

Date of Hearing: April 5, 2017

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 365 (Muratsuchi) – As Amended March 21, 2017

SUBJECT: Pupil Instruction: graduation requirements: children of military families

SUMMARY: Extends to students from military families certain rights regarding exemptions from local graduation requirements and acceptance of partial credit which are currently afforded to other groups of highly mobile students. Specifically, **this bill:**

- 1) Defines “a pupil who is a child of a military family,” for purposes of the act, as a school-aged child enrolled in grades K-12 who is living in the household of an active duty service member. This is the same definition used in current law for purposes of Interstate Compact on Educational Opportunity for Military Children.
- 2) Requires school districts to exempt a student of a military family who transfers between schools any time after the completion of the student’s second year of high school from all coursework and other requirements that are in excess of state graduation requirements, unless the school district makes a finding that the student is reasonably able to complete the school district’s graduation requirements in time to graduate from high school by the end of the student’s fourth year of high school.
- 3) Requires that, if the school district determines that the student is reasonably able to complete the school district’s graduation requirements within the students’ fifth year of high school, the district:
 - a) inform the student of her option to remain in school for a fifth year to complete the school district’s graduation requirements
 - b) inform the student about how remaining in school for a fifth year to complete the school district’s graduation requirements will affect the student’s ability to gain admission to a postsecondary educational institution
 - c) provide information to the student about transfer opportunities available through the California Community Colleges
 - d) permit the student to stay in school for a fifth year to complete the school district's graduation requirements
- 4) Requires that, within 30 calendar days of the date that a student who is a child of a military family may qualify for this exemption, the school district notify the student and the student’s parent or guardian of the availability of the exemption.
- 5) Requires that, if the school district fails to provide this notice the student remain eligible for the exemption.

- 6) Places other requirements on school districts intended to ensure that students are not required to graduate before the end of their fourth year of high school, that students are aware of the impact of the waived graduation requirements on postsecondary educational institution admission, and that the exemption continues to be in effect even if the student no longer meets the definition of a child of a military family.
- 7) Prohibits a student from transferring solely to qualify for the exemption.
- 8) Requires a school district or a county office of education to accept coursework satisfactorily completed by a student of a military family while attending another public school even if the student did not complete the entire course, and requires that the student be issued full or partial credit for work completed.
- 9) Prohibits a student who is a child of a military family from being required to take a course if the student has satisfactorily completed the entire course in another school.
- 10) Prohibits a student who is a child of a military family from being prevented from retaking or taking a course to meet the eligibility requirements for the California State University or the University of California.
- 11) Makes these rights subject to complaint under the Uniform Complaint Procedures.

EXISTING LAW:

- 1) Requires school districts to exempt students in foster care, those who are homeless, and students who transfer from juvenile court schools who transfer between schools any time after the completion of the students' second year of high school from all coursework and other requirements that are in addition to state graduation requirements, unless a school district makes a finding that a student is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.
- 2) Requires a school district or a county office of education to accept coursework satisfactorily completed in another school by a student in foster care, a student who is homeless, and a student who transfers from juvenile court schools, even if the student did not complete an entire course, and requires that a student be issued full or partial credit for work completed.
- 3) Establishes the Interstate Compact on Educational Opportunity for Military Children (Compact). With respect to graduation requirements, the Compact:
 - a) requires local education agencies (LEAs) to use best efforts to waive specific courses required for graduation if similar coursework has been satisfactorily completed in another LEA, or provide reasonable justification for a denial
 - b) requires that, if a waiver is not granted to a student who would qualify to graduate from the sending school, the local LEA use best efforts to provide an alternative means of acquiring required coursework so that graduation may occur on time

- c) requires that, should a transferring high school senior be ineligible to graduate after all alternatives have been considered, the sending and receiving local LEA make best efforts to ensure the receipt of a diploma from the sending LEA if the student meets the sending LEA's graduation requirements
- 4) Prohibits a school district of residence from prohibiting the transfer of a student who is a child of an active military duty parent to a school in any school district, if the school district to which the parents of the student applies approves the application for transfer.
- 5) Establishes the Uniform Complaint Procedures, through which the public can register complaints regarding certain educational programs and rights.

FISCAL EFFECT: The Office of Legislative Counsel has keyed this bill a state mandated local program.

COMMENTS:

Need for the bill. The author's office states: "AB 365 provides children of military families with the ability to graduate on time by extending the acceptance of partial and full transfer credits for coursework that has been satisfactorily completed.

From my personal experience growing up in military communities, I knew many classmates who were required to transfer from one school to another in the middle of their high school careers. Transferring schools is difficult for many reasons. One of the biggest academic challenges is the potential loss of credits and difficulty meeting graduation requirements.

Through no fault or choice of their own, the children of military families frequently transfer from one school district to another. It is important that unnecessary barriers are removed from their pathway to graduation."

Transiency of children of military families affects school completion. According to the Department of Defense (DOD), children from military families move an average of six to nine times during a school career, and these students frequently face challenges in meeting graduation requirements. A 2012 report by the Military Child Education Coalition for the U.S. Army found that "graduation requirements, tiered diplomas, prerequisite courses, grading variations, and state high stakes testing are all challenges to the student in transition."

Number of students of military families in California. According to the Department of Defense, California is home to the largest number of active duty military in the country, with 155,000 active duty personnel, representing 13.5 percent of the national force. According to the State Department of Education's task force report "Compact on Educational Opportunity for Military Children," in 2012 there were 67,300 school-aged military children in California (ages 5–18).

Knowledge gap on academic outcomes for students of military families. There is very little published data regarding the academic performance of students from military families. One area of inquiry has been the effect of long parental deployments on students' academic performance, and one study (Richardson, 2011) found that students whose parents have been deployed 19 months or longer have modestly lower scores, across all subjects and irrespective of the rank, component, seniority, or gender of the parent. Another study (Engel, 2010) of students in DOD schools found that long deployments and deployments during the month of testing had the most

adverse effects, and that evidence suggests that these effects may persist for several years. A 2011 policy brief from the University of Southern California School of Social Work notes that “Living with fear that a parent – or another relative – serving in the military is in danger can traumatize a child to the point where it significantly affects their ability to function in the school environment.”

Other research has focused on risk factors which are associated with poor academic outcomes. One study (Sullivan, 2015), using data from the 2013 administration of the California Healthy Kids Survey, found that students from military families had greater odds of experience with substance use, physical violence, nonphysical harassment than their peers. Another study (Gilreath, 2016) using the same data set found that California military-connected youth are at a higher risk for suicidal ideation, plans, attempts, and attempts requiring medical care because of suicidal behaviors.

Interstate Compact on Educational Opportunity for Military Children. The DOD, in collaboration with the National Center for Interstate Compacts and the Council of State Governments, developed the Interstate Compact on Educational Opportunity for Military Children (Compact) to address educational transition issues of children of military families.

The goal of the Compact is to ensure that the children of military families are afforded the same opportunities for educational success as other children, and are not penalized or delayed in achieving their educational goals. States participating in the Compact work to coordinate graduation requirements, transfer of records, course placement, and other administrative policies. According to the DOD, all 50 States and the District of Columbia participate in the interstate compact. California adopted the Compact in the state’s Education Code in 2009.

The compact addresses a number of topics, including:

- Timely enrollment
- Transfer of school records
- School placement
- Eligibility for enrollment and participation in school programs, athletics, and extracurricular activities
- On-time graduation

With respect to graduation requirements, the Compact:

- requires LEAs to use best efforts to waive specific courses required for graduation if similar coursework has been satisfactorily completed in another LEA or provide reasonable justification for a denial
- requires that, if a waiver is not granted, the LEA use best efforts to provide an alternative means of acquiring required coursework so that graduation may occur on time
- requires that, should a high school senior transferring be ineligible to graduate after all alternatives have been considered, the sending and receiving local LEA make best efforts to ensure the receipt of a diploma from the sending LEA if she or she meets the sending LEA’s graduation requirements

The Compact does not speak to partial credit for coursework completed in other LEAs or in other states.

A 2014 CDE review of the implementation of the Compact in California found variations in implementation across districts. The report suggested that California undertake a more comprehensive effort to ensure that school district personnel and military families are maximally familiar with the provisions of the Compact so that its provisions are applied consistently. The report also found that California's membership in the Compact has substantially aided both school districts and military families by alleviating many of the educational difficulties military children encounter in their frequent moves from a school in one state to a school in another state.

This bill would establish stronger pupil rights with respect to exemption from local graduation requirements and acceptance of partial credit than are contained in the Compact.

Identifying students from military families. To comply with the requirements of the Compact, school districts must identify students from military families. Los Angeles Unified School District, which enrolls a large number of students from military families, recently added a military and veteran identifier on students' emergency-notification cards and include this identifier in their district-wide student information system.

While a past legislative attempt to create a state-level military student identifier was unsuccessful (see prior legislation below), California may soon need to create one to comply with federal law. According to the Education Commission of the States, the Every Student Succeeds Act (ESSA) requires states to identify military students with a unique military identifier, which will allow military student data to be analyzed as a separate, self-contained subgroup. The identifier is intended to help assess military student performance, as well as help to understand the relationship between military life and dependent child development.

Recommended amendment. *Staff recommends* that this bill be amended to clarify that, for purposes of the section pertaining to the acceptance of partial credit, "public schools" includes schools administered by the United States Department of Defense.

Related and prior legislation. SB 455 (Newman) of this Session establishes that a student whose parent is transferred or is pending transfer to a military installation within state while on active military duty pursuant to an official military order has complied with the residency requirements for school attendance in any school district. SB 455 is pending in the Senate.

Chapter 464, Statutes of 2016 (AB 2306, Frazier) requires school districts to exempt former juvenile court school students who transfer into school districts after their second year in high school from local graduation requirements that exceed those of the state, and requires a county office of education to issue a diploma of graduation to a pupil who completes statewide coursework requirements for graduation while attending a juvenile court school.

AB 306 (Hadley), Chapter 771, Statutes of 2016, prohibits a school district of residence from prohibiting the transfer of a pupil who is a child of an active military duty parent to a school in any school district, if the school district to which the parents of the pupil applies approves the application for transfer.

AB 2341 (Quirk-Silva) of the 2013-14 Session would have added an indicator to the California Longitudinal Pupil Achievement Data System (CALPADS) to identify pupils of military families, and would have required LEAs to report enrollment of pupils of military families, as specified. This bill was held in the Senate Appropriations Committee.

AB 2202 (Block), Chapter 402, Statutes of 2012, extends the sunset from January 1, 2013 to January 1, 2014, for provisions related to the SPI reconvening a task force to review the impact of the Compact on school districts and students, and issue a final report to the Legislature by December 1, 2013.

AB 343 (Saldana) Chapter 237, Statutes of 2009, enacts the Compact, which addresses issues experienced by children of military families who frequently transfer between schools.

AB 2049 (Saldana) Chapter 589, Statutes of 2008, requires SPI to convene and support a task force to review and make recommendations regarding the Compact.

AB 1809 (Saldana) of the 2007-08 Session would have established the Interstate Commission on Educational Opportunities for Military Families and ratified the Interstate Compact on Educational Opportunity for Military Children, to remove barriers to educational success imposed on children of military families due to frequent moves and deployment of their parents. This bill was held in the Assembly Appropriations Committee.

AB 2102 (Saldana), Chapter 608, Statutes of 2006, establishes procedures, including requiring the CDE to establish a formal liaison with the United States Department of Defense and school districts that enroll military dependents, to facilitate and smooth the transfer of school-age military dependents and their school records.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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