



DoD INSTRUCTION 1205.13

JUNIOR RESERVE OFFICERS' TRAINING CORPS PROGRAM

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Purpose: In accordance with the authority in DoD Directive 5124.02 and Chapter 102 of Title 10, United States Code (U.S.C.), this issuance establishes policy, assigns responsibilities, and provides procedures for the organization and administration of the Junior Reserve Officers' Training Corps (JROTC) Program.

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY.

This issuance applies to:

- a. OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD.
- b. Those private or public secondary education institutions (referred to collectively in this issuance as “institutions”) with established JROTC units.
- c. The operations and administration of JROTC programs worldwide, at both public and private institutions.

1.2. POLICY.

- a. The DoD funds JROTC programs to instill students of U.S. secondary educational institutions with:
 - (1) The value of citizenship.
 - (2) The value of service to the United States, including an introduction to service opportunities in military, national, and public service.
 - (3) The value of personal responsibility.
 - (4) A sense of accomplishment.
- b. The DoD supports compliance by host institutions with Department of Education’s Title IX regulations and guidance, referred to as “Title IX” in this issuance, through the procedures in this issuance.

1.3. SUMMARY OF CHANGE 1.

The change to this issuance:

- a. Requires Tier 1 with Child Care investigations for non-sensitive positions in accordance with DoD Manual (DoDM) 1402.05 and Part 86 of Title 32, Code of Federal Regulations (CFR).
- b. Requires a minimum headquarter-to-school oversight ratio of 1:30.
- c. Standardizes memorandums of agreement (MOAs).

- d. Updates procedures to address Title IX compliance by developing:
 - (1) The Title IX Compliance Course.
 - (2) Requirements to document the fact that:
 - (a) JROTC instructors have been informed of prohibited activities.
 - (b) JROTC students and their parents, guardians, or adults responsible for the student(s) have been informed of their rights and incident reporting responsibilities.
- e. Provides a dedicated, monitored email address for serious incident reporting by the Military Departments and Services in accordance with Paragraph 2.2.i. of this issuance.

SECTION 2: RESPONSIBILITIES

2.1. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS (ASD(M&RA)).

Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, the ASD(M&RA):

- a. Develops policy, provides guidance, and oversees the conduct and administration of the JROTC Program.
- b. Resolves conflicts that may arise among the Military Services operating JROTC units.
- c. Monitors osd.pentagon.ousd-p-r.list.jrotc-cin-reporting@mail.mil for notifications and incident reports from the Secretaries of the Military Departments regarding allegations of misconduct, including alleged Title IX violations by JROTC instructors and staff. Reports incidents to the Deputy Assistant Secretary for Enforcement, Office for Civil Rights, U.S. Department of Education, as appropriate.
- d. In coordination with the Secretaries of the Military Departments:
 - (1) Oversees Service standardization of all JROTC MOAs between the Military Service and the host-institution in accordance with the requirements in Section 3 of this issuance.
 - (2) Ensures proper procedures are in place to protect personally identifiable information collected, shared, and maintained in accordance with Section 552a of Title 5, U.S.C. (commonly referred to as the Privacy Act of 1974, as amended), as implemented in DoD 5400.11-R and DoD Instruction 5400.11.
 - (3) In accordance with DoD Instructions 5400.11, 7750.07, and 8910.01, and DoD 5400.11-R, as applicable:
 - (a) Provides resources and information on the JROTC program, associated instructor responsibilities, and conduct for prospective JROTC students and their parents, guardians, or adults responsible for the student(s), and contact information for reporting misconduct.
 - (b) Student Code of Conduct and Parent/Guardian Consent Forms are an inspectable item as part of the annual, in-person evaluation described in Paragraph 2.2.p.(1), and its submission to the host school is a condition of participation in the JROTC program.
 - (4) In accordance with DoD Instructions 5400.11, 7750.07, and 8910.01, and DoD 5400.11-R, as applicable, for current and potential JROTC instructors:
 - (a) Informs current JROTC instructors and applicants of permissible instructor conduct.

(b) Instructor Prohibited Activities Forms are an inspectable item as part of the annual, in-person evaluation described in Paragraph 2.2.p.(1), and its submission to the host school is a condition of certification as a JROTC instructor.

2.2. SECRETARIES OF THE MILITARY DEPARTMENTS.

The Secretaries of the Military Departments:

- a. In coordination with one another, the Tri-Service JROTC Working Group, led by the ASD(M&RA), and in consultation with the Department of Education, develop, publish, and implement a standardized Title IX Compliance Course for all new JROTC instructors, with annual re-validation training required for all JROTC instructors.
- b. Ensure standardization of all JROTC MOAs in accordance with the requirements of this issuance.
- c. Ensure their JROTC programs inform current and prospective JROTC instructors of the requirements of this issuance, particularly those in Paragraphs 3.3.a. and 3.4.
- d. Implement this issuance by ensuring adherence to Sections 3 through 5.
- e. Sponsor, fund, and conduct the JROTC program for their respective Military Services.
- f. Provide fair and equitable distribution of units throughout the United States with no more than one JROTC unit in a school, except for military institute schools.
- g. Ensure that the Military Services develops and provides for the JROTC Program a course with a minimum 3 academic year curriculum.
- h. Ensure that the MOAs with participating schools and school districts require that any allegation of a Title IX violation in the JROTC program, as well as allegations of misconduct that may lead to a suspension of instructor certification, are reported in a timely fashion by the school or school district to the Military Service concerned. Additionally, ensure that any such reports are then reported through the Service's chain of command to its respective M&RA office within 72 hours of the school or school district reporting the incident. Develop procedures to implement this MOA requirement.
- i. Make any necessary reports via a Serious Incident Report, Commander Critical Information Requirement reporting process, or similar method of notification.
 - (1) The Secretary of the Military Department's M&RA office concerned will forward a copy of such notifications or incident reports to the Office of the ASD(M&RA) via osd.pentagon.ousd-p-r.list.jrotc-cin-reporting@mail.mil within 72 hours of the Service chain of command being informed.
 - (2) Reports will not include personally identifiable information.

j. Conduct background checks and investigations of current and prospective JROTC instructors in accordance with DoDM 1402.05, Part 86 of Title 32, CFR, and Paragraph 3.4. of this issuance. Provide the requisite number of civilian and military billets and associated resources to request and oversee the implementation and adjudication of these investigations, as well as maintain the subsequent reverification or resubmissions as required.

k. Ensure the Military Services provide the necessary curriculum materials (e.g., textbooks), equipment, uniforms, and additional resources to include:

(1) Installation billeting.

(2) Logistical support, including the ability to purchase necessary items through available military supply systems.

(3) Transportation where available to support the JROTC Program.

l. Account for the cost incurred by their respective Military Department in sponsoring, maintaining, or disestablishing a JROTC unit.

m. Prescribe, as appropriate, procedures to award advanced paygrade level placement upon enlistment in a Military Service or enrollment in a Senior Reserve Officers' Training Corps program by a person who presents evidence of successful completion of JROTC participation as follows:

(1) A recruit for military service who has completed at least 2 academic years of the JROTC Program under any Military Department, and has graduated from high school, is entitled to advanced promotion to the paygrade of no less than E-2 on initial enlistment in an Active or Reserve Component of a Military Service. Advancement to the paygrade of E-3 may be awarded for successful completion of 3 academic years of the JROTC Program.

(2) A person participating as a cadet or midshipman in a Senior Reserve Officers' Training Corps Program with 3 academic years of the JROTC Program may be entitled to no less than 1 year of credit in the Senior Reserve Officers' Training Corps Program.

n. Reimburse institutions for JROTC instructor salaries in accordance with Section 2031 of Title 10, U.S.C.

o. In accordance with Section 2031(e)(2) of Title 10, U.S.C., schools may receive additional instructor funds if:

(1) Funds are available.

(2) It is determined, following periodic reviews, by the Military Department:

(a) To be in the National interest.

(b) The school is in an educationally and economically deprived area.

p. Annually:

(1) Designate evaluators to assess, in person, the operation, administration, instructor performance, and effectiveness of the overall JROTC Program and the individual JROTC units for contractual compliance, cost, and performance objectives. Designated evaluators verify and, as required, recommend updates to MOAs with appropriate school district representatives. Designated evaluators validate instructor prohibited activity acknowledgement as part of the instructor evaluation. Evaluators must be qualified officials who are appropriately immersed in JROTC program expectations and operations, and who are not associated with the school district or JROTC unit concerned.

(2) Resource JROTC headquarters, areas, regions, or brigades with staff across the Future Years Defense Program to:

(a) Achieve a ratio of no less than one JROTC oversight official to 30 JROTC host schools.

(b) Provide day-to-day unit oversight and evaluations.

(c) Achieve annual, in-person evaluation from a qualified, designated oversight official assigned.

(d) Process Tier 1 with Child Care Investigation for Non-Sensitive Positions.

(3) Update the Office of the ASD(M&RA) on program planning items, to include:

(a) Overall budget balance, sufficiency, and shortfalls.

(b) Specific execution estimates.

(c) Anticipated:

1. Significant funding changes in the program objective memorandum.

2. Changes in JROTC units or overall student enrollment.

(d) Metrics used to judge program effectiveness.

(e) Recommended policy changes and other suggestions that would make the JROTC Program more effective and efficient.

(f) Any other resourcing or policy concerns unaddressed in the Service program objective memorandum submission.

q. Establish specific probation and disestablishment procedures for program units not meeting the standards specified in this issuance and their corresponding Military Service directives (other than for minimum enrollment requirements).

r. Ensure that the Military Services prescribe policy on the issuance of awards to students participating in the JROTC programs, including awards from the Military Service concerned, the participating school or district, and other organizations. Such policy will require that only those awards authorized and approved by the participating school or district and conforming to the Military Services' core values may be awarded to students for participation in the JROTC programs and worn on program uniforms.

SECTION 3: PROCEDURES FOR THE ESTABLISHMENT AND OPERATION OF JROTC AT SCHOOLS

3.1. JROTC MOAS.

a. JROTC MOAs must:

(1) Identify the roles and responsibilities of the host-institution to protect students as related to compliance by the host-institution with the requirements of Title IX.

(2) Confirm that student participation in the program is strictly voluntary.

b. Intermediate and secondary-level military academies and other specifically approved schools that notify students before enrollment that admission is contingent on JROTC participation are exempt from Paragraph 3.1.a.(2) due to the nature of these institutions and attendance at these schools being voluntary.

c. MOAs are annually reviewed with current school leadership as part of the in-person evaluation as described in Paragraph 2.2.p.(1).

3.2. JROTC ESTABLISHMENT.

Secondary educational institutions that want to establish JROTC units or continue established units will agree to adhere to the procedures outlined in this paragraph.

a. In accordance with Section 2031(b)(1) of Title 10, U.S.C., maintain a JROTC enrollment, as approved by the school's administration to participate, consisting of:

(1) Students above the seventh grade and physically co-located with a participating unit of the ninth grade or above;

(2) Citizens or nationals of the United States or aliens lawfully admitted to the United States for permanent residence; and

(3) At least 100 physically fit students or, if fewer than 1,000 students above the seventh grade are enrolled in the institution, a number of physically fit students which represents at least 10 percent of the total student population.

b. Employ, as JROTC instructors, officer and enlisted personnel whose qualifications are approved by the Military Service administering the JROTC Program.

(1) The senior instructor will possess a baccalaureate degree.

(2) Junior instructors must obtain an associate's degree from an institution of higher learning within 5 years of employment.

(3) All instructors are highly encouraged to pursue continuing or higher education. Only degrees from accredited colleges or universities, as recognized by the U.S. Department of Education, are acceptable to meet the education requirements.

c. In accordance with Section 2031(d) of Title 10, U.S.C., compensate retired military personnel hired as JROTC instructors.

(1) JROTC instructors receive retired, or retainer pay from the U.S. Government.

(2) Institutions, as the employing agency, will pay the full amount due to the JROTC instructor.

(3) The level of active duty pay and allowances, minus retired or retainer pay, is the minimum salary the institution will pay JROTC instructors. This should not be considered an attempt to cap or limit the amount of pay that may be agreed upon between the individual JROTC instructor and the employer.

(4) The minimum amount due from the institution will be, at least, equal to the difference between retired or retainer pay and the active duty pay and allowances that the JROTC instructor would receive based on their retired grade.

(5) The institution will be reimbursed for JROTC instructor salaries at the rate of one-half the difference between instructor retirement or retainer pay and active duty pay and allowances.

(6) The institution may pay more than the amount equal to the difference between retired or retainer pay and individual active duty pay and allowance rate, but will do so without additional entitlement for reimbursement from the Federal Government. See Paragraph 3.9. Appendix 3A of this issuance for examples of proper computation of JROTC instructor pay.

d. Compensation for “Gray Area retirees” hired as JROTC instructors.

(1) The Military Services may refer Gray Area retirees for consideration as JROTC administrators and instructors.

(2) The institution is the employing agency and will pay the full amount due to the JROTC instructor.

(3) The minimum annual compensation due from the institution to a Gray Area retiree employed as an instructor is the amount equal to the difference between:

(a) Retired or retainer pay for an active duty officer or noncommissioned officer (NCO) of the same grade and years of service as the instructor.

(b) Active duty pay and allowances which the instructor would have received for that period if on active duty.

(4) The institution:

(a) Will be reimbursed for JROTC instructor salaries at the rate of one-half the instructor's annual minimum compensation. The annual minimum compensation should not be considered an attempt to cap or limit the amount of pay that may be agreed upon between the individual JROTC instructor and the employer.

(b) May pay more than the annual minimum compensation but will do so without additional entitlement for reimbursement from the Federal Government. Amounts may be paid, in accordance with this paragraph and with respect to the member, after the member reaches the age of 60. See Paragraph 3.9. Appendix 3A of this issuance for examples of proper computation of JROTC instructor pay.

e. Contract separately with the individual JROTC instructor, at no cost to the Military Department concerned, for any additional duties desired by the institution that are unrelated to the instruction, operation, and administration of the JROTC Program.

(1) Such additional services will be performed outside the scope of JROTC duties and hours.

(2) JROTC instructors are permitted to serve on routine committees, participate in extracurricular functions, and perform normal duties rotated among other faculty members. See Paragraph 4.3. of this issuance for information on reimbursement amounts and procedures.

f. Only compensate a JROTC instructor for the period of time that they perform duties as a JROTC instructor.

(1) The preferred minimum contract for a JROTC instructor is 10.5 months. The Military Services may institute additional longevity pay levels, as appropriate, once the normal longevity increases set forth in DoD 7000.14-R are exhausted.

(2) If a JROTC instructor's period of service lasts fewer than 12 months of a calendar or fiscal year, that instructor will be compensated by the institution the difference between the amount of the retirement or retainer pay and active duty pay multiplied by the duration of employment as a JROTC instructor expressed as a fraction of 12 months.

(3) The institution will be reimbursed by the Military Service concerned, as described in Paragraph 3.2.c.(5) of this issuance.

g. Only provide an additional amount of compensation for a JROTC instructor for that part of the summer (or interim) months between academic sessions during which the instructor performs administrative or instructional duties that are directly for the JROTC Program. Administrative, training, or instructional duties directly for the JROTC Program that would entitle a JROTC instructor to additional compensation include, but are not limited to:

(1) Administrative and instructional duties performed in an interim term JROTC Program, such as summer school.

(2) The period allocated by the school district immediately:

- (a) Following the end of the academic year for:
 - 1. Grading examinations and papers.
 - 2. Collection of uniforms, books, and supplies.
- (b) Preceding the beginning of an academic year to:
 - 1. Prepare new course materials.
 - 2. Order, procure, and prepare uniforms, supplies, and equipment.
- (3) Conducting and attending:
 - (a) Camps;
 - (b) Co-curricular training events;
 - (c) Leadership schools; or
 - (d) Similar activities.

h. Advise the Military Service concerned of any change in the employment status of retired personnel employed as JROTC instructors at an institution.

i. Provide suitable safeguards for the government property provided. Such safeguards will include, but not be limited to:

(1) Employment of clerical and logistic personnel required to issue, account for, and maintain the government property. Government property must be accounted for year-round, to include the months that instructors are not under contract.

(2) Coverage for loss and damage of property (e.g., bonds, insurance).

(3) Secure storage for all government property. JROTC units that have U.S. furnished military weapons and ammunition in their inventory will be inspected for physical security by the sponsoring Military Service. Established security standards for arms rooms (including separate secure storage of bolts of operable weapons) will be emphasized.

j. Provide assurances of compliance with applicable provisions of national laws and policies prohibiting discrimination in employment and prohibiting denial of participation in or the benefits of the JROTC program, based on:

- (1) Race;
- (2) Color;
- (3) National origin;

- (4) Disability;
 - (5) Sex; or
 - (6) Age.
- k. Provide adequate facilities for:
- (1) Classroom instruction.
 - (2) Office space.
 - (3) Storage for unit equipment (see Paragraph 3.6. of this issuance).
 - (4) Adequate, suitably located drill areas, as determined by the Military Department concerned.
- l. Limit membership in the unit to students who maintain acceptable standards of academic achievement and conduct, as prescribed by the Military Department concerned.
- m. Ensure any form of hazing, harassment, or bullying by instructors or students is strictly prohibited.

3.3. JROTC INSTRUCTORS.

The Military Department concerned may authorize active duty or retired officers and NCOs as JROTC instructors, in accordance with Chapter 102 of Title 10, U.S.C.; and will develop and implement JROTC instructor qualification, certification, and training requirements, as appropriate.

a. Required Title IX Compliance Training and Documentation.

Current and prospective JROTC instructors will:

- (1) Annually complete their respective Military Department's and school district's Title IX compliance courses.
- (2) Annually complete and retain for inspection their JROTC instructor prohibited activities acknowledgment to confirm they fully understand and personally attest to their personal obligations with respect to their individual conduct.

b. Authorized Strength of Officer and NCO Instructors.

(1) Single JROTC units, and each subunit within a multiple unit program, require one senior instructor (normally a commissioned officer) and one junior (enlisted) instructor. When necessary, Military Services may authorize the substitution of officers for enlisted instructors, or vice versa.

(2) When cadet enrollment at a unit reaches 151 cadets, the Military Service concerned may apply an approval process to authorize a third instructor. Further instructor increases may be authorized when cadet enrollment increases by 100 (e.g., 251 cadets or 351 cadets). Military Services may establish additional instructor criteria for institutions on a non-traditional schedule. Additional instructors are normally retired enlisted personnel, however, the Military Service concerned may authorize commissioned officer substitutions.

(3) The Military Services may implement the multiple-unit programs.

(4) The Military Department concerned should advise the Under Secretary of Defense for Personnel and Readiness, through the designated office of primary responsibility, on exceptions to the subunit requirement in Paragraph 3.3.b.(1) of this issuance.

c. Retiree Recalls.

As members of the Military Services' Retired Reserve, JROTC instructors may be ordered to active duty by the Secretary of the Military Department concerned at any time, in accordance with Section 688 of Title 10, U.S.C., to perform duties, as the Secretary considers necessary, in the interests of national defense.

3.4. BACKGROUND CHECKS AND INVESTIGATIONS.

All current and prospective JROTC instructors will:

a. Undergo background checks in accordance with the applicable Federal, State, and local requirements as part of the instructor certification process.

b. Undergo a Tier 1 with Child Care Investigation for Non-Sensitive Positions and periodic reinvestigations in accordance with DoDM 1402.05 and Part 86 of Title 32, CFR.

(1) JROTC instructors serving before the effective date of Change 1 of this issuance will continue to serve while undergoing the Tier 1 with Child Care investigation and upon receiving a satisfactory adjudication.

(2) JROTC instructors will have their instructor certification immediately rescinded upon receiving an unsatisfactory adjudication.

3.5. ELIGIBILITY OF STUDENTS.

a. Participating schools should strive, as appropriate, to have unit enrollment reflect the demographics of the student body for the school concerned.

b. In addition to the enrollment criteria in Paragraph 3.2.a. of this issuance, to enroll in the JROTC, students will:

(1) Be selected by the JROTC instructor with the approval of the principal of the institution or his or her representative.

(2) Maintain acceptable standards of:

(a) Academic achievement and, at a minimum, an academic standing warranting normal progression leading to graduation.

(b) Conduct, as defined by the Military Service concerned.

c. To enroll in the JROTC, students must be in a grade above the eighth grade, or in a grade above the seventh grade and physically co-located with the ninth grade participating unit. An exception, if approved by the Military Service concerned, is granted to students in military institutes that also conduct classes below the ninth grade level.

d. The Military Service concerned may, as appropriate, prescribe further qualifying participation criteria in JROTC training.

e. In accordance with Section 2031(g) of Title 10, U.S.C., students enrolled in accredited academic programs that do not have a JROTC program may be considered for enrollment in the JROTC Program at a neighboring institution for the purpose of participating in an approved JROTC program. This includes homeschooled students with the approval of a parent or guardian and the school district concerned.

(1) Institutions hosting a JROTC program may establish MOAs to allow students from neighboring institutions, who want to participate in a JROTC program, to do so at the host institution.

(a) It is the responsibility of such students to:

1. Attend the classes.

2. Participate in the activities.

3. Adhere to the guidelines and procedures of the institution hosting the JROTC Program, with regards to JROTC activities.

(b) Students enrolled under these criteria will be counted toward the minimum number required to maintain a JROTC unit.

(2) Each public secondary educational institution that maintains a unit, in accordance with Paragraph 3.5. of this issuance, will permit membership in the unit to homeschooled students who:

(a) Reside in the area served by the institution.

(b) Are otherwise qualified for membership in the unit (but for lack of enrollment in the institution).

(3) A student who is a member of a unit, pursuant to this paragraph, will count towards the minimum:

(a) Student body population requirements of the institution concerned for JROTC enrollment, in accordance with Paragraph 3.2.a. of this issuance.

(b) Number of students enrolled in the unit necessary for the continued maintenance of the unit.

3.6. SUPPLY AND MAINTENANCE.

a. In accordance with Section 2031(c) of Title 10, U.S.C., the Secretaries of the Military Departments, through their respective Military Services, may authorize the issuance of equipment to a designated official of the institution concerned; to include:

(1) Military equipment needed for the prescribed curriculum, if the equipment is not needed for the training of their Regular and Reserve Components.

(2) Surplus or excess military equipment aligned to military requirements for particular technical training courses, in accordance with DoDM 4160.21, when the training requirement is valid in the judgment of the Military Service concerned.

(3) Spare parts, tools, cleaning materials, technical publications, and other materials necessary for maintenance of the equipment.

(4) Instructional materials, training aids, equipment, supplies, uniforms, and other items, as deemed necessary by the Military Service concerned to support and conduct the JROTC Program.

b. The Military Service concerned will pay transportation expenses (including packaging and handling) for shipment to and from the institution. That institution will pay all other costs incident to the maintenance, local storage, and safeguarding of the property.

3.7. NON-CLASSROOM REQUIREMENTS.

The Military Services will:

a. Ensure that the JROTC is not constrained to a classroom-only environment.

b. Prescribe:

(1) Requirements which ensure that JROTC classroom learning is augmented with activities which:

(a) Build upon academic lessons.

(b) Present opportunities for students to apply classroom learning.

(2) Procedures for financial reimbursement to institutions for authorized expenditures in support of non-classroom requirements.

3.8. DISESTABLISHMENT OF JROTC UNITS.

a. When a Military Service determines that a JROTC unit does not meet the standards specified in this issuance and Military Service directives (other than for minimum enrollment requirements), institution authorities concerned will be notified that the unit has been placed on probationary status, in accordance with Military Service-specific probation and disestablishment procedures. Disestablishment of the unit will be effective at the conclusion of the probationary period, if the reason for the probationary status has not been resolved. Exceptions are made for enrollment, pursuant to Paragraph 3.8.b.(1)(c).

b. JROTC units in the third year of establishment that do not have the statutory minimum of students enrolled will be placed on probation.

(1) The Military Service concerned will:

(a) No later than the end of the academic year, evaluate the unit's potential to meet the enrollment minimum by the beginning of the institution's fall academic term.

(b) If it is probable that the enrollment minimum will not be met, encourage the institution's authorities to agree to the disestablishment of the unit at the end of that current school year.

(c) Make the final determination on the institution's capability to meet the enrollment minimum. When the Military Service's evaluation indicates that minimum enrollment probably will be met by the beginning of the fall academic term, the unit may continue.

(d) Inform schools identified for disestablishment about the opportunity to convert to a National Defense Cadet Corps (NDCC) unit in accordance with Section 2035 of Title 10, U.S.C.

(2) No later than 90 days following the beginning of the next academic term, the sponsoring Military Service will determine whether the enrollment minimum has been met; if it has not:

(a) The institution will be officially notified of unit disestablishment.

(b) Physical termination will be scheduled for no later than the end of that academic year.

(3) The Military Services may authorize extensions of probation periods in special circumstances.

3.9. JROTC IN DOD EDUCATION ACTIVITY (DODEA) HIGH SCHOOLS.

a. The requesting high school principal will forward applications for establishment of individual JROTC units, through established school channels in each geographic area, to the Military Department concerned.

b. Retired officer and NCO applicants must be certified by the appropriate Military Service, in accordance with their Service's policies, prior to formal application to DoDEA. Interested applicants will submit their resume and Service certification to the DoDEA Employee Application System (available at <https://www.dodea.edu/Offices/HR/onlineapplication/submitApplication.cfm>) for final selection and appointment to positions in DoDEA high schools.

c. In accordance with Section 3326(b) of Title 5, U.S.C., if a JROTC instructor candidate is within 180 days of retirement from the Military Services, DoD employers, including DoDEA, must obtain a waiver approved by the official to whom authority has been granted before officially offering the candidate a JROTC instructor position. DoD Instruction 1402.01 provides:

- (1) Guidance on proper formatting of waiver requests.
- (2) All required supporting documentation.

3.10. COLLECTION OF METRICS.

The Military Services will establish methods of data collection from educational institutions to verify the effectiveness of individual JROTC programs in accordance with the procedures in DoD Instruction 8910.01.

APPENDIX 3A: INSTRUCTOR COMPENSATION EXAMPLES.

This appendix provides example scenarios (Examples A-F) for the computation of JROTC instructor compensation. Each example scenario details the hypothetical procedures for the computation of the amount due to the JROTC instructor from the U.S. Government and secondary educational institution(s).

a. Example A.

(1) A JROTC instructor agrees to instruct, administer, and operate a JROTC unit for 12 months at Windsor High School. Windsor High School remains open 12 months of the year, without the usual summer recess.

(2) Annual military retirement pay is \$24,000.

(3) The annual minimum due to the instructor from the institution is the difference between the annual retirement pay and what the instructor would earn annually if called to active duty.

(a) Active duty pay and allowances:

1. Include:

a. Basic pay as reflected in Defense Finance and Accounting Services gross retired pay.

b. Basic allowance for housing.

c. Allowance for contiguous U.S. cost of living.

d. Allowance for overseas housing.

e. Allowance for cost of living.

f. Allowance for uniforms (enlisted only).

g. Basic allowance for subsistence.

2. Exclude all other pay and allowances, unless otherwise permitted by specific revision to this issuance.

(b) Instructor's total annual active duty pay and allowances, if called to active duty, is \$52,000.

(c) The difference (active duty pay and allowances minus retirement pay) is \$28,000.

(d) Annual minimum compensation due to the instructor from the institution is \$28,000.

(4) Amount reimbursable to the institution is:

(a) One-half of the annual minimum compensation due to the instructor from the institution; or

(b) \$14,000.

(5) JROTC instructor total annual minimum compensation is \$52,000.

b. Example B.

(1) Windsor High School believes that the JROTC instructor in Paragraph 3A.a. should be compensated \$56,000 for JROTC-related activities, which exceeds the instructor's total annual minimum compensation due.

(2) Annual military retirement pay is \$24,000.

(3) Compensation for the school district includes:

(a) The annual minimum compensation (see computation in Paragraph 3A.a.) due to the instructor, which is \$28,000.

(b) Additional school-funded compensation for JROTC-related responsibilities, which is \$4,000.

(4) Amount reimbursable to the institution is:

(a) One-half of the annual minimum compensation due to the instructor from the institution; or

(b) \$14,000.

(5) JROTC instructor total annual compensation is \$56,000.

c. Example C.

(1) Windsor High School believes that the JROTC instructor in Paragraphs 3A.b.(1) through (5) should be compensated \$56,000 for JROTC-related activities, which exceeds the instructor's total annual minimum compensation due. Windsor High School also wants the JROTC instructor to coach the football team. A separate contract between Windsor High School and the JROTC instructor was written to describe any additional duties desired by the institution besides the instruction, administration, and operation of the JROTC unit.

(2) Annual military retirement pay is \$24,000.

(3) Compensation from the school district includes:

(a) The annual minimum compensation (see computation in Paragraph 3A.a.) due to instructor, which is \$28,000.

(b) Additional compensation for JROTC-related responsibilities, which is \$4,000.

(c) Compensation for separately contracted responsibilities for coaching the football team, which is \$2,000.

(4) Amount reimbursable to the institution is:

(a) One-half of the annual minimum compensation due to the instructor from the institution; or

(b) \$14,000.

(5) JROTC instructor total compensation is \$58,000.

d. Example D.

(1) Newington High School is open 9 months of the year for instruction and a total of an additional month for pre-registration activities in August (e.g., preparing curricula and counseling students) and post-academic activities in June (e.g., recording permanent grades and taking inventory of teaching materials needed for the coming academic year). As an instructor at Newington High School, the JROTC instructor will participate in those required duties.

(2) The JROTC instructor has accepted a 10.5-month contract with Newington High School to provide instruction, administration, and operation of the JROTC unit.

(3) Annual military retirement pay is \$24,000.

(4) The annual minimum due to the instructor from the institution is the difference between the annual retirement pay and what the instructor would earn annually if called to active duty, prorated to a 10.5-month period.

(a) Annual military retirement pay is \$24,000.

(b) Annual pay and allowances if called to active duty is \$52,000.

(c) Annual difference between military retirement pay and pay and allowances if called to active duty is \$28,000.

(d) Annual difference prorated to a 10.5-month period is $^{10.5}/_{12}$ of \$28,000.

(e) Annual minimum compensation due to the instructor from the institution is \$24,500.

(5) Amount reimbursable to the institution is:

(a) One-half of the annual minimum compensation due to the instructor from the institution; or

(b) \$12,250.

(6) JROTC instructor total compensation is \$48,500.

e. Example E.

(1) The JROTC instructor in Paragraph 3A.a. has elected to have his or her compensation from the school district paid in 12 equal payments during the year.

(2) Annual military retirement pay is \$24,000.

(3) The annual minimum due to the instructor from the institution is the difference between the annual retirement pay and what the instructor would earn annually if called to active duty, prorated to a 10.5-month period.

(a) Annual minimum compensation due to the instructor from the institution is \$24,500 (see computation in Paragraph 3A.d.).

(b) Instructor paid in 12 monthly checks, each in the amount of \$2,041.67.

(4) Amount reimbursable to the institution is:

(a) One-half of the annual minimum compensation due to the instructor from the institution; or

(b) \$12,250.

(5) JROTC instructor total compensation is \$48,500.

f. Example F.

(1) The JROTC instructors illustrated in Paragraphs 3A.a. through 3A.e. are active duty retirees.

(2) Minimum instructor salary for Gray Area retirees (referred to in Paragraph 3A.e.(3)(a)) is calculated the same as for active duty retirees of the same rank and years of service. The minimum instructor salary is calculated based on the difference between the active duty pay and allowance which the member would receive if called to active duty minus the amount of retired pay an active duty officer or NCO of the same grade and years of service would receive.

(3) Retirement pay for Gray Area retiree JROTC instructors will be calculated using one of the retirement systems listed in Paragraphs 3A.f.(3)(a) through (d), dependent upon the individual's date of initial entry to military service (DIEMS). The calculated retirement pay will be adjusted annually using the annual cost of living allowance for retired pay and will continue to be used even after a member becomes eligible for retirement pay.

(a) Final pay—DIEMS before September 8, 1980.

(b) High-3—DIEMS on or after September 8, 1980, but before August 1, 1986; and the retiree did not choose the career status bonus (CSB) and REDUX retirement system.

(c) CSB/REDUX—DIEMS on or after August 1, 1986; and the member elected to receive CSB. If CSB not elected, the High-3 retirement system applies.

(d) It is determined that the amount of retired pay an active duty officer or NCO of the same grade and years of service as the Gray Area retiree would receive is \$24,000.

(4) Active duty pay and allowances:

(a) Are based on the Defense Finance and Accounting Service current year military pay tables.

(b) Includes:

1. Basic:

a. Pay.

b. Allowance for housing (based upon the zone improvement plan code of the institution).

c. Allowance for subsistence.

2. Allowance for:

a. Continental U.S. cost of living (if applicable).

b. Overseas housing (if applicable).

c. Overseas cost of living (if applicable).

d. Uniforms (enlisted only).

(c) It is determined that the active duty pay and allowance which the member would receive if called to active duty is \$52,000.

(5) The annual minimum due to the instructor from the institution is the difference between the annual retirement pay of an active duty officer or NCO with the same rank and years of service as the instructor and what the instructor would earn annually if called to active duty, prorated to a 10.5-month period.

(a) Annual military retirement pay of an equivalent active duty officer or NCO is \$24,000.

(b) Annual pay and allowances if called to active duty is \$52,000.

(c) Annual difference between military retirement pay and pay and allowances if called to active duty is \$28,000.

(d) Annual difference prorated to a 10.5-month period is $^{10.5}/_{12}$ of \$28,000.

(e) Annual minimum compensation due to the instructor from the institution is \$24,500.

(6) Amount reimbursable to the institution is:

(a) One-half of the annual minimum compensation due to the instructor from the institution; or

(b) \$12,250.

(7) JROTC instructor total compensation.

SECTION 4: POLICY AND PROCEDURES FOR HARD TO FILL JROTC INSTRUCTOR POSITIONS

4.1. HARD-TO-FILL JROTC INSTRUCTOR POSITIONS.

a. Pursuant to Chapter 102 of Title 10, U.S.C., when determined by the Military Department concerned to be in the national interest, and agreed upon by the institution concerned, the institution may reimburse a JROTC instructor for qualified moving expenses incurred by the instructor to accept employment at an institution and position that the Military Department concerned determines is hard to fill for geographic or economic reasons. Instead of, or in addition to, reimbursement of moving expenses, the Military Department concerned may pay an annual service bonus to an instructor who agrees to serve at a hard-to-fill location (see Paragraph 4.4. of this issuance for details).

b. A hard-to-fill position must meet the criteria listed in this paragraph.

(1) The Military Department concerned must determine that the secondary educational institution's position is hard to fill for economic or geographic reasons.

(2) The position must be vacant for 6 consecutive months or more, regardless of how many individuals have applied or interviewed during the vacancy.

c. The Military Department concerned may add additional requirements that define a hard-to-fill position.

d. To qualify for the reimbursement, the instructor must:

(1) Fill a vacant position that is defined as hard to fill.

(2) Sign a contract to serve a minimum of 2 years with the secondary educational institution.

e. The management and execution of the contract will be conducted by the secondary educational institution that is hiring the instructor.

f. In the event that a JROTC instructor fails to serve the minimum 2 years in the position, it will be considered a breach of contract and the Military Department concerned will revoke the instructor's certification to teach in a JROTC program instead of establishing a debt to the U.S. Government. The Military Department concerned may request a waiver from the Office of the Deputy Assistant Secretary of Defense for Reserve Integration. The request should include any extenuating circumstances surrounding the instructor's breach of contract.

4.2. QUALIFIED MOVING EXPENSES.

a. The Military Department concerned will only reimburse for the moving expenses claimed for reimbursement by the secondary educational institution that qualify as appropriate reimbursable expenses:

- (1) In accordance with Joint Travel Regulations.
- (2) In the amount authorized in Paragraph 4.3.

b. To reimburse the secondary educational institution, the Military Department concerned will ensure that the JROTC instructor strictly adheres to the guidelines set forth in the Joint Travel Regulations regarding:

- (1) The use of a privately owned vehicle.
- (2) Transportation of household goods.
- (3) Hotel accommodations while traveling.

4.3. REIMBURSEMENT AMOUNT AND PROCEDURES.

a. The amount payable by the Military Service concerned will not exceed \$10,000 per instructor for any single reimbursement to a secondary educational institution that hires a JROTC instructor in a hard-to-fill position.

b. The Military Service concerned will reimburse the secondary educational institution within 60 calendar days. The amount will be equal to the amount reimbursed to the instructor by the secondary educational institution for qualified moving expenses claimed by the instructor.

c. The secondary educational institution is responsible for providing:

- (1) Verification that the instructor has been appropriately reimbursed for moving expenses.
- (2) A copy of the contract referred to in Paragraph 4.1.d. to the Military Service concerned.

d. The reimbursement amount provided by the secondary educational institution is in addition to the minimum instructor pay otherwise payable to the instructor.

4.4. ANNUAL SERVICE BONUS FOR HARD-TO-FILL LOCATIONS.

The Military Department concerned may institute an annual service bonus to an instructor who agrees to serve at a hard-to-fill location. The annual service bonus will be:

- a. Limited to 1 month of the calculated minimum instructor pay for the affected instructor. The duration of annual payments is at the discretion of the Military Service concerned.
- b. When used, payable at the conclusion of each annual contract period, if the instructor's service has been deemed satisfactory for the period, as determined by the Military Service.

SECTION 5: NDCC

NDCC programs will be conducted under the requirements for JROTC operation, as outlined in Section 3, unless specifically granted an exception in this section.

a. Institutions are responsible for resourcing the program, to include the costs of instructor salaries (and benefits), cadets' uniforms, and program operational expenses. The Military Services will supply all curriculum to support the program.

b. Instructor qualifications and credentialing will follow those established for the JROTC Program in Section 3.

c. For establishment and sustainment, two qualified instructors will normally be required at a NDCC unit established with at least 100 students enrolled in the program. NDCC programs:

(1) May be established and maintained with a single qualified instructor, with at least a bachelor's degree, at an institution with fewer than 100 students enrolled in the NDCC Program.

(2) Are eligible to request conversion to a JROTC program when:

(a) Two instructors are serving the program; and

(b) NDCC Program enrollment exceeds:

1. 100 students; or

2. 10 percent of the number of students enrolled in the institution who are:

a. In a grade above the seventh grade; and

b. Physically co-located with the ninth grade participating unit.

d. The institution is the employing agency and will pay the full amount due to the NDCC instructor.

(1) The employing agency hiring an NDCC instructor may use the instructor compensation guidelines outlined in Appendix 3A. Any conversion of an NDCC unit to a JROTC unit will follow the instruction compensation guidelines outlined in Appendix 3A.

(2) NDCC instructor salaries are not eligible for reimbursement by the Federal Government. This should not be considered an attempt to cap or limit the amount of pay that may be agreed upon between the individual NDCC instructor and the employing agency.

(3) The institution may pay more than the amounts listed under instructor compensation guidelines in Appendix 3A, but will do so without additional entitlement for reimbursement from the Federal Government (see Appendix 3A for examples of computation of JROTC instructor pay).

e. NDCC students are eligible to compete in JROTC co-curricular activities to include awards and recognition programs.

f. In accordance with Chapter 102 of Title 10, U.S.C., the Secretaries of the Military Departments may issue arms, tentage, and equipment to an educational institution with an NDCC program, if the institution's total student body has at least 50 students who are:

- (1) Above the seventh grade.
- (2) Physically co-located with the ninth grade participating unit.

GLOSSARY

G.1. ACRONYMS.

ACRONYM	MEANING
ASD(M&RA)	Assistant Secretary of Defense for Manpower and Reserve Affairs
CFR	Code of Federal Regulations
CSB	career status bonus
DIEMS	date of initial entry to military service
DoDEA	DoD Education Activity
DoDM	DoD manual
JROTC	Junior Reserve Officers' Training Corps
MOA	memorandum of agreement
NCO	noncommissioned officer
NDCC	National Defense Cadet Corps
U.S.C.	United States Code

G.2. DEFINITIONS.

These terms and their definitions are for the purpose of this issuance.

TERM	DEFINITION
academic year	The period of time necessary to complete one JROTC course, normally consisting of no less than 7200 minutes of instruction.

TERM	DEFINITION
active duty pay and allowances	<p>For calculating JROTC instructor pay, active duty pay and allowances will be limited to:</p> <ul style="list-style-type: none">Basic pay.Basic allowance for housing.Continental U.S. cost of living allowance.Overseas housing allowance.Overseas cost of living allowance.Allowance for uniforms (enlisted only). <p>Basic allowance for subsistence, which the individual would receive if called to active duty.</p>
Gray Area retirees	<p>Officers and NCOs who served in the Reserve Component, have completed 20 years of service, received their 20 year Notice of Eligibility letter, but have not yet reached their required age for receipt of retired pay.</p>
institutions and high schools	<p>Public and private secondary educational institutions, other than those defined as “military academies and junior colleges” and “military institute schools,” that instruct students above the eighth grade. Instruction may also be able to be extended to co-located students above the seventh grade.</p>
JROTC	<p>The JROTC Program conducted at the secondary (high school above the seventh grade and physically co-located with the ninth grade participating unit) level of education.</p>
JROTC unit	<p>An organized group of JROTC students and faculty at one secondary school (high school above the seventh grade and physically co-located with the ninth grade participating unit).</p>

TERM	DEFINITION
military institute schools	<p>Military schools at the secondary level of instruction that:</p> <ul style="list-style-type: none">Require a 4-year course in military training.Organize their military students as a corps of cadets under constantly maintained military discipline.Require all members of the corps, including those members enrolled in military training, to be in uniform when on campus.Have, as their objective, the development of student character through:<ul style="list-style-type: none">Military training.Regulation of student conduct according to the principles of military discipline.Meeting of military standards similar to those maintained at Military Service academies.
military academies and junior colleges	<p>Military schools that provide high school and college instruction, but do not award baccalaureate degrees.</p>
Military Services	<p>Refers to the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, and the Space Force.</p>
MOA	<p>A document written between parties to cooperatively work together on an agreed upon project or meet an agreed upon objective. The purpose of an MOA is to have a written formal understanding of the agreement between parties.</p>
multiple-unit concept	<p>An administrative director is authorized to oversee five or more JROTC subunits administered by the director's respective Military Service. The administrative director may not oversee subunits from other Military Services.</p>
Tier 1 with Child Care Investigation for Non-Sensitive Positions	<p>Defined in Section 3, Paragraph 3.3.c. of DoDM 1402.05.</p>

REFERENCES

Code of Federal Regulations, Title 32, Part 86
Department of Education Title IX Regulations and Guidance¹
DoD 5400.11-R, “Department of Defense Privacy Program,” May 14, 2007
DoD 7000.14-R, “Department of Defense Financial Management Policy,” current edition
DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
DoD Instruction 1402.01, “Employment of Retired Members of the Armed Forces,” September 9, 2007
DoD Instruction 5400.11, “DoD Privacy and Civil Liberties Programs,” January 29, 2019, as amended
DoD Instruction 7750.07, “DoD Forms Management Program,” April 19, 2022
DoD Instruction 8910.01, “DoD Implementation of the Paperwork Reduction Act,” December 5, 2022
DoD Manual 1402.05, “Background Checks on Individuals in Department of Defense Child Development and Youth Programs,” January 24, 2017
DoD Manual 4160.21, “Defense Materiel Disposition,” October 22, 2015, as amended
Joint Travel Regulations, current edition
United States Code, Title 5
United States Code, Title 10

¹ Available at <https://www.ecfr.gov/current/title-34/subtitle-B/chapter-I/part-106?toc=1>