandates. The state retains the responsibility for providing free public education and authority to administer as defined in 20 United States Code (U.S.C.) §7713(6) *Free public education* and (9) *Local educational agency*.

2.2. Promote installation-community partnerships that are mutually valuable and are focused on achieving reduced costs or reductions in risks, and support the Air Force mission while retaining or enhancing mission viability and quality of life for Airmen (Air Force Policy Directive (AFPD) 90-22).

2.3. Manage real property assets to ensure the overall sustainability and support of its missions (current and future), as well as the larger defense requirements of the DOD.

2.4. Issue outgrants (such as leases, licenses, permits, and easements) for temporary access to or use of AF real property only when the outgrant is compatible with mission requirements, uses, needs, and applicable environmental and real property laws, regulation, policies and requirements.

3. Procedures: The AF may support and accommodate requests for a lease to locate a new non-DoD public school or maintain existing non-DOD public schools on AF installations received

from, or through, the state, local government body, or LEA charged with the responsibility for administering free public education, in accordance with and pursuant to all applicable laws, rules, and policies governing that leasing action.

3.1. Types of public schools administered by an LEA or state authorized chartering agency that require a facility may include traditional public schools, magnet schools, charter schools, or mixes thereof.

3.1.1. Traditional public schools are facilities established by the LEA to accommodate a specific portion of eligible students based on zones or locations throughout the LEA's area of authority.

3.1.2. Magnet schools are public schools administered through the LEA to offer special instruction or courses not available elsewhere throughout the traditional public schools, such as curricula based on science, technology, engineering, and mathematics (STEM).

3.1.3. Charter schools provide free public education through an approved agreement with the state's chartering organization.

3.1.3.1. For the purposes of this guidance, in consideration of varied state laws governing the creation and operation of public charter schools, public charter schools are not considered a part or function of a state or local municipality or other government body.

3.1.3.2. AF personnel, in an official capacity, will not initiate a charter or sign as a charter member.

3.2. Non-DoD public schools granted a leasehold interest in AF real property shall comply with all applicable laws, rules, and policies and shall be responsible for all financing, development, construction, maintenance, repair, and operations including all costs and expenses pertaining thereto, including but not limited to those for, utilities, sidewalks and parking areas, landscaping and grounds maintenance, and rent.

3.3. On receipt of a request to establish a new non-DOD public school or renew an outgrant for a non-DOD public school on an AF installation, the installation will:

3.3.1. Validate the authority and supporting facts for the request with the LEA if it originated from a different source.

3.3.2. Assess the benefit of the proposal for the installation. Supporting information for such a request may include town hall meetings with sponsors/parents who will be/are affected by the proposal, information generated from parent feedback or surveys, a review of past performance if the public school already exists, the current relationship with the LEA, or other factors directly related to the free public educational delivery/availability in the surrounding community.

3.4. Installations will submit a request package to establish a new non-DOD public school or renew an outgrant for a non-DOD public school on an AF installation through the respective

MAJCOM/A1 to AF/A1S for a review prior to entering any real property actions with a non-DOD school.

3.4.1. The school proposal will include, as a minimum:

3.4.1.1. Validation of the authority of and reasons supporting the request.

3.4.1.2. Assessment of the feasibility of the proposal for the installation, to include benefits for and risks to the AF if the request is accommodated.

3.4.1.3. Analysis of the existing availability, quality, and range of offerings of public schools to the children connected with the installation.

3.4.1.4. Situational report of any public school(s) that may already be on the installation.

3.4.1.5. Chronology of engagements with the LEA, as applicable to the proposal.

3.4.1.6. Information regarding sources of funding for the proposed school including any grants, gifts, or donations from Federal, State, local, or private organizations or persons.

3.4.1.7. Demographics of the proposed student population that includes both DoD and non-DoD students.

3.4.2. School proposals must meet the following criteria to be viable for consideration:

3.4.2.1. The proposed school will accommodate a minimum of 150 students; this capacity is based on total student attendant population that includes all eligible school-aged children that fall within the authority area of the LEA and will be served by the school.

3.4.2.2. Any school facility should be housed in a permanent structure whenever possible. Temporary facilities may be authorized for periods not to exceed 5 year per AFI 32-1032.

3.4.2.3. Coordination with installation Security Force components addressing anti-terrorism/force protection issues, base access for non-DOD personnel, and other security issues to include emergency management (EM) procedures.

3.4.2.4. Coordination with the Base Civil Engineer (BCE) detailing potentially availability of real property in relation to the school request, potential environmental considerations, or other matters relevant to the placement of the school on the installation.

3.4.2.5. Any school facility and siting must meet AF and local installation compatibility requirements.

3.5. AF/A1S will coordinate the school request proposal with appropriate Headquarters Air Force (HAF) offices: SAF/MRR, , SAF/IEI, SAF/GCN, AF/JAA, AF/A4C, AF/A4S, AFCEC/CI, and DoDEA (as appropriate).

3.6. AF/A1S will provide to the respective MAJCOM/A1 the results of the above coordination.

3.6.1. Proposals which do not contain sufficient information or detail will be returned to the respective MAJCOM/A1 for modifications or corrections.

3.6.2. Proposals which violate federal and/or state law or DOD and/or AF policies will be denied.

3.6.3. Proposals which present no known limitations or legal impediments will be issued a "letter to proceed" by AF/A1S for further investigation and planning purposes.

3.6.4. On receipt of the letter to proceed, installations shall submit a request to SAF/IEI, via AFCEC/CI, to pursue the processes and procedures established by the AF for evaluating and processing a request for granting any interest or rights in or to real property, including without limitation, a long-term ground lease to a non-Federal entity for constructing and operating a facility for public use on an installation pursuant to 10 U.S.C., §2667 *Leases: non-excess property of military departments and Defense Agencies*.

3.6.4.1. AFCEC/CI will, among other things, be: assessing the feasibility of the request to locate a public school on AF property using standard AF, business case, cost benefit and/or economic analysis criteria, and analysis of alternatives to include siting the proposed school off-base; and

3.6.4.2. Analyzing the ability to accommodate the request, including (but not limited to) base access and security, environmental, land use, encroachment, emergency response, legislative jurisdiction, or other relevant factors, concerns, and liabilities relating to granting such a long-term ground lease; and,

3.6.5. The process outlined in AFI 32-9003 (Granting Temporary Use of Air Force Real Property) will be used to prepare the lease. If the request is to establish a new school on the installation, the applicable MAJCOM will commence the basing process outlined in AFI 10-503 (Strategic Basing) upon receipt of the "letter to proceed" for basing approval, prior to signing the lease.

3.7. The installation will report the status of actions every 90 days through the respective MAJCOM/A1 to AF/A1S, from the date the "letter to proceed" is issued until all actions are complete or no longer considered; minimum reporting requirements are:

3.7.1. Synopsis of the current required task(s).

3.7.2. OPR/OCR.

3.7.3. Steps required to complete.

3.7.4. Date the task began.

3.7.5. Estimated completion date (ECD).