

**BY ORDER OF THE SECRETARY
OF THE AIR FORCE**



**DEPARTMENT OF THE AIR FORCE
INSTRUCTION 34-105**

23 NOVEMBER 2021

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Services

**NON-DEPARTMENT OF DEFENSE
(DOD) PUBLIC SCHOOLS ON
DEPARTMENT OF THE AIR FORCE
INSTALLATIONS**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This publication implements Air Force Policy Directive (AFPD) 34-1, *Air Force Services* and is consistent with DAFPD 32-90, *Real Property Management*, and Air Force Instruction (AFI) 32-9003, *Granting Temporary Use of Air Force Real Property*. It outlines roles, responsibilities and processes pertaining to military-connected child education provided by non-Department of Defense (DoD) schools located on Department of the Air Force (DAF) installations in the U.S. and its territories. This publication applies to the United States Space Force (USSF), Regular Air Force, the Air Force Reserve, and the Air National Guard. It applies to all installations subject to DAF policies on real property matters. This publication only concerns schools regulated and administered by state or local educational authorities and does not include private schools, either for profit or non-profit. Ensure that all records generated as a result of processes prescribed in this publication adhere to AFI 33-322, *Records Management and Information Governance Program*, and are disposed of in accordance with the Air Force Records Disposition Schedule which is located in the Air Force Records Information Management System. Refer recommended changes and questions about this publication to the Office of Primary Responsibility (OPR), using AF Form 847, *Recommendation for Change of Publication*; route AF Forms 847 from the field through the appropriate functional chain of command. This publication may be supplemented at any level, but the functional manager must route all direct supplements to the OPR of this publication for coordination prior to the certification and approval. The authorities to waive wing/unit level requirements in this publication are identified with a Tier ("T-0, T-1, T-2, T-3") number following the compliance statement. See Department of the Air Force Instruction (DAFI) 33-360, *Publications and Forms Management*, for a description of authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority, or alternately, to the requestor's commander for non-tiered compliance items. Compliance with **Attachment 2** of this publication is not mandatory.

SUMMARY OF CHANGES

This interim change revises DAFI 34-105 by correcting language in [paragraph 3.5.2](#).

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Chapter 1

OVERVIEW

1.1. Purpose. This publication details coordination, authorization and approval requirements for a *Letter to Proceed* (template at [Attachment 2](#)) prior to entering into any real property transactions for non-DoD public schools on DAF installations. Installation leadership must obtain a *Letter to Proceed*, signed by the Air Force Director of Services, prior to requesting the evaluation of a proposal to establish or renew an outgrant for a non-DoD public school on a DAF installation from Air Force Civil Engineer Center. **(T-1)**. Applicability and descriptions of non-DoD public schools are as follows:

1.1.1. Non-DoD public schools are those primary and secondary educational institutions maintained at public expense that offer compulsory, free education for children of a community or district by a local educational agency or other authorized state educational agency activity. The DAF does not have statutory authority to compel a state or local jurisdiction to provide free public education on or off a DAF installation. The DAF cannot circumvent or interfere with a state or state-appointed school district, school board and/or local educational agency administration of school policies and practices provided in state law or state government mandates. **(T-0)**. (Reference Title 20 United States Code (USC) Sections (§§) 7701, *Purpose*, 7713, *Definitions*, and 7801, *Definitions*).

1.1.1.1. Public schools accept all children and provide education through standardized curriculum that meets national and/or state requirements and is approved by the state education agency. The public education is administered through local educational agencies or other authorized entity. Public school offerings may be traditional schools, charter schools, magnet schools, or combinations thereof. (Reference Title 20 USC §§ 7221i, *Definitions*, and 7231a, *Definition*).

1.1.1.2. Compulsory education is recognized as a period of education that is required of children typically 5-18 years of age and imposed by state law. While this varies with each state, it normally includes primary and secondary education from kindergarten through 12th grade (K-12).

1.1.2. DAF installations will not enter into real estate transactions with private schools pursuant to this instruction. **(T-0)**. Private schools are schools that are maintained and run by a non-federal entity (whether for-profit or nonprofit) rather than by a governmental agency.

1.1.3. For ease of reference, the non-DoD originator of the request to establish a public school on DAF property is referred to as the “school entity” throughout this instruction.

1.1.3.1. The DAF may support requests from a school entity for a lease to locate a new non-DoD public school, or maintain an existing non-DoD public school, on DAF installations. Only school entities with the authority to determine school placement and type pursuant to state law for administering free public education will submit lease requests to operate non-DoD schools on DAF installations. **(T-0)**. The school entity that requests the lease will provide the education. **(T-0)**.

1.1.3.2. Installation commanders must ensure lease requests are in accordance with the requirements outlined in [Chapter 3](#) of this instruction. **(T-1)**.

1.2. Objectives. DAF objectives in support of public education offered on DAF installations that affect military-connected school-age dependents are:

- 1.2.1. Support learning opportunities provided by public schools for military-connected students.
- 1.2.2. Strengthen partnerships with state governments and local municipalities.
- 1.2.3. Support quality of life for members, which, in turn, promotes mission effectiveness.
- 1.2.4. Manage real property assets to ensure the overall sustainability and support of missions (current and future) as well as the larger defense requirements of the DoD. Policy for management of DAF real property is in DAFPD 32-90.
- 1.2.5. Issue outgrants (e.g., leases, licenses, permits and easements) for temporary access to or use of DAF real property only when appropriate.

Chapter 2

ROLES AND RESPONSIBILITIES

- 2.1. Assistant Secretary of the Air Force for Manpower and Reserve Affairs (SAF/MR).** Exercises oversight on matters involving military child education.
- 2.2. Assistant Secretary of the Air Force for Energy, Installations and Environment (SAF/IE).** Exercises authority and oversight for real property matters, including real property matters associated with non-DoD public schools on DAF installations.
- 2.3. Deputy Air Force General Counsel for Installations, Energy and Environment (SAF/GCN).** Provides legal advice and counsel on matters related to leases and real property actions associated with non-DoD schools located on DAF installations, in coordination as appropriate with Department of the Air Force, Office of The Judge Advocate General.
- 2.4. Department of the Air Force, Office of The Judge Advocate General (AF/JA).** Provides legal advice and counsel on matters relating to non-DoD schools located on DAF installations, in coordination as appropriate with SAF/GCN.
- 2.5. The Civil Law and Litigation Domain, Office of The Judge Advocate General (AF/JAC).** Provides legal advice and counsel to Air Force Director of Services on *Letters to Proceed* and other matters relating to non-DoD Schools on DAF installations.
- 2.6. Chief of Air Force Reserve (AF/RE).** Collaborates with Deputy Chief of Staff for Manpower, Personnel and Services on policy for military-connected child education matters.
- 2.7. Director of Air National Guard (NGB/CF).** Collaborates with Deputy Chief of Staff for Manpower, Personnel and Services on policy for military-connected child education matters.
- 2.8. Deputy Chief of Staff for Logistics, Engineering and Force Protection (AF/A4).** Serves as the Headquarters Air Force focal point for Civil Engineer and Security Forces matters related to support for non-DoD public schools on DAF installations.
- 2.9. Deputy Chief of Space Operations for Operations (SF/COO).** Serves as the United States Space Force liaison for Civil Engineer and Security Forces matters related to support for non-DoD public schools on Space Force installations.
- 2.10. Deputy Chief of Staff for Manpower, Personnel and Services (AF/A1).** Serves as the Headquarters Air Force focal point for military child education support to DAF installations and approves Air Force policy for military child education.
- 2.11. Deputy Chief of Space Operations for Human Capital (SF/S1).** Serves as the United States Space Force liaison for public school matters and the school liaison program.
- 2.12. Air Force Director of Services (AF/A1S).** Develops military child education policies and guidance pertaining to public school matters and the school liaison program.

2.12.1. Obtains coordination from the Office of the Deputy Assistant Secretary for Reserve Affairs & Airmen Readiness (SAF/MRR), AF/JA, and SF/S1 for *Letters to Proceed* for non-DoD public schools on DAF installations. Determines whether to approve, approve with conditions, or disapprove requests for *Letters to Proceed* for non-DoD public schools on DAF installations. When AF/A1S issues a *Letter to Proceed*, the memorandum signifies the proposal is compliant with this instruction and presents no known limitations. In addition, the *Letter to Proceed* authorizes the installation to engage with Air Force Civil Engineer Center for further evaluation. A *Letter to Proceed* template is included in [Attachment 2](#).

2.12.2. Provides signed *Letters to Proceed* or results of coordination of requests for *Letters to Proceed* to originating Major Command (MAJCOM) A1 or USSF equivalent.

2.12.3. Provides signed *Letters to Proceed* to Principal Deputy Assistant Secretary of the Air Force (Installations) (SAF/IEI); SAF/MRR; AF/JA; SF/S1; Directorate of Civil Engineers (AF/A4C); Directorate of Security Forces (AF/A4S); Mission Sustainment (SF/S4O), Air Force Services Center; Air Force Civil Engineer Center and Installation Commander for situational awareness.

2.13. Major Command Directorate of Manpower and Personnel (MAJCOM/A1) or USSF Equivalent. Provides oversight of military child education affecting DAF installations aligned under the command's or Service's organizational structure.

2.13.1. Coordinates public school proposals requesting a *Letter to Proceed* received from DAF installations within the command or Service. Coordinates the review of such proposals with other functional communities (e.g., civil engineering, security forces) at the command or Service level, as appropriate.

2.13.2. Submits completed public school proposal packages to AF/A1S.

2.13.3. Provides results of AF/A1S coordination of submitted public school proposals for a *Letter to Proceed* to the originating installation.

2.14. Air Force Services Center (AFSVC). Develops systems to ensure military dependent children's education needs are validated and met.

2.14.1. Provides support for military child education issues and operational guidance.

2.14.2. Reviews requests concerning non-DoD schools on DAF installations and provides coordination prior to AF/A1S obtaining coordination on *Letter to Proceed* from SAF/MRR, AF/JA and SF/S1.

2.15. Air Force Civil Engineer Center, Installations Directorate (AFCEC/CI). Serves as the DAF operational lead for administering outgrants of DAF property pursuant to delegated authority.

2.16. Air Force Civil Engineer Center, Installations Directorate, Real Property Management Division (AFCEC/CIT). Provides guidance to MAJCOMs or USSF equivalent and installations relating to outgrants of DAF property.

2.16.1. With information from the proposal referenced in [paragraph 3.1](#) and any additional information from the *Letter to Proceed* and the installation, assesses and analyzes feasibility and/or need to locate the proposed school on DAF property at the proposed site.

2.16.2. May assist in providing technical assistance and has the capability to provide support to the school entity, installation and MAJCOM or USSF equivalent in developing Environmental Impact Analysis Process (EIAP) documentation. Policy relating to environmental impact includes: 42 USC, Chapter 55, *National Environmental Policy*; Title 40, Code of Federal Regulations (CFR) Parts 1500 – 1508, *Environmental Impact Analysis Process*; and Executive Order 12114, *Environmental Effects Abroad of Major Federal Actions*.

2.17. Installation Commander.

2.17.1. At DAF-led joint bases, joint base commander acts as the installation commander for the purpose of this instruction.

2.17.2. At DAF-led joint bases, the joint base commander assesses the proposal for real property action as it relates to both DAF interests and the interests of the supported components on the installation per the Joint Base Memorandum of Agreement and the Joint Base Facility Board.

2.17.3. On receipt of school entity's request to establish a new non-DoD public school or renew an outgrant for a non-DoD public school on a DAF installation, the installation commander:

2.17.3.1. Will validate the school entity's authority for the request. **(T-0)**. Will validate the school entity is the only current, authorized and approved provider for proposed school and education services. **(T-0)**. **(Note:** Authorities vary by locality but are generally articulated in state statutes or local ordinances.) Reviews facts and supporting documentation provided by the school entity. These requirements are to ensure the school entity coordinates with the appropriate state or local agency responsible for administering free public education in accordance with local law and policy.

2.17.3.2. Assesses the benefit of the proposal as it relates to DAF interests, requirements, goals and objectives in providing for the morale and welfare of members and their families.

2.17.3.3. With assistance of installation functional experts (e.g., force support, civil engineering, security forces, staff judge advocate), develops a non-DoD public school proposal coordination package. Coordination package for a *Letter to Proceed* should include school entity's request to establish or continue an outgrant for a non-DoD public school on the DAF installation, projected capacity projections and facility requirements, and additional supporting information, as appropriate. **(NOTE:** Elements of school entity proposal and installation coordination package are described in **Chapter 3**). Submits coordination package to respective MAJCOM/A1 or USSF equivalent for review and coordination.

2.17.3.4. Ensures the DAF EIAP supports and informs the decision to approve the request to establish a non-DoD public school on a DAF installation, pursuant to 32 CFR Part 989, *Environmental Impact Analysis Process (EIAP)*. **(T-0)**.

2.17.4. After receipt of a *Letter to Proceed*, submits a request to AFCEC/CI, copy to SAF/GCN and AF/JA, for further evaluation of the proposal for a non-DoD school real property transaction on the DAF installation. Final school proposal submitted to AF/A1S as well as the signed *Letter to Proceed* should be included in the request.

2.17.5. Upon favorable evaluation of proposal by AFCEC/CI, oversees establishment of the new non-DoD public school on the installation or renewal of the outgrant for the existing non-DoD public school.

2.17.6. Ensures consideration of siting alternatives that are compatible with child education. Non-DoD schools being sited on a DAF installation should be approved at the Facilities Board per section 8.2.2 of AFI 32-1015, *Integrated Installation Planning*.

2.18. Installation Military School Advisor. Assists installation commander with review of school entity's request to establish a new non-DoD public school or renew an outgrant for a non-DoD public school on a DAF installation. Engages with School Liaison as the installation's subject-matter expert on matters regarding education of military-connected children.

2.19. Base Civil Engineer. Serves as the installation OPR for real property and community planning matters to include non-DoD schools on the DAF installation. The Base Civil Engineer:

2.19.1. Assists the Installation Commander in ensuring compliance with the DAF EIAP, pursuant to 32 CFR Part 989, prior to approval of a request to establish a non-DoD public school on a DAF installation.

2.19.2. Supports school entity with the request for Environmental Impact Analysis (Air Force Form 813, *Request for Environmental Impact Analysis*). Ensures Base Environmental Planning Function reviews and completes the AF Form 813 and performs appropriate environmental analysis and consultation in accordance with 42 USC §§ 4321-4347, *National Environmental Policy*.

2.19.3. Determines appropriate documentation for site approval for a non-DoD public school on a DAF installation.

2.19.4. Ensures siting alternatives are compatible with child education and Executive Order 13045, *Protection of Children from Environmental Health Risks and Safety Risks*.

2.19.5. Monitors real property actions for non-DoD schools on the DAF installation to ensure action is taken for renewal.

2.20. Installation Office of Emergency Management. Reviews emergency management procedures included in school entity's proposal for a non-DoD school on the installation.

2.21. Installation Security Forces. Review school entity's proposal for a non-DoD school on the installation for compliance with anti-terrorism standards including exercises, base access for non-DoD personnel and other security measures. Ensures all personnel associated with non-DoD public schools accessing DAF installations are vetted in accordance with Department of Defense Manual (DoDM) 5200.08V3 Air Force Manual (AFMAN) 31-101 Volume 3, *Installation Perimeter Access Control*. (T-0).

2.22. Installation Legal Office. Provides legal advice and counsel to all installation leaders on all legal matters related to establishing or maintaining a non-DoD public school on a DAF installation. These matters include, but are not limited to, legal advice related to contract law, ethics, and environmental law.

2.23. School Entity. Develops proposal package to renew an outgrant for a non-DoD public school on a DAF installation or establish a new non-DoD public school on the installation.

2.24. DAF Personnel. Are aware of the unique challenges presented with personal involvement in any non-DoD public school on a DAF installation. These considerations include, but are not limited to, the following:

2.24.1. DAF personnel (or their family members) may, in their personal capacity, voluntarily participate in the charter school but must exclusively act outside the scope of their official position. **(T-0)**.

2.24.2. Some DAF positions (e.g., installation commander) will likely result in the employee being prohibited from participating in their personal capacities within the charter school because their actions in particular matters may directly and predictably affect the financial interests of the charter school.

2.24.3. 5 CFR Part 2635, *Standards of Ethical Conduct for Employees of the Executive Branch*, provides guidance on relationships between non-Federal entities (e.g., a charter school or its parent corporation) and the DAF and its employees. DAF employees shall not, in their official capacity, be involved in matters of management or control of a charter school. **(T-0)**.

2.24.4. DAF employees should be sensitive to even the appearance of a conflict of interest between their official responsibilities and their interests in the charter school. (See 5 CFR 2635.502, *Personal and business relationships*). For instance, if the installation commander who approved (or favorably endorsed) the charter school's application enrolled his/her children in the school, this fact raises an appearance of a conflict of interest between their official duties and the interests of the charter school.

2.24.5. As a general rule, it would not be appropriate for a DAF employee to initiate or sign any documents intended for consideration by the DAF on behalf of the charter school or its parent corporation. DAF employees having no financial or other interest in the operations of the charter school may make official decisions regarding the charter school, commensurate with their official responsibilities.

2.24.6. Based on *Joint Ethics Regulation*, DoD 5500.07-R, section 3-201, DAF employees may be appointed as an official liaison to represent the installation's interests to the charter school when there is a significant and continuing DoD interest in such representation.

Chapter 3

PROCEDURES

3.1. Development of Proposal for Non-DoD Public School on a DAF Installation. School entity prepares proposal package to renew an outgrant for a non-DoD public school on a DAF installation or establish a new non-DoD public school on the installation. Throughout the proposal process, installation commander ensures the DAF does not engage in the selection or solicitation of competing school providers.

3.1.1. With assistance from the Military School Advisor, installation commander reviews school entity's proposal package for inclusion of the following:

3.1.1.1. Evidence of the school entity's authority to provide public education as well as justification supporting the school entity's request.

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

3.1.1.3. Analysis of the existing availability, quality and range of offerings of public schools in the community (or off base) to the children connected with the installation.

3.1.1.4. Situational report of any public school(s) that may already be on the installation in terms of capacity, facility condition, safety, security, educational performance, or other educational related issues.

3.1.1.5. Chronology of engagements with the local educational agency (e.g., list of communications with dates and a brief description) as applicable to the proposal.

3.1.1.6. Information regarding sources of funding for the proposed school including any appropriations, grants, gifts, or donations from any source (e.g., federal, tribal, state, or local governments; non-Federal entities; or individuals).

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

3.1.1.8. Coordination with installation security forces components addressing compliance with anti-terrorism standards including exercises, base access for non-DoD personnel and other security issues.

3.1.1.9. Coordination with the installation Office of Emergency Management addressing emergency management procedures.

3.1.1.10. Coordination with the Base Civil Engineer detailing potential 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.

3.1.1.11. School facility and siting that meets DAF and local installation compatibility requirements, per AFI 32-1015.

3.1.1.12. Completed and fully coordinated EIAP documentation, pursuant to 32 CFR Part 989.

3.1.2. Installation leadership reviews projected capacity projections and facility requirements.

3.1.2.1. The proposed school should 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 local educational agency and served by the school. Enrollment may be phased in (up to three years) to reach the minimum number of students.

3.1.2.2. Temporary facilities may be authorized when a permanent facility is planned or will be available within a five-year period per AFI 32-1020, *Planning and Programming Built Infrastructure Projects*.

3.2. Submission to MAJCOM/A1 or USSF Equivalent. Installation commander endorses and submits coordination package for a *Letter to Proceed* for a school entity's proposal to MAJCOM/A1 or USSF equivalent. Coordination package for a *Letter to Proceed* should include school entity's request to establish or continue an outgrant for a non-DoD public school on the DAF installation, projected capacity and facility requirements, and additional supporting information, as appropriate.

3.3. MAJCOM or USSF Equivalent Coordination on Installation Request. MAJCOM/A1 or USSF equivalent requests coordination on installation request for a *Letter to Proceed* for non-DoD public school proposals from functional communities (e.g., civil engineer, security forces) at the command or Service level and then submits to AF/A1S for approval.

3.4. DAF Review of Installation Request. AF/A1S reviews MAJCOM- or USSF equivalent-endorsed request for a *Letter to Proceed* for non-DoD public schools on DAF installations and obtains coordination from Air Force Services Center Commander (AFSVC/CC), SAF/MRR, AF/JA and SF/S1.

3.5. Response to Installation Request. AF/A1S responds to MAJCOM/A1 or USSF equivalent concerning the request for non-DoD public school on a DAF installation.

3.5.1. For a proposal which presents no known limitations or legal impediments, AF/A1S issues a *Letter to Proceed* to originating MAJCOM/A1 or USSF equivalent with courtesy copies to SAF/IEI; SAF/MRR; AF/JA; SF/S1; AF/A4C; AF/A4S; SF/S4O; AFSVC/CC; AFCEC/CI; and Installation Commander for situational awareness. Sample *Letter to Proceed* is included at [Attachment 2](#).

3.5.2. If a proposal does not contain sufficient information or detail; violates federal and/or state law; or does not comply with Department of Defense (DoD) and/or Department of the Air Force (DAF) policies, Air Force Director of Services (AF/A1S) responds to the respective Major Command Directorate of Manpower and Personnel (MAJCOM/A1) or United States Space Force (USSF) equivalent with a summary of concerns raised during coordination.

3.5.3. MAJCOM/A1 or USSF equivalent provides signed AF/A1S response to installation leadership.

3.6. AFCEC/CIT Evaluation. Installation leadership provides signed *Letter to Proceed* (with final proposal submitted to AF/A1S for review) to AFCEC/CIT. AFCEC/CIT initiates evaluation process to grant interest or rights in or to real property, including without limitation, a long-term lease to a non-Federal entity for constructing and operating a facility for public use on an installation pursuant to 10 USC § 2667, *Leases: non-excess property of military departments and Defense Agencies. (T-0)*. AFCEC/CIT determines the overall level of DAF support to the proposal which is dependent on local factors including real property availability and suitability on the installation as well as the unique needs of the military student population to be served by the proposed non-DoD school. A long-term lease is defined by AFI 32-9003, paragraph A5.1.2. as a lease not to exceed 25 years.

3.6.1. The assessment uses standard Air Force, business case, cost benefit and/or economic analysis criteria, as set forth in AFI 65-501, *Economic Analysis*.

3.6.2. The assessment also includes whether property may be declared excess and screened among other federal agencies, including the Department of Education, at which time the school entity (if eligible) may apply for a public benefit conveyance of the excess property under Title 40 USC § 550(c), *Disposal of real property for certain purposes, Property for School, Classroom, or Other Educational Use*. In this case, the General Services Agency assigns said excess property to the Department of Education who would then convey the property to the school entity, if eligible, and a lease would no longer be necessary.

3.6.3. AFCEC/CIT analyzes, with input from the installation, 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 related to granting a long-term (not to exceed 25 years) lease.

3.7. Execution of Leasehold Interest for a Non-DoD School on an DAF Installation.

3.7.1. If the *Letter to Proceed* is for a proposal to establish a new school on the installation, the applicable MAJCOM or USSF equivalent is responsible for commencing the basing process outlined in AFI 10-503, *Strategic Basing*.

3.7.2. For any leasehold interests for non-DoD schools on DAF installations, school entities are responsible for financing, development, construction, maintenance, repair and operations in accordance with AFI 32-9003. Such costs and expenses include, but are not limited to: utilities, sidewalks and parking areas, rent, landscaping and grounds maintenance.

JOHN A. FEDRIGO
Acting Assistant Secretary
(Manpower and Reserve Affairs)

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

10USC § 2667, *Leases: non-excess property of military departments and Defense Agencies*

20USC § 7221i, *Definitions*

20USC § 7231a, *Definition*

20USC § 7701, *Purpose*

20USC § 7713, *Definitions*

20USC § 7801, *Definitions*

40USC § 550, *Disposal of Real Property for Certain Purposes*

40USC § 550(c), *Disposal of real property for certain purposes, Property for School, Classroom, or Other Educational Use*

42USC Chapter 55, *National Environmental Policy*

5CFR Part 2635, *Standards of Ethical Conduct for Employees of the Executive Branch*

32CFR Part 989, *Environmental Impact Analysis Process (EIAP)*

40CFR Parts 1500-1508, *Environmental Impact Analysis Process (EIAP)*

Executive Order 12114, *Environmental Effects Abroad of Major Federal Actions*

Executive Order 13045, *Protection of Children from Environmental Health Risks and Safety Risks*

Department of Defense 5500.07-R, *Joint Ethics Regulation*, current version

DAFPD 32-90, *Real Property Management*, 20 April 2021

DAFPD 34-1, *Air Force Services*, 11 October 2018

AFI 10-503, *Strategic Basing*, 14 October 2020

AFI 32-1015, *Integrated Installation Planning*, 30 July 2019

AFI 32-1020, *Planning and Programming Built Infrastructure Projects*, 18 December 2019

AFI 32-9003, *Granting Temporary Use of Air Force Real Property*, 24 October 2018

AFI 33-322, *Records Management and Information Governance Program*, 23 March 2020

AFI 65-501, *Economic Analysis*, 29 October 2018

DAFI 33-360, *Publications and Forms Management*, 1 December 2015

DoDM5200.08V3_AFMAN 31-101 Vol 3, *Installation Perimeter Access Control (FOUO)*, 27 February 2020

Prescribed Forms

None

Adopted Forms

AF Form 813, *Request for Environmental Impact Analysis*

AF Form 847, *Recommendation for Change of Publication*

Abbreviations and Acronyms

AF/A1—Deputy Chief of Staff, Manpower, Personnel and Services

AF/A1S—Director of Services

AF/A4—Deputy Chief of Staff, Logistics, Engineering and Force Protection

AF/A4C—Director of Civil Engineers

AF/A4S—Director of Security Forces

AFCEC—Air Force Civil Engineer Center

AFCEC/CI—Air Force Civil Engineer Center, Installations Directorate

AFCEC/CIT—Air Force Civil Engineer Center, Real Property Management Division

AFI—Air Force Instruction

AF/JA—Department of the Air Force, Office of The Judge Advocate General

AF/JAC—Civil Law and Litigation Domain, Office of The Judge Advocate General

AFMAN—Air Force Manual

AF/RE—Chief of Air Force Reserve

AFSVC—Air Force Services Center

AFSVC/CC—Commander, Air Force Services Center

CFR—Code of Federal Regulations

DAF—Department of the Air Force

DAFI—Department of the Air Force Instruction

DAFPD—Department of the Air Force Policy Directive

DoD—Department of Defense

DoDM—Department of Defense Manual

EIAP—Environmental Impact Analysis Process

MAJCOM—Major Command

MAJCOM/A1—Major Command Directorate of Manpower and Personnel

NGB/CF—Director of the Air National Guard

OPR—Office of Primary Responsibility

SAF/GCN—Deputy Air Force General Counsel for Installations, Energy and Environment

SAF/IE—Assistant Secretary of the Air Force for Energy, Installations, and Environment

SAF/IEI—Principal Deputy Assistant Secretary of the Air Force (Installations)

SAF/MR—Assistant Secretary of the Air Force for Manpower & Reserve Affairs

SAF/MRR—Deputy Assistant Secretary of the Air Force for Reserve Affairs and Airman Readiness

SF/COO—Deputy Chief of Space Operations for Operations

SF/S1—Deputy Chief of Space Operations for Human Capital

SF/S40—United States Space Force, Mission Sustainment

USC—United States Code

USSF—United States Space Force

Terms

Authorized Public Chartering Agency—State educational agency, local educational agency, or other public entity that has the authority pursuant to state law and approved by the state’s Department of Education to authorize or approve a charter school.

Charter Schools—Public school that, in accordance with a specific state statute authorizing the granting of charters to schools, is exempt from significant state or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of law or regulation; is created by a *developer* as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction; operates in pursuit of a specific set of educational objectives determined by the school’s developer and agreed to by the authorized public chartering agency; provides a program of elementary or secondary education, or both; is nonsectarian in its programs, admissions policies, employment practices and all other operations, and is not affiliated with a sectarian school or religious institution; and does not charge tuition. (Expanded definition of other applicable federal statutes and requirements are listed in 20 USC § 7221i).

Free Public Education—Education that is provided at public expense, under public supervision and direction and without tuition charge; and as elementary or secondary education, as determined under state law, except that, notwithstanding state law, such term includes preschool education; and does not include any education provided beyond grade 12.

Letter to Proceed—Notice providing authorization to continue with evaluation of the proposal.

Local Educational Agency—Public board of education or other public authority legally constituted within a state for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a state, or for a combination of school districts or counties that is recognized in a state as an administrative agency for its public elementary schools or secondary schools.

Magnet Schools—Public elementary school, public secondary school, public elementary education center, or public secondary education center that offers a special curriculum capable of attracting substantial numbers of students of different racial or socioeconomic backgrounds. (Reference 20 USC § 7231a.)

Military School Advisor—Installation Commander appointed individual (generally the Mission Support Group Commander) who interacts with schools, school boards and state education associations in an official capacity.

Outgrant—Documents (e.g., leases, licenses, easements) that transfer interest in or control of a real property from the Department of the Air Force to another Government agency, a non-Federal entity, or a private party.

Private School—School that is maintained and run by a non-federal entity (whether for profit or nonprofit) rather than by a governmental agency

Public School—Schools funded by local, state, or federal tax dollars based on student enrollment that: do not have special entrance requirements, do not charge tuition, are not religiously affiliated, cannot discriminate against students on any basis, provide compulsory free public education and are established and operated by state or local authorized education functions pursuant to state statutes.

School Entity—The non-DoD originator of the request to establish a public school on Department of the Air Force property.

School Liaison—Installation point of contact and subject matter expert for all local military child education matters.

State Educational Agency—State board of education or other agency or officer primarily responsible for the state supervision of public elementary schools and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by state law.

Attachment 2

SAMPLE LETTER TO PROCEED

Figure A2.1. Sample Letter to Proceed.

MEMORANDUM FOR (INSERT MAJCOM/A1 or USSF EQUIVALENT INFORMATION)

FROM: AF/A1S

SUBJECT: Letter to Proceed for (Insert Description of Project/Lease)

AF/A1S received and reviewed the request for (insert brief description of non-Department of Defense public school lease/project at (insert name of installation)). AF/A1S authorizes the installation to engage with Air Force Civil Engineer Center for further evaluation of this non-Department of Defense public school proposal.

The installation should present this letter to proceed with a copy of the request package to the Installations Directorate of the Air Force Civil Engineer Center (AFCEC/CI) for further evaluation, consideration and determination. AFCEC/CI is the office responsible for determining if the real property on (insert name of installation) is appropriate/available and confirming the project/lease is in accordance with all other applicable laws, policies and requirements.

Should you have any questions or need any assistance, please contact my POC, (insert name). AF/A1SOC, at (insert email address) or (insert commercial phone number).

NAME, GRADE, DAF
Director of Services
DCS, Manpower, Personnel and Services

cc:
SAF/IEI
SAF/MRR
AF/JA
SF/S1
AF/A4C
AF/A4S
SF/S4O
AFSVC/CC
AFCEC/CI
INSTALLATION/CC