

Date of Hearing: April 12, 2023

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
AB 1605 (Gallagher) – As Amended March 27, 2023

SUBJECT: High schools: military services: United States Space Force

SUMMARY: Requires each school district offering instruction in any of grades 9 to 12, inclusive, which provides on-campus access to employers, to not prohibit access to the military services, including the United States Space Force (Space Force), and defines “uniformed services” to include the Space Force for the purpose of the Interstate Compact on Educational Opportunity for Military Children. Specifically, **this bill:**

- 1) Requires each school district offering instruction in any of grades 9 to 12, inclusive, that provides on-campus access to employers, to not prohibit access to the military services, including United States Army, the United States Navy, the United States Air Force, the United States Marine Corps, the United States Coast Guard, the USSF or any reserve component of those federal forces, the National Guard, the State Guard, and the active militia.
- 2) Defines “uniformed services” to include the Space Force for the purpose of the Interstate Compact on Educational Opportunity for Military Children.

EXISTING LAW:

- 1) Requires each school district offering instruction in any of grades 9 to 12, inclusive, that provides on-campus access to employers, to not prohibit access to the military services, including United States Army, the United States Navy, the United States Air Force, the United States Marine Corps, the United States Coast Guard, or any reserve component of those federal forces, the National Guard, the State Guard, and the active militia. (Education Code (EC) 49603)
- 2) Ratifies the Interstate Compact on Educational Opportunity for Military Children to, among other things, facilitate the enrollment, placement, advancement, and transfer of the academic records of the children of military families for removing barriers to their educational success due to the frequent moves and deployment of their parents. The compact defines “Uniformed Services” to mean the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration and the United States Public Health Services. (EC 49701)
- 3) Requires each local educational agency (LEA) receiving funds from the federal Every Student Succeeds Act, also known as the Elementary and Secondary Education Act of 1965 (ESEA), to provide, upon a request made by a military recruiter or an institution of higher education, access to the name, address, and telephone listing of each secondary school student served by the LEA, unless the parent of such student has submitted an opt-out. States that these requirements do not apply to a private secondary school that maintains a religious objection to service in the Armed Forces if the objection is verifiable through the corporate or other organizational documents or materials of that school. (20 USC §7908)

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. According to the author, “The U.S. Space Force was established in 2019 as the first new branch of the armed services in over 70 years. Several sections of California Education Code referencing and defining military branches therefore fail to include the Space Force. The Space Force offers unique career opportunities, especially in STEM (Science, Technology, Engineering, and Mathematics) fields, and the Education Code should be updated to reflect this new and unique branch of our military.”

Key provisions of the bill. Current law requires that if a school district provides on-campus access to employers through, for example, a job fair or other means then the school district cannot prohibit access to the military services. This bill adds the Space Force to the existing definition of military services. Further, current law ratifies the Interstate Compact on Educational Opportunity for Military Children to, facilitate the enrollment, placement, advancement, and transfer of the academic records of the children of military families for the purpose of removing barriers to their educational success due to the frequent moves and deployment of their parents. The compact defines “Uniformed Services” to mean the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration and the United States Public Health Services. The Space Force is the newest branch of the U.S. Armed Forces, and this bill ensures that all branches of the U.S. military are included in these requirements.

The Space Force. The Space Force was established on December 20, 2019, as part of the National Defense Authorization Act. The Space Force serves as the space service branch of the U.S. Armed Forces, which also includes the Army, Marine Corp, Navy, Air Force, Coast Guard, and National Guard.

The Space Force trains, organizes and equips personnel or “Guardians” to perform global space operations that improve how U.S. joint services fight, communicate and achieve national objectives. Operations include developing and defending communication satellites, engineering global cybersecurity networks, supporting rocket launches, tracking space debris and coordinating battlefield operations across all war-fighting domains. The Space Force consists of approximately 8,000 Active Duty personnel. Unlike other military branches, the Space Force does not have a National Guard or reserve component. It consists of only full-time enlisted, officer and civilian personnel.

According to a 2020 RAND report, *A Separate Space: Creating a Military Service for Space*, the Space Force will need personnel with skills in space operations, space intelligence, space acquisition, and other science, technology, engineering, and mathematics disciplines relevant to space operations and acquisition. However, there will be significant challenges in building and sustaining small career fields and the Space Force will likely need to draw about half of its general officers from the Air Force or other services. The Space Force will, “need people skilled in space operations, space intelligence, space acquisition, and other STEM disciplines.”

NASA and the Space Force. According to the USSF, both the National Aeronautics and Space Administration (NASA) and the Space Force work to improve our capabilities in space but with different directives. NASA is a civil agency that focuses on developing resources for education,

exploration, innovation and research, while the Space Force is a military service centered on the capabilities needed to defend the United States' interests and freedom to operate in space.

Federal requirement for LEAs to provide information to military recruiters. In 2002, Congress passed two statutes that require LEAs receiving assistance under the ESEA to afford military recruiters the same access to secondary schools as they provide to postsecondary institutions or to prospective employers. These laws also generally require LEAs to provide secondary school students' names, addresses, and telephone listings to military recruiters, when requested. Under the statutes, parents may "opt out" of allowing schools to provide information about their children to military recruiters.

Fewer youth joining the U.S. Armed Forces. Annual recruitment targets are not are not being met for most branches of the armed forces. In 2002, the Army fell about 25%, or 15,000 soldiers short of its annual recruitment goal of 60,000. A Joint Advertising Market Research & Studies (JAMRS) conducted by the Department of Defense states youth perception of the military is declining due to a shrinking military footprint, years of prolonged overseas conflict, globalization, dwindling family ties, lack of knowledge, and a perception that service members are not "people like them." According to the U.S. Army Recruiting Command, in 2019 over 50% of youth admitted to knowing little to nothing about the military.

Interstate Compact on Educational Opportunity for Military Children. The Department of Defense, in collaboration with the National Center for Interstate Compacts and the Council of State Governments, has developed an interstate compact that addresses the educational transition issues of children of military families, including enrollment, placement, attendance, eligibility, and graduation. Currently all 50 States and the District of Columbia participate in the interstate compact that provide a uniform policy platform for resolving the challenges experienced by military children. AB 343 (Saldaña), Chapter 237, Statutes of 2009, joined the State of California as a member of the Compact.

It is estimated that the average military family moves three times more often than the average non-military family. These frequent moves can, for example, cause children to miss opportunities to participate in extracurricular activities or to face challenges in meeting graduation requirements. The Compact aims 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.

Recommended Committee Amendments. *Staff recommends that this bill be amended* as follows: as it relates to the school district requirement to granting on-campus access to employers and the military services, to further apply the requirement to COEs and charter schools.

Related legislation. AB 1173 (Ta) of the 2023-34 Session would require school districts or schools holding a college or career fair to notify each community college district with overlapping jurisdiction.

ACR 53 (Ward), Resolution Chapter 57, Statutes of 2021, requests the CDE to establish and manage a program designating schools as Purple Star Schools when schools support military connected students in specified ways, and requests the CDE to use the Military Child Education Coalition for resources and information regarding establishing and managing a Purple Star School Program in California.

AB 343 (Saldaña), Chapter 237, Statutes of 2009, enacts the Interstate Compact on Educational Opportunity for Military Children, which addresses issues experienced by children of military families who transfer schools.

SB 400 (Craven), Chapter 666, Statutes of 1991, requires each school district offering instruction in any of grades 9 to 12, inclusive, which provides on-campus access to employers, to not prohibit access to the military services.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Marguerite Ries / ED. / (916) 319-2087